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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1827/2016**

SALIM ANSARI

..... Petitioner

Through Mr. G.P. Thareja, Mr. S.S. Rathi, Mr.
Satyam Thareja and Mr. Sushant
Sharma, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Ms. Rajni Gupta, APP for the State

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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17.01.2018

Learned counsel for the petitioner submits that dead body of Late Shri K.C. Gupta was recovered from his house No. 109D, Pocket A-3, Mayur Vihar, Phase – III, Delhi. Shri Sanjeev Gupta, son of the deceased, identified his dead body. Post mortem was conducted. FIR was registered on 14th August, 2015, that is, after four months. There is no explanation for the delay. Petitioner was a tenant of the deceased. However, he was not living in the same flat. He was living in another flat of the deceased in the same locality. It is further submitted that the whole case is based on circumstantial evidence. The only circumstance propounded against the petitioner is that he got recovered the gold ring of the deceased pursuant to

his disclosure statement. Petitioner is in custody for more than two years.

Learned APP, who is assisted by the learned counsel for complainant, has contended that dead body was recovered on 6th April, 2015. Post mortem was got conducted. However, no opinion regarding cause of death was given by the doctor, awaiting the result of viscera. On 27th July, 2015, FSL report was received which indicated presence of alcohol in the viscera. Thereafter cause of death was given on 12th August, 2015 due to asphyxia. Statements of son, daughter and wife of the deceased were recorded on 22nd September, 2015, wherein they stated that ring, chain, some cheques and property documents were missing from the flat of deceased. Petitioner got recovered gold rings of the deceased, which shows his complicity in the murder of deceased.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JANUARY 17, 2018

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