

\$~8

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2252/2018**

SHABBIR Petitioner
Represented by: Mr. Mandeep Singh, Advocate

versus

STATE Respondent
Represented by: Ms. Rajni Gupta, APP
Mr. Jagjit Singh, Sr. Standing
Counsel for Railway with Mr. Vipin
Chaudhary, Advocates with Mr. Vinod
Kumar, Inspector /RPF

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
24.01.2019

%

By this petition, the petitioner seeks anticipatory bail in complaint case being CC No. 2/18 under Section 3 Railway Protection (UP) Act registered at Police Station RPF/Adarsh Nagar.

The above noted FIR was registered after 6 Cantacuplers from the ECR coaches which were stationed on line No. 25 were stolen.

After the complaint was registered, efforts were made to recover the stolen Railway property and it is the case of the prosecution that from the petitioner's shop, who was dealing in purchasing and selling of scrap, 3 out of 6 pieces of Cantacuplers, 23 pieces of peeled copper wires and 3 pieces of covered copper wires were recovered.

Thus, the allegations against the petitioner are not of theft but essentially of receiving stolen property. The case of the petitioner is that the petitioner was at the relevant time busy in the preparation of his daughter's wedding outside Delhi and thus, the boys working in the shop, purchased the said property. As per the status report, and as stated by learned counsel for the respondent No. 2, on issuance of notice, the petitioner has already joined the investigation. Since the petitioner has cooperated in the investigation, and considering the nature of allegations in the complaint case, this Court deems it fit to grant anticipatory bail to the petitioner.

It is, therefore, directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹ 25,000 with one surety bond of the like amount to the satisfaction of the Arresting Officer/learned Trial Court. However, in case petitioner changes his residential address, he will intimate the same to the learned trial court by way of an affidavit.

The petition is disposed of.

Order dasti.

MUKTA GUPTA, J.

JANUARY 24, 2019
'rd'