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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 821/2018 & CrI.M.A. 6813/2018**

JAGDISH

..... Petitioner

Through: Mr. Sudhir Naagar & Mr. Bhanu
Sanoriya, Advs.

versus

STATE

..... Respondent

Through: Mr. Ashish Dutta, APP for the State
with SI Jaivir Singh, PS K.M. Pur.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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24.07.2018

The fire arm (revolver) of the petitioner was used in the incident in which Yogesh, the first informant suffered injuries at the hands of one Pawan on 03.04.2018. This is the subject matter of pending investigation into FIR No. 105/2018 of police station Kotla Mubarkapur. The weapon was seized and during investigation it was found that it was held by the petitioner under arms license which concededly had expired on 31.03.2018. The explanation of the petitioner is that he had handed over the said weapon to one Kapil for safe custody as he wanted to go to watch a movie. It is the said Kapil who had satedly passed on the said weapon to Pawan.

In the facts and circumstances of the case, the petitioner was granted interim protection against arrest by order dated 16.04.2018 of the coordinate bench. The said order has continued to operate till date. It is fairly conceded

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by the learned additional public prosecutor that the petitioner has joined investigation in terms of the directions which were earlier issued.

In these circumstances, a case for release of the applicant on anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bonds in the sum of Rs.20,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- (v). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court; and

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the

investigation and process being issued against him by the court of cognizance.

The petition and the pending application are disposed of in above terms.

Dasti.

R.K.GAUBA, J

JULY 24, 2018
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