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

+ **BAIL APPLN. 1001/2019**

DHARMENDER KUMAR YADAV Petitioner

Through: Mr. Tajinder Singh and Mr.
Anurag Chauhan, Advs.

versus

STATE Respondent

Through: Mr. Ashish Dutta, APP with SI
Vinod Kumar, PS Kalkaji

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **09.05.2019**

1. This application has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail against the order dated 30.3.2019 passed by the Additional Sessions Judge-03, South-East, Saket Court, Delhi, dismissing the bail application of the petitioner.
2. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. Even otherwise, the petitioner has been in judicial custody since 25.8.2017 and the petitioner is not having any criminal antecedent. Learned counsel for the petitioner further submitted that the petitioner shall not indulge in any activity which may prejudice the witnesses of the prosecution and he may be granted bail.
3. Learned APP for the State submitted that the complainant has already been examined and no other public witness is required to be

examined only official witnesses are required to be examined by the Trial Court. Learned APP for the State, on instructions of the Investigating Officer (IO), submitted that the petitioner is having no other criminal case pending against him.

4. In view of the facts and circumstances of the case moreso the fact that the complainant has been examined and no other public witness is required to be examined only official witnesses are required to be examined as well as taking into consideration the fact that the petitioner has been in custody since 25.8.2017, the petitioner is admitted to bail during the pendency of the trial, subject to his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Trial Court subject to the condition that the petitioner shall not indulge in any activity which may prejudice the witnesses of the prosecution or the case of the prosecution, in any manner. It is directed that the petitioner shall not get in touch or influence or threaten the complainant.

5. The application is disposed of accordingly.

CHANDER SHEKHAR, J

MAY 09, 2019/rk