

\$~Bail-4

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

+ **BAIL APPLN. 1548/2020**

MOHSIN alias TOTALPetitioner
Through: Mr. Shivendra Singh, Advocate.
versus

STATE (GOVT. OF NCT OF DELHI)Respondent
Through: Mr. Hirein Sharma, APP for the state.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

07.08.2020

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[Court hearing convened *via* video-conferencing on account of COVID-19]

1. Mr. Shivendra Singh, who appears on behalf of the petitioner, informs me that the co-accused i.e. Mr. Yasin alias Gilli surrendered before the concerned Jail Superintendent on 06.08.2020.
2. A perusal of the record shows that four persons are arrayed as accused in the subject FIR i.e. FIR No. 195/2017, Police Station Sabji Mandi, Delhi.
3. Pursuant to directions issued by this Court, the status report and nominal roll concerning the petitioner as well as details with regard to his involvement in other criminal cases has been placed on record.
4. Mr. Shivendra Singh, having perused the record along with me, does not dispute the fact that the petitioner has often fallen foul of the law.
- 4.1 It is, however, Mr. Singh's contention that given the overall circumstances i.e. his need to establish connect with the family and purely on humanitarian grounds, the petitioner be considered for released on interim bail for a short period.

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5. Mr. Hirein Sharma, learned APP emphasises the fact that the petitioner's past record does not inspire confidence.

6. I am informed that the matter is at the stage of trial. However, out of 34 witnesses cited by the prosecution, up-until now, only 12 have been examined and, therefore, the trial is likely to take some time.

7. Given the fact that the petitioner has been in custody for a period of 2 years 10 months and 20 days as on 14.07.2020, I am inclined to grant him a narrow window only to connect with his family by enlarging him on interim bail for a period of 10 days.

7.1 It is ordered accordingly.

8. Accordingly, the captioned bail application is disposed of with the following directions.

- i. The petitioner will furnish a personal bond of Rs. 10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/duty magistrate. The surety will be a resident of Delhi.
- ii. The period of enlargement will commence from the date of the release of the petitioner. The petitioner will surrender before the concerned Jail Superintendent on expiry of the period of enlargement i.e. 10 days.
- iii. The petitioner will report, on an everyday basis, to the Station House Officer of the concerned area in which he would reside, *albeit*, via mobile phone. The petitioner will ensure that his mobile phone is, at all times, in a switched-on mode.
- iv. The petitioner will neither get in touch with the witnesses relating to the matter nor will he tamper with the evidence.

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9. The concerned Jail Superintendent will ensure that, upon surrender, the petitioner is quarantined in a “Single-Cell” facility so as to prevent transmission of infection, if any, that the petitioner may carry.

10. The Registry will communicate the order passed today, *albeit*, electronically, to the concerned Jail Superintendent.

RAJIV SHAKDHER, J

AUGUST 07, 2020
C/KK

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Click here to check corrigendum, if any
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