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

+ **BAIL APPLN. 1798/2019**

PRADEEP @ VICKY @ ARJUN Petitioner

Through Mr. Vivek Gautam, Adv.

Versus

STATE Respondent

Through Mr.Panna Lal Sharma, APP for State.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **04.09.2019**

Vide the present application, the petitioner seeks bail in pursuance to FIR No. 728/15 registered at Police Station Swaroop Nagar for the offences punishable under section 186/353/307/34 IPC and 27/54/59 Arms Act. Thereafter, during investigation Section 427 IPC was added.

Learned counsel for the petitioner submits that in the present case, there is no injury caused and no arm have been recovered from the petitioner.

Learned APP does not dispute the aforesaid facts and submits that there are six cases pending against the petitioner including the present one and he has violated the terms and conditions of the bail earlier granted by the Trial Court vide order dated 07.06.2016.

Learned counsel for the petitioner has clarified the fact that in all the matters, the petitioner is on bail and in the case registered under Section 302 IPC, the petitioner has already been acquitted.

He further submits that he had jumped bail earlier on the ground that the present case is registered on the complaint of the police officials.

Therefore, his parents advised him to hide himself so that the police would not be able to implicate him in a false case. After the bail granted by the Trial Court as mentioned above and the petitioner not appeared before the Court, NBWs were issued and he was arrested and he is in judicial custody since 26.04.2018.

As the present case is concerned, there is no injury caused and no arm was recovered from the petitioner, therefore, without commenting upon the merits and demerits of the present case, this Court is of the considered view that the present case is fit for bail. The Trial Court is directed to release the petitioner/applicant on bail on the following terms and conditions:-

(i) That the petitioner shall furnish a personal bond in the sum of ₹25,000/- with two sureties in the like amount subject to the satisfaction of Arresting Officer/SHO/IO concerned;

(ii) That the petitioner shall cooperate with the investigation and make himself available for interrogation by police officer, as and when required;

In case of default of aforementioned conditions, the State is at liberty to take appropriate recourse in accordance with law.

Before parting with the order, it is relevant to mention that nothing contained in this order shall be construed as an expression on the merits of the case.

Application stands allowed and disposed of.

Order *dasti* under the signatures of Court Master.

SURESH KUMAR KAIT, J

SEPTEMBER 04, 2019/ms