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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1726/2020**

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..... Petitioner

Through: Mr. Aditya Aggarwal, Advocate.

Versus

STATE

..... Respondent

Through: Ms. Radhika Kolluru, APP for State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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29.07.2020

1. The present application has been filed under Section 439 Cr.P.C. seeking interim bail in FIR No. 582/2017 registered under Sections 302/120-B/34 IPC and Sections 25/27 Arms Act at P.S. Seelampur on the ground that the petitioner's case is covered by the Minutes of Meeting dated 18.05.2020 of the High Powered Committee.
2. Mr. Aditya Aggarwal, learned counsel for the petitioner submits that the petitioner is in custody since 18.09.2017 and is not involved in any other case. He further submits that all the public witnesses have been examined.
3. Ms. Radhika Kolluru, learned APP for the State has opposed the grant of interim bail. She submits that most of the witnesses live in the jurisdiction of P.S. Seelampur and nearby. She has an apprehension that since the petitioner also lives in the area of Seelampur, he may influence the witnesses, if released on interim bail. She further submits that the petitioner

has also received a punishment in jail in the year 2019.

4. At this stage, learned counsel for the petitioner, on instructions, submits that in case the interim bail of the petitioner is considered, the petitioner will not stay in the jurisdiction of P.S. Seelampur and rather stay at *House No. 917, Mayur Vihar, Dasna, Ghaziabad, Uttar Pradesh*, which belongs to *Ms. Mauseena Parveen* who is the daughter of his maternal aunt. He also submits that the petitioner will be available at his mobile number i.e. 9136206523 which he will keep operational during the period of his release. It is also submitted that *Ms. Mauseena Parveen* shall also stand surety for the petitioner.

5. In view of the fact and circumstances of the case and the fact that the petitioner is not found involved in any other case, the petitioner is admitted to interim bail for a period of 5 weeks from the date of his release, subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety to be given by *Ms. Mauseena Parveen*, as undertaken by the petitioner, in the like amount, to the satisfaction of the Jail Superintendent/Duty M.M. and subject to further following conditions :-

1. The petitioner shall remain available on his mobile phone number i.e. 9136206523, which he undertakes to keep operational during the period of his interim bail.
2. The petitioner shall stay at *House No. 917, Mayur Vihar, Dasna, Ghaziabad, Uttar Pradesh* during the period of his interim bail.
3. The petitioner will not visit the jurisdiction of P.S. Seelampur or any other area where the other witnesses

reside.

4. The petitioner shall remain in touch with Insp. Manoj Kumar Sharma, P.S. Seelampur, Delhi on his mobile number 8750870721 on every Monday and Friday during the period of his interim bail.
5. The petitioner shall not try to get in touch with any of the prosecution witness or tamper with the evidence.
6. The petitioner shall surrender before the concerned Jail Superintendent after expiry of the interim bail period.
6. The application is disposed of in the above terms.
7. A copy of this order be communicated electronically to the concerned Jail Superintendent.

MANOJ KUMAR OHRI, J

JULY 29, 2020

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