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

+ **BAIL APPLN. 1134/2017**

SHRI BALJEET SINGH @ PRINCE Petitioner

Through: Mr. Ashwin Vaish, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **16.11.2018**

The first information report no. 482/2016 was registered on 07.12.2016 on the statement of Dilip Singh recorded on the said date respecting an incident that had statedly occurred on 28.11.2016. The FIR itself would show that the first informant (the victim) had been taken to government hospital where he was medically examined against MLC and after treatment he left the hospital on the same date, the injuries indicated in the said MLC being simple/blunt. The police officer tried to locate him pursuant to the input vide DD no. 11 but he not being immediately available. As per the MLC, the history was given by the victim to be an assault “by unknown person”. In the statement recorded, almost nine days after the occurrence, allegations were made against four persons including the petitioner herein. The co-accused named Burfi is the one who was described

as the person who had used fire arm, the role attributed to the petitioner being that he along with two others had assaulted on the person of the petitioner with base-ball bats. The co-accused Sahil is stated to be absconding, while the two others concededly are on bail.

Charge-sheet against those who had been earlier arrested has already been submitted, the investigation officer proposing to file his further report under Section 173 Cr.P.C. qua the remaining, including the petitioner, in near future.

By order dated 12.06.2017, it was directed that no coercive steps would be taken against the petitioner subject to he continuing to cooperate with the investigation. The said order has continued to be operative till date. The investigating officer confirms that the petitioner has been cooperative and joining in the investigation.

In the above facts and circumstances, the petition is allowed. It is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;

(iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

The petition stands disposed of in above terms.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

NOVEMBER 16, 2018

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