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

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Judgment delivered on: 26.10.2018

+ BAIL APPLN. 2105/2018

PINTU DAS

..... Petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Yogesh Swaroop with Mr. S.P. Bana, Advocates.

For the Respondent : Ms. Kusum Dhalla, APP for the State.
SI Prabhanshu, Crime Branch.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in case FIR No. 314/2017 under Sections 381/328/411/34 IPC, Police Station Karol Bagh (now before the Special Investigation Cell).

2. The allegations in the FIR are that the complainant, who has a factory of making gold ornaments, left the factory in the evening. Thereafter, the co-accused is alleged to have celebrated the birthday of his son and distributed sweets among other workers, which was laced with intoxicant, after consuming which the workers became unconscious. In the morning when the complainant returned to his factory, he found that the

vault was opened and all the workers were sound asleep and seemed to be unconscious. Subsequently, it was found that approximately 3.5 kg of gold jewellery, etc. was stolen.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the petitioner is not even named in the FIR. There is no evidence to show that the petitioner was even present on the spot and there is no recovery made from the petitioner.

4. The investigation is complete. Charge sheet has already been filed. Petitioner has been in custody since 24.03.2018.

5. Keeping in view of the fact that the petitioner has been in custody since 24.03.2018, investigation is complete and the fact that the main co-accused, who is named in the FIR, has already been admitted to regular bail, without commenting upon the merits of the case and on perusal of the record, I am satisfied that the petitioner has made out a case for grant of regular bail. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Trial Court, the petitioner shall be released on bail, if not required in any other case. The petitioner shall not do anything, which may prejudice either the trial or the prosecution witnesses.

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

7. Order Dasti under signatures of the Court Master.

OCTOBER 26, 2018/st

SANJEEV SACHDEVA, J