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

+ **BAIL APPLICATION 718/2020**

ASHISH

..... Petitioner

Through: Mr. Ravindra Narayan, Advocate

Versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for State
with SI Sandeep Maan with Complainant

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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26.08.2020

(hearing through Video Conferencing)

Vide the present application, the applicant seeks the grant of bail in relation to FIR No.383/2018 PS Ambedkar Nagar under Sections 307/341/147/148/149/201/34 of the IPC, 1860, submitting *inter alia* to the effect that the matter has since been compromised between the petitioner and the complainant of the FIR named Vikas.

The complainant was directed to be produced by the Investigating Officer vide order dated 05.08.2020 and is present today through video conferencing. The Investigating Officer SI Sandeep Maan, PS Ambedkar Nagar identifies the complainant who is present through video conferencing. The complainant, in reply to a specific Court query, has affirmed the factum of a settlement arrived at between him and the applicant and states that he does not oppose the prayer made by the applicant seeking the grant of bail and submits also that he has made the statement voluntarily without any pressure or coercion from any quarter.

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MALHOTRA.

On behalf of the State through the status report that has been submitted it is indicated that the applicant is involved in four other cases i.e.

- i) FIR No.294/2011 PS Ambedkar Nagar under Sections 307/398/397/34 of the IPC, 1860 and Sections 25/54/59 of the Arms Act, 1959 in which he was acquitted on 21.05.2012;
- ii) FIR No.623/2014 PS Lajpat Nagar under Sections 397/394/365/411/34 of the IPC, 1860, which is pending trial;
- iii) FIR No.375/2017 PS Ambedkar Nagar under Sections 307/34 of the IPC, 1860 and Sections 25/27/54/59 of the Arms Act, 1959, which is pending trial; and
- iv) FIR No.315/2018 PS Ambedkar Nagar under Sections 25/54/59 of the Arms Act, 1959 which is pending trial.

The status report dated 22.08.2020 indicates that the complainant of FIR No. 623/2014 PS Lajpat Nagar under Sections 397/394/365/411/34 of the IPC, 1860 has already been examined though his cross-examination and testimony are yet to be recorded. In relation to FIR No.375/2017 PS Ambedkar Nagar under Sections 307/34 of the IPC, 1860 and Sections 25/27/54/59 of the Arms Act, 1959 the matter is pending trial and the charges are yet to be framed and to the similar effect is the status in relation to FIR No. 315/2018 PS Ambedkar Nagar under Sections 25/54/59 of the Arms Act, 1959.

Taking into account the factum that the applicant is on bail in FIR No.623/2014 PS Lajpat Nagar under Sections 397/394/365/411/34 of the IPC, 1860 and in all the other three FIRs also, the applicant is directed to be released on bail in the instant case on filing a bail bond in the sum of

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Rs.50,000/- with one surety of the like amount to the satisfaction of the Trial Court/ Duty Judge with the directions that:-

- the applicant shall not leave the city of Delhi;
- the applicant shall make no contact with the witnesses and the complainant any further in the instant case;
- the applicant shall keep his mobile phone on at all times;
- the applicant shall drop a pin on the Google map to ensure that his location is available to the Investigating Officer.
- Furthermore, the applicant shall commit no offence whatsoever.

The State shall submit a report forthwith in the event of any FIR or DD entry being lodged against the applicant.

The application is disposed of.

ANU MALHOTRA, J

AUGUST 26, 2020

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