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

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Judgment delivered on: 22.07.2019

+ BAIL APPLN. 1420/2019

AMIT

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Gurtinder Singh Gujral with
Mr. Vinod Mangal, Advocates.

For the Respondent:

Mr. Hirein Sharma, APP for the State.
SI Amolak, PS Swaroop Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.728/2015 under Sections 186/353/307/34 IPC and Sections 27/54/59 Arms Act, Police Station Swaroop Nagar. Subsequently, Section 427 IPC was added.

2. Allegations in the FIR are that information was received that some accused wanted in another case were seen in Swaroop Nagar. A trap was laid. It is alleged that the accused persons came in a car and when they were sought to be apprehended, they tried to flee from the spot and also fired shot at the police party.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He further submits that all the witnesses in the subject case are police officers.

4. He further, submits that the petitioner was earlier released on bail on 05.04.2016 and thereafter was regularly appearing before the Court. However, on account of some advice he went to his village and missed appearing before the Court on 22.03.2018, 26.04.2018 and 29.05.2018. He was apprehended on 12.07.2018.

5. Learned counsel for the petitioner submits that he had earlier remained in custody from 04.12.2015 to April 2016 when he was released on bail by order dated 05.04.2016 and since 12.07.2018 petitioner is in custody.

6. It is submitted that the petitioner belongs to a poor family and he has a family to support including a four years old child and he is the sole bread earner of his family.

7. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances of the case, on petitioner furnishing a bail bond in the sum of Rs.15,000/- with two sureties of the like amount, one of whom should be a family member, to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case, subject to the following conditions:-

(i) Petitioner shall not do anything which may prejudice either

the trial or the prosecution witnesses.

- (ii) Petitioner shall appear before the Trial Court as and when the matter is listed before the Trial Court.
- (iii) Petitioner shall furnish his as well as sureties' mobile number and the permanent and residential address to the Investigating Officer/SHO.
- (iv) Petitioner and the sureties shall keep their mobile numbers active.
- (v) In case of change of either the residential address or the mobile number of the petitioner or the sureties, petitioner shall duly intimate the same to the Investigating Officer/SHO.

6. Petition is disposed of in the above terms.

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

SANJEEV SACHDEVA, J

JULY 22, 2019
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