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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2975/2018

PAWAN @ PANKHI

..... Petitioner

Through: Mr. Arjun Dewan, Advocate

Versus

STATE

..... Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor with SI Prem
Yadav

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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23.07.2019

Petitioner seeks bail in FIR No. 162/2015, under Sections 302/307/34/147/148/149 of IPC, registered at police station Ranhola, Delhi while claiming to be innocent.

Learned counsel for petitioner submits that the role attributed to petitioner is of causing simple injury to complainant and it is not the prosecution case that any injury was caused by petitioner to the deceased. It is submitted that evidence of material witnesses has been recorded and petitioner is in custody for last more than four years and trial of this case is likely to take time and so, petitioner deserves bail.

On the contrary, learned Additional Public Prosecutor for respondent-State submits that the witnesses examined have supported the prosecution case and that petitioner is facing trial for the offence under Section 174-A of IPC and that petitioner is resident of Uttarakhand and if

granted bail, he will abscond.

In rebuttal, learned counsel for petitioner points out that petitioner was very much available in Delhi at his brother's house and at his native place and no notice or warrants were even served upon him. It is submitted that in terms of order of 3rd June, 2019 petitioner was released on interim bail and he surrendered on time and there is no question of petitioner absconding, as he shall be furnishing a local surety.

Upon hearing and on perusal of the copy of the deposition of material witnesses and the status report, I find it to be fit case to grant bail to petitioner. Without commenting on the merits of this case, it is directed that petitioner be released on bail subject to his furnishing bail bond in the sum of ₹25,000/- with one local and sound surety in the like amount to the satisfaction of the trial court. Before releasing petitioner on bail, the trial court shall verify the local address of petitioner. It is made clear that petitioner shall not leave Delhi without permission of trial court.

This application is accordingly disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

JULY 23, 2019

v