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

+ **BAIL APPLN. 88/2019**

VIKAS PRATAP SINGH

..... Petitioner

Represented by: Mr. Aaditya Sharma, Adv.

versus

STATE

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Govind singh PS Uttam Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.02.2019

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By this petition the petitioner seeks bail in case FIR No. 93/2012 under Sections 304B/498A/34 IPC registered at PS Uttam Nagar.

One of the grievance of the petitioner was that despite his languishing in jail since 26th February, 2012 till date the trial has not concluded.

Learned counsel for the petitioner submits that except the petitioner all other accused are on bail and hence repeated adjournments had been taken by the learned counsel for the co-accused and at times the trial was adjourned because the learned P.O. was not available.

This Court has called for a report regarding the delay in trial of case FIR No. 93/2012 from the learned Trial Court as per which though few adjournments are on the count that the learned Trial Court is not available or

BAIL APPLN. 88/2019

page 1 of 2

the learned APP is not available, however majority of adjournments are on the count that counsel for the co-accused was not available and adjournments were sought. Learned Trial Court has stated that now only 2-3 witnesses of the prosecution remains to be examined and the trial will be disposed of expeditiously.

Considering the fact that the petitioner has been in custody for the last nearly 7 years now, all the material witnesses have been examined and though the learned Trial Court assures that the trial will be concluded expeditiously, however some prosecution witnesses still remain to be examined and the petitioners would lead defence evidence, this Court deems it fit to grant bail to the petitioner. It is therefore directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount to the satisfaction of the learned Trial Court.

The learned Trial Court is requested to conclude the trial expeditiously as the same is pending beyond five years.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 07, 2019

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