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

+ **BAIL APPLN. 1157/2018**

MOHD. NAEEM

..... Petitioner

Through: Ms. Sugandha Anand and Mr.
Surinder Anand, Advocates.

versus

STATE

..... Respondent

Through: Mr. Radhika Kolluru, APP for State
with Insp. Ajay Sloanki, PS-Vikas
Puri.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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25.07.2018

The petitioner seeks bail. He is an accused in case bearing FIR No. 324/15 under sections 147/148/149/302/34 IPC registered at Police Station, Vikaspuri. He has been arrayed on the basis of a disclosure statement of one Mohd. Kamil. There are two eye-witnesses to the assault of the deceased. One of them, Mr. Gurpreet Singh has clearly denied that the petitioner was one of the persons who was involved in the incident. The other eye-witness, Mr. Kuldeep Singh was also unable to identify the petitioner as one of the persons who had assaulted the deceased.

The learned counsel for the petitioner submits that there is no criminality against the petitioner and since the prosecution evidence has not identified the petitioner, he cannot be made responsible for further proceedings.

In the aforesaid circumstances, the petitioner is enlarged on bail on his furnishing a personal bond in the sum of Rs.20,000/- 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.

NAJMI WAZIRI, J

JULY 25, 2018

RW