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

+ BAIL APPLN. 1364/2020

SHASHI alias LALAPetitioner

Through: Mr. Narendra Sharma, Advocate.

versus

THE STATERespondent

Through: Mr. Mukesh Kumar, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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20.07.2020

1. The hearing was conducted through video conferencing.
2. The petitioner seeks regular bail in case FIR No. 574/2016 registered under sections 302/427/147/148/149 of IPC and sections 25/27 of ARMS Act at Police Station: Ambedkar Nagar. Evidence of all the non-official person is stated to have been recorded. Thus far none of the prosecution's witnesses have identified the petitioner as having been a part of the crime he is accused of. The only witness remaining to be examined is the Investigating Officer, over whom the petitioner can have no sway.
3. In other words, according to the leaned counsel for the petitioner, there is nothing in the prosecutions evidence which could prove that he is culpable against the charges for which he is being tried.
4. The petitioner is stated to have been tried in other criminal cases as

well but he has either been acquitted or discharged in those cases. The petitioner otherwise has deep roots in the society. His address has been verified.

5. In view of the above, the petitioner is granted bail on his furnishing a Personal Bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the Duty MM/Jail Superintendent concerned. The bail is granted subject to the following conditions:
 - i. The petitioner shall keep the SHO/IO concerned informed of his whereabouts on every Friday between 11 a.m. and 11.30 a.m. or between 5 p.m. and 6 p.m. through mobile/telephone by making a video call and if a video call is not possible, he may send SMS apropos his whereabouts, as well as “drop-a-pin” on location app to indicate his location. The IO’s mobile/telephone number shall be provided to the petitioner through counsel.
 - ii. The petitioner shall provide his contact number to the IO/SHO concerned and shall ensure that such number is reachable at all times.
 - iii. The petitioner shall not leave the territory of NCT of Delhi.
 - iv. The petitioner shall not contact complainant(s) in any manner and shall not do anything which could prejudice the case of the prosecution.
6. The application is disposed-off in terms of the above.
7. Nothing stated in this order shall be deemed to be an adjudication on the merits of the case. The Registry is directed to send/e-mail a copy of this order to the Jail Superintendent concerned for due compliance.
8. The order be uploaded on the website forthwith. Copy of the order be

also forwarded to the counsels through e-mail.

NAJMI WAZIRI, J

JULY 20, 2020/RW