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

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Judgment delivered on: 16.08.2018

+ BAIL APPLN. 1857/2018 & CRL.M.A. 29370/2018

SATYA PRAKASH

..... Petitioner

versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Rajat Aneja and Ms. Chandrika Gupta,
Advs.

For the Respondent :

Ms. Neelam Sharma, Addl. PP for the State
with SI Bajrang

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in FIR No. 330/2018 under Sections 75/79 of the Juvenile Justice Act, registered at Police Station Karol Bagh, Delhi.

2. The allegations against the petitioner in the FIR are that a raid was conducted by the SDM consequent to a complaint received from a NGO/Salaam Balak Trust. During the raid two boys were found

working in the *Dhaba* of the petitioner; one aged about 17 years of age and the other aged about 18 years. As per the FIR, the boys were rescued and produced before the Child Welfare Committee.

3. Learned Addl. PP submits that in the statements under Section 164 Cr. P.C., the children have not deposed anything against the petitioner and stated that they have been voluntarily working.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that no case is made out even from the bare reading of the FIR. He submits that both the boys employed by the *Dhaba* owner were not children of tender age; one is aged 18 years old and the other is aged 17 years and 8 months. He further submits that even as per the statement under Section 164 Cr. P.C., they have not stated anything incriminating against the petitioner, rather they stated that they had been treated well and the working condition were also proper. He further submits that the entire complaint made by the NGO is doubtful.

5. Status report has been produced. However, the same does not bear the signature of the SHO. The same has been returned.

6. The petitioner has been in custody since 10.07.2018.

7. Arguments have been heard and record has been perused.

8. Without commenting on the merits of the case and perusal of

the record shows that the petitioner has made out a case for grant of bail. Accordingly, petitioner is directed to be released on bail on his furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the concerned trial court. The petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.

9. The petition is disposed of in terms of above.

10. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 16, 2018

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