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

+ **BAIL APPLN. 1302/2018**

RAHUL

..... Petitioner

Through: Mr.Sumit Chaudhary with Mr. Saurabh
Rajput, Advocates

versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Ashish Dutta, APP for the State with
SI Uday Singh, P.S. Bawana

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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05.07.2018

Crl.M.A.10865/2018 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 1302/2018

Though there have been allegations in the past of applicant not having joined investigation when called upon to do so in terms of the interim order by the Court of Session on his application for bail (Bail Application No.793/18) which alleged misconduct, led to dismissal of his application for such relief by the court of Sessions by order dated 08.05.2018, the investigating officer now fairly concedes that pursuant to notices the applicant did join the investigation twice.

Having regard to the facts and circumstances alleged in the FIR No.119/2018 under Sections 452/323/354A/354B/34 IPC of Police Station Bawana, at the present stage of investigation, there being so far no material to infer that the applicant is a party to the design of the co-accused to keep away from the process of investigation, a case of anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bonds in the sum of Rs.25,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;
- (v). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court; and

(vi) This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

Dasti.

R.K.GAUBA, J.

JULY 05, 2018

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