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

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Judgment delivered on: 15.11.2018

+ BAIL APPLN. 1853/2018

RAKESH SINGH

..... Petitioner

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Anushree Kapadia with Mr. Ajeet Kumar Singh,
Advocates.

For the Respondent : Ms. Kusum Dhalla, APP for the State

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

15.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.61/2018 under Sections 379/394/397/411/120-B IPC, Police Station Jama Masjid.
2. The allegations in the FIR are that the complainant along with the driver of his employer was taking the goods worth approximately Rs.15 lakhs in a van for delivery to the factory. On the way, an altercation took place with three boys, who were driving an Eeco Car and after the altercation was over when the boys left, the complainant and the driver found that the backdoor of the van was open and later on inspection they realised that goods as well as the money had been stolen. The petitioner has been implicated in an alleged disclosure statement of a co-accused.

3. By order dated 07.08.2018, the petitioner was granted protection subject to joining investigation.

4. Learned counsel for the petitioner submits that the petitioner did join investigation. She further submits that chargesheet has been filed, however, no material was found against the petitioner and, accordingly, petitioner has neither been arrayed as an accused nor mentioned in column 12 in the chargesheet.

5. Learned APP for the State, under instructions, submits that further investigation is continuing and there is a possibility that the prosecution may file a supplementary chargesheet, if further material is found. However, she submits that as of now there is no cause for arrest of the petitioner at the present moment.

6. Keeping in view of the facts and circumstances of the case, the petition is disposed of with a direction that, in case, any fresh material is found against the petitioner and there is a cause of arrest, the Investigating Officer shall give at least one week's clear notice to the petitioner prior to arresting him.

7. The petition is disposed of in the above terms.

8. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

NOVEMBER 15, 2018
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