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

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Judgment delivered on: 12.07.2018

+ **BAIL APPLN. 1279/2018**

HARESH

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Arvind Kumar Shukla with Mr.
Alok Shukla, Mr. Jashdeep Singh and
Ms. Neena Shukla, Advocates.

For the Respondent :

Mr. Panna Lal Sharma, APP for the
State.
SI Sunil with IO ASI Sanjeev, PS
Lahori Gate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

12.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks Regular Bail in FIR No.95/2018 under Sections 379 IPC, Police Station Lahori Gate. The petitioner has been in custody since 03.05.2018.

2. The allegations in the FIR are that on 19.04.2018 at about 2:30 pm, the complainant was going on a rickshaw when another person

came and sat on the rickshaw with him. Thereafter when that other person left, the complainant realized that his bag which had contained Rs.2,90,000/- was missing.

3. As per the FIR, the accused is alleged to have given his mobile number. As per the prosecution, said mobile number was being used by the petitioner on the said date and time. As per the prosecution, the cell location of the said mobile could not be traced as the number was found to be switched off.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated as the petitioner was not in Delhi on the said date and time but was in Ahmadabad. To substantiate his contentions, the petitioner had relied on CCTV footage from a public bus stop in Ahmadabad. Learned counsel for the petitioner further submits that it is apparent from the CCTV Footage that the petitioner could not have been in Delhi as he is found in Ahmadabad in a bus stand.

5. The Investigating Officer was directed to verify the same. He has filed a status report and taken into possession the CCTV Footage from the bus stand. The CCTV footage has been produced in Court and has been seen.

6. Without commenting upon the merits of the case, on examination of the records, I am of the view that the petitioner has

made out a case for grant of regular bail. Subject to petitioner furnishing a bail bond in the sum of Rs.25,000/- alongwith one surety of the like amount, to the satisfaction of the Trial Court, the petitioner shall be released on bail, if not required in another case. The petitioner shall not do anything, which may prejudice either the trial or the prosecution witnesses.

7. The petition is disposed of in the above terms.
8. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

July 12, 2018
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