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

+ **BAIL APPLN. 1399/2018**

HARI KISHAN

..... Petitioner

Through Mr. Faheem Alam, Adv.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through Ms. Manjeet Arya, APP with ASI
Govind Singh, P.S. Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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21.06.2018

Co-accused Manoj @ Tinku has already been admitted to regular bail. Allegations as against the applicant are that the pistol, which, ld. APP during the course of hearing concedes, is a country made pistol, was handed over by the applicant to co-accused Manoj @ Tinku, from whom, it was allegedly recovered.

On being queried, ld. APP concedes that no public witness joined even during the course of the proceedings recorded at the spot for the co-accused Manoj @ Tinku. It is sought to be explained that efforts were made but no public witness joined. It may be so, the fact however remains that as per the own case of the prosecution, no recovery of any article is to be effected from the present applicant. Few other cases are stated to be lying registered against the applicant at different police stations but none has yet culminated into any

conviction. Merely, registration of few other cases cannot be the sole reason to invite custodial interrogation of the applicant, who is stated to be aged about 22 years.

Keeping in view the totality of the facts and circumstances, it is directed that in the event of arrest of the applicant, the applicant shall be released on anticipatory bail on his executing personal bond in the sum of ₹5,000/- with one surety of the like amount to the satisfaction of the IO/SHO concerned. The applicant shall however join the investigation as and when called for by the IO.

Application stands disposed off accordingly.

Dasti under the signatures of the Court Master.

A. K. CHAWLA, J
(Vacation Judge)

JUNE 21, 2018

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