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

Decided on 14.11.2019

+ **BAIL APPLN. 2435/2019**

KIRTI @ POOJA

..... Petitioner

Through Mr. Jatan Singh, Mr. Pawan
Madhukar, Mr. Gajraj Singh
and Mr. Dhirender Yadav,
Advocates

versus

STATE

..... Respondent

Through Ms. Neelam Sharma, APP
for the State with SI Amit
Kumar, P.S.: Subhash Place

Ms. Sakshi Sachdeva,
Advocate for Complainant

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

J U D G M E N T

BRIJESH SETHI, J. (ORAL)

1. This is an application under Section 439 CrPC filed by the petitioner for bail in FIR no. 179/2019, u/s. 392/397/411/34 IPC PS Subhash Place.
2. Learned Counsel for the petitioner has prayed for bail on the ground that petitioner is innocent and has been falsely implicated.

3. On the other hand, learned APP has opposed the bail application and submitted that offence alleged against the petitioner is serious in nature. Two gold chains have been recovered from her possession. Learned APP further states that the petitioner is involved in another case bearing FIR No. 180/2019 under Sections 307/186/353/332/34 IPC & 25/27/54/59 Arms Act. She, therefore, requests for dismissal of the bail application.

4. On the contrary, Learned counsel for the petitioner states that in the case mentioned above i.e. FIR 180/2019, the petitioner has already been granted bail. He further submits that co-accused is alleged to have been fired in the said case and not the petitioner.

5. I have considered the rival submissions. The petitioner was a pillion rider. Her case is different from the co-accused against whom the allegations are serious in nature and who had shown the katta to the complainant and committed the offence. Petitioner is in J/C since 13.06.2019. She is no more required in the present case for the purpose of recovery. Chargesheet has already been filed. Even the charges are framed against the petitioner. Keeping in view the facts and circumstances of the case, petitioner is released on bail on her furnishing a personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of the Learned Trial Court subject to the condition that she will not contact and approach *the victims. The bail application is disposed of accordingly. Copy of the order be sent to Learned Trial Court. Copy of the order be also*

given dasti to learned counsel for the petitioner.

BRIJESH SETHI, J

NOVEMBER 14, 2019
AP