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

+ **BAIL APPLN. 835/2018 and Crl. M.A. No. 6966/2018**

YASHPAL SINGH

..... Petitioner

Through Mr. Mohit Mathur, Sr. Advocate with
Mr. S.N. Qureshi, Adv.

Versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through Ms. Kusum Dhalla, APP with
Inspector C.R. Meena, SHO and SI
Neeraj Kumar, P.S. New Ashok
Nagar

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.05.2018

Learned counsel for the petitioner submits that four eye-witnesses, that is, PW1 Gurjeet Singh, PW2 Jeetram, PW4 Kapil and PW6 Ashok Kumar have failed to identify the petitioner as the assailant. There is no other circumstantial evidence to connect the petitioner with the murder of deceased.

Learned APP submits that petitioner got recovered the revolver along with an empty shell from his house. The license of the revolver was already expired. The revolver with live cartridge and empty shell were sent to FSL.

Live cartridge was fired in FSL and empty shell matched with the empty shell which was got recovered by the petitioner from his house. It is further submitted that lead was recovered from the dead body. Scratch mark found on the car of petitioner has matched with the colour of scratch on the Innova car of the victim.

Learned Senior counsel contends that no empty shell was recovered from the spot. It is further submitted that as per the DD entry bearing no. 58A, HC Manish had stated that bullet was fired from a Fortuner car bearing registration no. UK-08-1000 of red colour; whereas car of petitioner, is Ford Endeavour. Petitioner is in custody since 5th December, 2016. All the eye-witnesses have already been examined.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

MAY 28, 2018/*r.bararia*