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

+ **BAIL APPLN. 2521/2018 & CrI.MA.34923/2018**

GAURAV KUMAR

..... Petitioner

Through Mr.C.M.Sangwan with Mr.Pankaj,
Adv.

versus

THE STATE (GOVT OF NCT DELHI)

..... Respondent

Through Ms.Manjeet Arya, APP with ASI
Gordhan Singh, PS Prashant Vihar.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **26.10.2018**

1. Vide the present petition, the petitioner seeks anticipatory bail in FIR No.0149/2018 registered u/s 323/341/506/34 of the IPC at P.S. Prashant Vihar.
2. The allegations against the petitioner are that the petitioner was present alongwith 5/6 other young boys when Aman, the main accused had snatched a gold chain and Rs.2100/- from the complainant, who had come to the DDA park at the asking of Aman.
3. Learned counsel for the petitioner submits that the petitioner is a young student who was not at all involved in the alleged incident complained of in the captioned FIR and has been named only because he was a friend of one Aman, who has already been granted bail by the learned Trial Court vide order dated 15.10.2018. On the other

hand, Ms.Arya, learned APP while opposing the present application submits that the petitioner is not at all entitled to grant of anticipatory bail.

4. I have considered the rival submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the main accused Aman has already been granted bail by the learned Trial Court, without commenting on the merits of the case, I am satisfied that the petitioner has been able to make out a case for grant of anticipatory bail.

5. Accordingly, it is directed that in the event of arrest, the Investigating Officer/Arresting Officer shall release the petitioner on bail, subject to his furnishing a personal bond for a sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer.

6. At this stage, Ms.Arya, submits that the petitioner is not joining investigation and his T.I.P is also necessary.

7. Keeping in view the aforesaid grievance raised by the learned APP the petitioner is directed to appear before the Investigating Officer at P.S. Prashant Vihar on 28.10.2018 at 2:00 pm and all subsequent dates, as directed by the Investigating Officer.

8. It is further directed that the petitioner will join the investigation and will also report for T.I.P as and when information in this regard given is to him by the Investigating Officer. The petitioner will not in any manner contact the complainant or any other witnesses or undertake any activity which may hamper the investigation in any manner. Furthermore, the petitioner shall not leave the country

without the permission of the learned Trial Court.

9. The application is disposed of alongwith the pending application.

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REKHA PALLI, J

OCTOBER 26, 2018

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