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

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Judgment delivered on: 30.04.2019

+ BAIL APPLN. 757/2019

SANDEEP

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Omkar Sharma, Adv.

For the Respondent : Mr. Hirein Sharma, Addl. PP for the State
with ASI Samarvir Singh

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 525/2018, under Section 394/392/34 of the IPC at Police Station Mianwali Nagar, Delhi.

2. Subject FIR was registered on the complaint of the injured, who alleged that he was returning home from work when two boys accosted him at a red light and took him aside, and snatched Rs. 21,000/-, two ATM Cards and other documents from him and one of them stabbed him with a pointed object.

3. As per the prosecution, the petitioner was apprehended in some other case and confessed to his involvement in the subject offence. Subsequently, Test Identification Parade (TIP) of the petitioner was conducted and the petitioner has been identified as the one who held the complainant, while the other stabbed him..

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the petitioner is aged about 30 years of age and has no involvement and has clean antecedents. He submits that the petitioner was not having proper legal advice and consented for TIP.

5. The petitioner has been in custody since 16.12.2018.

6. Learned Addl. PP submits that, as per his instructions, apart from the subject FIR, petitioner is involved in one FIR registered under Arms Act with Police Station Nangloi for possessing a knife. She submits that as per her instruction there is no other record of his involvement in any other case.

7. Without commenting on the merits of the case and keeping in view of the fact that the petitioner has been in custody since 16.12.2018 and also the fact that investigation is complete and charge sheet has been filed, I am of the view that petitioner has made out a case for grant of regular bail.

8. Accordingly, on petitioner furnishing a bail bond in the sum of

Rs. 25,000/- with one surety of the 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.

9. The petition is allowed in the above terms.

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

APRIL 30, 2019
'rs'

SANJEEV SACHDEVA, J

