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

+ **BAIL APPLN. 2193/2018**

OM SHIVAY @ KALLU

..... Petitioner

Represented by: **Sh.Syed Meesam, Advocate**

versus

STATE

..... Respondent

Represented by: **Ms.Rajni Gupta, APP for the State
with SI Abhishek and Insp.Prem
Kumar, PS Amar Colony**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.10.2018

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1. By this petition, the petitioner seeks bail in case FIR No.248/2008 under Sections 302/396 IPC and Section 25 of the Arms Act registered at PS Amar Colony.

2. Abovenoted FIR was registered on 12th July, 2018 after a PCR call was received on 11th July, 2018 informing that two boys namely Ashneet Singh @ Ricky and Hardeep Singh were shot and on being brought at AIIMS Trauma Centre, they were declared dead. Statements of eye witness Sanjeev Gupta and Amit Yadav were recorded. The petitioner was produced for TIP, however he refused to participate therein. Sanjeev Gupta has since been examined in Court and has supported the case of the prosecution. A report was called from by the learned Trial Court explaining the reasons for delay in conclusion of the trial. The prosecution in the

present case has to examine 43 witnesses out of which 32 witnesses have been examined. Out of the 5 accused involved, 3 are facing trial and the learned Trial Court has given in details the manner of examination of the various witnesses in the Court.

3. Considering the nature of allegations and the fact that besides above FIR the petitioner is involved in 2 other murder cases besides 12 other cases, this Court finds no ground to grant bail to the petitioner at this stage. However considering the fact that the petitioner is in custody since 15th December, 2008 the trial is required to be expedited. Learned Trial Court is directed to conclude the prosecution evidence within a period of 6 months from the next date fixed before the learned Trial Court.

4. Petition is disposed of.

5. Copy of this order be communicated by the Registry to the learned Trial Court.

MUKTA GUPTA, J.

OCTOBER 05, 2018

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