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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1717/2018 and CrI. M.A. no. 28393/2018**

HARBEER SINGH Petitioner
Through Mr. Abhishek Kumar and Mr. M.
Shankar, Advs.

Versus

THE STATE OF NCT OF DELHI Respondent
Through Ms. Aashaa Tiwari, APP with SI
Jitender of Police Station Govind Puri

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **24.07.2018**

Learned counsel for the petitioner submits that as per the complainant, co-accused Mannu Gujjar along with 4-5 boys entered in his shop; while other persons were standing outside. All of them were armed with pistols, revolvers and big weapons. Mannu Gujjar snatched gold chain of the complainant on the point of revolver. Thereafter all of them abused, threatened and scuffled with the complainant and his brother. Learned counsel submits that in the CCTV footage, petitioner is not seen armed with any weapon. Learned counsel for the petitioner submits that initially FIR was registered under Sections 397/323/455/34 IPC read with Sections 25/27 of the Arms Act, inasmuch as charge-sheet has been filed against the co-

accused Deepak, Ashok and Arun under the aforesaid provision. Other provisions have been added subsequently, as an afterthought without any new motive.

Learned APP submits that after filing of the charge-sheet, Sections 147/148/149 IPC were also added. It is submitted that petitioner had been evading arrest.

Investigating Officer is present in Court. He admits that in CCTV footage, petitioner is not seen carrying any weapon in his hand.

Keeping in mind the totality of facts and circumstances of this case, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/-(Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned. Petitioner, however, shall cooperate in the investigation and appear before the Investigating Officer as and when he is called upon to do so.

Bail application is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

JULY 24, 2018/r.bararia