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

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Judgment delivered on: 31.10.2018

+ BAIL APPLN. 2396/2018

RUDRA PAL SINGH

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Vikas Sharma, Adv.

For the Respondent : Ms.Meenakshi Dahiya APP.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

31.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.104/2018 under Section 336/337 IPC and Section 30 of the Arms Act. Initially Section 308 was added. After the statement of victim was recorded, Section 307 has been added.

2. The allegation in the FIR is that the Petitioner who was employed as the Security Guard in a bank had a heated argument with the bank manager and when the injured intervene, he is alleged to have fired upon the victim.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that the incident happened on

account of an accident and there was no *mens rea* on the part of the petitioner to cause injury to any person. He submits that the statement of the branch manager substantiates the fact that there was no argument. He further submits that the victim is a chance victim.

4. CCTV footage has been produced by the IO which has also been perused. The IO submits that the licenced weapon of the petitioner as also his arms licence has been seized.

5. Without commenting on the merits of the case and keeping in view the facts and circumstances of the case, I am satisfied that petitioner has made out a case for regular bail. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.

6. Further, the Licensing authority is directed to suspend the Arms License of the petitioner and not to revoke the suspension without permission of the Trial Court.

7. Petition is disposed of in the above terms.

8. Order *Dasti* under signatures of the Court Master.

OCTOBER 31, 2018/rk

SANJEEV SACHDEVA, J