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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **BAIL APPLN. 416/2019****VAIBHAV SHARMA**

..... Petitioner

Through: Ms. Rebecca M. John, Sr. Adv. with
Mr. Sumit Choudhary, Adv.

versus

THE STATE (GOVT OF NCT DELHI)

..... Respondent

Through: Mr. K.S. Ahuja, APP for the State
with SI Manjeet Singh, PS Punjabi
Bagh.**CORAM:****HON'BLE MR. JUSTICE R.K.GAUBA****ORDER**

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27.02.2019**Crl.M.A. 3660/2019**

Allowed, subject to all just exceptions.

BAIL APPLN. 416/2019

Status report has already been submitted by the State on the last date of hearing. The petitioner was arrested on 29.08.2018 after registration of FIR no. 463/2018 of police station Punjabi Bagh which was registered on the same date, involving offence under section 307 of Indian Penal Code, 1860. It is clear from perusal of the copy of the FIR, the charge-sheet, as also the documents filed with the application that the incident took place at CNG petrol pump where the victim Balram Sharma was working as a gas pump attendant. It appears that the petitioner had some altercation with one Madan also a gas pump attendant, prior to the incident wherein Balram

Sharma suffered injuries in his hand, his two fingers having come under the wheels of the car which was used by the petitioner at the relevant point of time. The prosecution case is that feeling provoked, the petitioner had first committed physical assault on the person of Madan but when the public persons and other employees of the gas pump stopped the petitioner, he started his car suddenly and drove it recklessly causing injuries to Balram Sharma. The version of the petitioner, on the other hand is that he was feeling apprehensive on being cornered by the employees of the gas pump station had attempted to move away but in the process his car struck up against Balram Sharma, there being no intention on his part to cause such injury.

The investigation has already been concluded and the charge-sheet has already been filed. No useful purpose would be served by keeping the petitioner in custody. Thus, he is directed to be released on bail subject to the following conditions:-

- (i). The petitioner shall furnish personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the trial court.
- (ii). Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the trial court.
- (iii). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress.
- (iv). He shall not engage in any criminal activity;

(v). He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(vi). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court.

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti under the signatures of Court Master.

R.K.GAUBA, J

FEBRUARY 27, 2019

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