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

+ **Bail Appl. 779/2020 & Crl. M.B. 5798/2020,**

LAL SINGH

..... Petitioner

Through: Mr. M.K. Ghosh & Ms. Tina
Garg, Advocates.

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Through Ms. Meenakshi Dahiya, Ld.
APP for the State with IO
ACP Vijay Singh, Sub-
Division-Najafgarh.
Mr. Gulab Singh, Advocate
for the complainant with
complainant in person.

CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER
24.04.2020

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BRIJESH SETHI, J.

1. The hearing has been conducted through video conferencing.
2. This is an application for grant of regular bail filed under Section 439 Cr.P.C. by the petitioner Lal Singh in case FIR bearing no. 139/2020, u/S 3(1)(r)(s)(g)/3(2)(va) of SC/ST Act read with section 447/506/34 IPC registered at PS Najafgarh.
3. Ld. Counsel for the petitioner has prayed for bail on the ground that dispute between the parties is more or less civil in

nature and allegations against the petitioner are false. It is further submitted that earlier also in the year 2006, similar allegations were levelled against the petitioner. It is further submitted that petitioner is 65 years old and is suffering from hypertension and in view of pandemic Covid-19, petitioner be released on bail.

4. Ld. APP for the State as well as Ld. Counsel for the complainant have strongly opposed the bail application on the ground that no such application lies against the order of rejection of bail application by the court concerned and only an appeal under Section 14(2) of SC/ST Act lies.

5. In view of above position, Ld. Counsel for the petitioner states that he does not press the regular bail application and he will file an appeal for grant of regular bail. However, in the meanwhile, he states that he has filed an application U/s. 439 read with Section 482 Cr.P.C. for release of the petitioner on interim bail as well. He further states that in view of the fact that petitioner is 65 years old and also in view of Pandemic Covid-19 and further in view of the fact that it is very difficult to maintain social distancing in the jail, the petitioner be released on interim bail, in the interest of justice.

6. Heard. In view of the fact that the complainant and the petitioner are neighbours, this court finds that an earnest effort can be made by the parties to settle the dispute. Ld. Counsel for the petitioner as well as complainant are agreeable to it. However, Ld. Counsel for the complainant states that original documents relating

to the property are not being placed on record by the petitioner and he be directed to do so.

7. Ld. Counsel for the petitioner submits that he has filed copies of documents of the property in question before Ld. Trial court where criminal proceedings are pending. He further states that in the present situation because of Covid-19, he will not be able to place on record immediately.

8. Considering the above facts and circumstances of this case and in the interest of justice, while exercising inherent powers under Section 482 Cr.P.C., petitioner is granted interim bail for a period of 45 days. He be released on bail forthwith on his furnishing a personal bond in the sum of Rs. 15,000/- to the satisfaction of the Jail Superintendent/Duty MM, if not required in any other case.

9. Ld. Counsel for the petitioner is at liberty to file an appeal as envisaged under section 14(2) of the SC/ST Act before the interim bail comes to an end.

10. In view of above, the main Bail application bearing No.779/2020 stands dismissed as withdrawn.

11. A copy of this order be uploaded on the website of this court forthwith.

BRIJESH SETHI, J

APRIL 24, 2020

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