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

+ **BAIL APPLN. 1833/2018**

ATUL KUMAR

..... Petitioner

Through: Mr. Rajat Aneja, Advocate.

Versus

THE STATE (NCT OF DELHI) NEW DELHI Respondent

Through: Mr. Rajat Katyal, APP for State with
SI Deepak Kumar, PS-Lajpat Nagar.
Mr. N.K. Kukreja, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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20.11.2018

The petitioner seeks bail. He is in judicial custody since 24.06.2017. He is accused of having grievously injured the complainant resulting in multiple stitches on his face and shoulder. The complainant claims to be the sole witness to the assault on him. On the date of the injury, he did not disclose the names of the persons who had assaulted and injured him. Seven days later he told the police that the petitioner and two other persons had assaulted him. The other two persons were never found, nor was the two-wheeler/motor cycle recovered by the police. It is the petitioner's case that he was mentioned in the complaint as an afterthought, since there is a history of earlier altercations between the petitioner and the complainant and his family, who happen to be residing across the chemist shop, in which the petitioner is an employee. The petitioner is an Indian citizen. He claims to have no criminal antecedent. The complainant is a sole public witness and he has been examined. The remaining witnesses are police or government

officers. It is stated that the case is almost at the end of recording of the evidence.

In the aforesaid circumstances, the petitioner is granted bail on his furnishing a personal bond in the sum of Rs. 1 lac with two sureties of the like amount to the satisfaction of the Trial Court subject to the following conditions:-

- (i) the petitioner will regularly appear on each and every date of hearing to be fixed by the Trial Court concerned;
- (ii) The petitioner shall report to the SHO, concerned Police Station, Lajpat Nagar, Delhi, when he is residing in Delhi or otherwise before the jurisdictional Police Station of his State, once a week, on every Tuesday during the period of bail;
- (iii) the petitioner will not try to influence, contact or meet the complainant and prosecution witnesses in any manner;
- (iv) the petitioner will not leave the country without prior permission of the Court and the passport, if any, shall be deposited with the Trial Court concerned;
- (v) He shall furnish his telephone number to the SHO concerned, which the petitioner shall keep operational at all times ; and
- (v) in case of change of his new address or contact number, the petitioner will promptly intimate to the SHO/IO of the case and intimate the Trial Court.

The petition stands disposed-off in the above terms.

Nothing stated in this order shall be deemed to be an adjudication on the merits of the case.

At this stage, the learned counsel for the parties submit that they would request the Trial Court to expedite the hearing of the case and dispose it off, preferably by the end of February, 2019.

The learned counsel for the petitioner submits that he will conclude his evidence on the next date or 15 days after the conclusion of the prosecution's evidence.

The Registry is directed to send a copy of this order to the Jail Superintendent, concerned for compliance. Additionally, a copy of the same shall also be delivered upon the Jail Superintendent through the police.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J.

NOVEMBER 20, 2018

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