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

+ **BAIL APPLN. 1240/2018**

SUNIL UPPAL

... Petitioner

Represented by: Mr.Puneet Mittal, Sr.Advocate
with Ms.Vasudha Bajaj and
Mr.Gaurav Kochar, Advocates

versus

THE STATE (NCT OF DELHI)

.... Respondent

Represented by: Ms.Meenakshi Chauhan, APP
for the State

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.08.2018

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1. By this petition, the petitioner seeks bail in case FIR No.549/2016 under Section 302 IPC registered at PS Madhu Vihar.
2. A PCR call was received on 3rd November, 2016 at 7.45 p.m. at PS Madhu Vihar informing that one Govind Vallabh Swami had been detained by Sunil at House No.C-5/530, Milan Vihar Apartment, I.P.Extension, Plot No.72, 5th floor and Sunil was trying to get his signatures forcibly and threatening to kill him. When Police reached the spot they found Govind Vallabh Swami lying on the upper ground floor in a pool of blood. He was taken to the hospital where he was declared brought dead. It was revealed that Govind Vallabh Swami had fallen from the fifth floor.
3. Later during the course of investigation statement of one Kajal, who was working as a maid in the house of Sunil Uppal, the present petitioner,

was recorded who stated that on 3rd November, 2016, Govind Vallabh Swami had come to meet Sunil Uppal who started abusing Sunil Uppal and his father O.P.Uppal. Sunil Uppal took him out of the house and closed the main door. When she heard heated arguments between them, she opened the door and saw Govind Vallabh Swami throwing the flower pots on the ground floor and calling someone. Sunil Uppal pushed Govind Vallabh Swami while Govind Vallabh Swami was shouting 'Prince Bachao'.

4. After investigation, charge sheet was filed. During the course of trial 14 prosecution witnesses out of 44 have already been examined including Kajal, who has not supported the case of the prosecution in her testimony. The petitioner is in custody since 5th November, 2016.

5. Considering the fact that the petitioner has been in custody since 5th November, 2016 and material witnesses have been examined, this Court deems it fit to grant bail to the petitioner.

6. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

7. Petition is disposed of.

8. Order dasti.

MUKTA GUPTA, J.

AUGUST 01, 2018

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