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

+ **BAIL APPLN. 975/2018**

DINESH KUMAR

..... Petitioner

Through: Mr. Sidharth Kapoor and Mr. Anand
Kumar, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Radhika Kolluru, APP with Insp.
Rajesh Kumar, PS-New Ashok
Nagar.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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19.07.2018

The petitioner has been accused for offences in case FIR No. 580/2017 under sections 392/397/34 of IPC and under sections 412/120B/34 of IPC & sections 25/27/54/59 of Arms Act. The petitioner seeks bail on parity on the ground that of the 9 accused, 5 have already been enlarged on bail. The petitioner is in custody since 08.10.2017. Investigation has been completed and charge-sheet has been filed. The learned counsel for the State submits that supplementary charge-sheet is likely to be filed in the next couple of months.

The co-accused-Mahesh, who had allegedly conspired and participated in the robbery, from whom an amount of Rs. 20,000/- had been recovered, was enlarged on bail on 15.03.2015. Although, the learned

counsel for the State contends that quantum of recovery of the robbed amount from the petitioner is of a much larger amount than what was recovered from the co-accused-Mahesh, nevertheless, the co-accused-Mahesh has been enlarged on bail.

In the aforesaid circumstances, the petitioner is enlarged on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Trial Court concerned, subject to the following conditions:-

- (i) the petitioner will regularly appear on each and every date of hearing to be fixed by the Court concerned;
- (ii) the petitioner will not try to influence, contact or meet the complainant and prosecution witnesses in any manner;
- (iii) the petitioner will not leave the country without prior permission of the Court and the passport, if any, shall be deposited with the Trial Court concerned; and
- (iv) in case of change of his new address or contact number, the petitioner will promptly intimate to the SHO/IO of the case and intimate the Trial Court.

The petition stands disposed-off in the above terms.

Nothing stated in this order shall be deemed to be an adjudication on the merits of the case.

The Registry is directed to send a copy of this order to the Jail Superintendent, concerned for compliance. Additionally, a copy of the same shall also be delivered upon the Jail Superintendent through police.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

JULY 19, 2018
RW

NAJMI WAZIRI, J