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

+ **BAIL APPLN. 2212/2018**

NAVEEN KUMAR

..... Petitioner

Through Mr. Rakesh Kumar Khanna, Sr.
Advocate with Ms. Akanksha Bansal
and Ms. Drishti Rathore, Advs.

versus

STATE

..... Respondent

Through Ms. Neelam Sharma, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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01.11.2018

As per the prosecution, petitioner had given beatings to the deceased. He banged head of the deceased on the footpath several times, resulting in injuries to her. Siddharth Sharma and Surender Rana had witnessed the incident. Initially, FIR was registered under Section 307 IPC. However, after the death of deceased, offences under Sections 302/201 IPC were added.

Learned Senior Counsel for the petitioner submits that deceased suffered injuries in the road accident. It is the petitioner, who has taken the deceased to Jaipur Golden Hospital. Unfortunately, deceased died after

three days. TIP was got conducted. PW3 Surender Rana and PW11 Siddharth Sharma had failed to identify the petitioner in TIP. While deposing in Court, PW23 has failed to identify the petitioner. PW11 has identified the petitioner in Court. However, it is also the fact that he had failed to identify the petitioner during TIP, which was conducted immediately after the incident. Petitioner is in custody for about 2½ years.

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 ₹25,000/- (Rupees Twenty Five 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.

NOVEMBER 01, 2018

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