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

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Judgment delivered on: 18.01.2019

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BAIL APPLN. 3026/2018

MOHD. IMRAN

..... Petitioner

versus

STATE (GOVT. OF NCT OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Aakriti Mishra with Mr. Siddharth Joon, Advocates.

For the Respondent: Ms. Kusum Dhalla, APP for the State.
SI Surendra Sharma, Crime Branch, Chanakyapuri.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 273/2018 under Sections 25/54/59, Arms Act, Police Station Civil Lines.
2. The allegations against the petitioner are that the petitioner while entering the Chief Minister's Office-cum-Residence was found in possession of a live cartridge which was kept in his wallet.
3. Learned counsel for the petitioner submits that there was no conscious possession of the live cartridge and in the absence of conscious possession, an offence under Sections 25/54/59 is not made out. Learned Counsel further submits that even as per the prosecution, petitioner deposited his wallet with the security staff prior to entering the secure zone.
4. Further, he submits that the petitioner has been in custody since

26.11.2018 and has suffered nearly 55 days of incarceration.

5. Learned APP for the State, opposes the bail application and submits that the facts clearly show that the petitioner would have been aware of the presence of the bullet and, as such, cannot take the plea of absence of conscious possession.

6. Learned APP for the State, under instructions, submits that the investigation is complete and chargesheet is in the process of finalization for being filed in Court. Learned APP for the State, under instructions, submits that the investigation till date has not revealed any adverse antecedents of the petitioner.

7. Without commenting on the merits of the case and keeping in view the fact that the petitioner has been in custody for 55 days and investigation is complete and trial is likely to take some time, I am of the view that the petitioner has made out a case for grant of regular bail. Accordingly, on petitioner furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything that may prejudice the trial or the prosecution witnesses.

8. Petition is disposed of in the above terms.

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

SANJEEV SACHDEVA, J

JANUARY 18, 2019/st