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

+ BAIL APPLN. 320/2020

NEERAJ

..... Petitioner

Through: Mr.L.K.Passi and Ms.Anita Saroj,
Advocates.

versus

STATE

..... Respondent

Through: Ms.Aashaa Tiwari, APP for State
along with ASI Jagvir,P.S. Mahindra
Park, Delhi (M-9811388314)

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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14.07.2020

CRL. M.A. 9173/2020 in BAIL APPL 320/2020

1. This is an application filed on behalf of the petitioner seeking early hearing of the bail application.
2. Issue notice.
3. Learned APP for the State accepts notice.
4. Learned counsel for the petitioner submits that the bail application filed on behalf of the petitioner is pending before this Court since 03.02.2020 and could not be taken up for hearing on account of disruption caused by COVID-19 pandemic and prays that the same may be taken up for hearing at an early date.

5. Accordingly, for the reasons stated in the application, the prayer made in the application is allowed and the bail application is taken for hearing today itself.

6. Application stands disposed of.

BAIL APPL 320/2020

1. The present application has been filed on behalf of the petitioner seeking bail in FIR No.209/2019, registered under Sections 393/506/34 IPC and Sections 25/27/54/59 Arms Act at Police Station Mahindra Park, Delhi.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the Trial Court has framed charge under Sections 398/506/34 IPC against the present petitioner. He also submits that the petitioner was in custody since 26.05.2019 and now has been released on parole from 22.04.2020 to 20.07.2020 by the jail authorities pursuant to the guidelines issued by the High-Powered Committee. Learned counsel further submits that the co-accused, namely, *Raunak @ Sagar* and *Ankit Shukla* have already been granted bail by the Trial Court. He further submits that the petitioner is not involved in any other case.

3. Ms. Aashaa Tiwari, learned APP for the State, on the other hand, opposes the bail application. She submits that the present petitioner was caught at the spot with a *desi katta* in his hands. She, however, on instructions, confirms that the petitioner is not involved in any other case. She further states that the co-accused *Ankit Shukla* has been released on bail by the Trial Court vide order dated 31.08.2019 on account of parity with co-accused *Raunak @ Sagar*.

4. Keeping in view the totality of the facts and circumstances of the case,

the fact that charge has already been framed, the co-accused have already been granted bail by the Trial Court, and that the petitioner is not involved in any other case, the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court/concerned Court/Duty M.M. and subject to the following further conditions:-

(i) The petitioner shall remain available on his mobile number: 9205905201, which he undertakes to keep operational at all times during the pendency of trial and in case of change in mobile number and address, shall inform the same to the concerned IO/Trial Court.

(ii) The petitioner shall not directly or indirectly get in touch with the complainant or any other prosecution witness and shall not try to tamper with the prosecution evidence.

(iii) The petitioner shall regularly appear before the Trial Court.

5. The application stands disposed of. The date already fixed in the matter stands cancelled.

6. A copy of this order be communicated electronically to the concerned Jail Superintendent.

MANOJ KUMAR OHRI, J

JULY 14, 2020

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