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

+ **BAIL APPLN. 1722/2020**

MD ASHKEEN

..... Petitioner

Through: Mr. Sundeep Sehgal, Advocate.

versus

STATE OF GNCT OF DELHI

..... Respondent

Through: Mr. G.M. Farooqui, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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29.07.2020

1. The hearing was conducted through video conferencing.
2. The petitioner seeks interim bail for 45 days in case FIR No. 313/2019 dated 20.12.2019, registered at Police Station: Sunlight Colony, Delhi, under sections 392/34 IPC, in terms of the administrative directions issued by the High Powered Committee of this Court on 18.05.2020 regarding grant of interim bail/parole to Under Trial Prisoners (UTPs).
3. The petitioner has been in custody since 20.12.2019. Chargesheet is stated to have been filed, a copy of which is yet to be received by the petitioner. The FIR records allegations of his being involved in case for offence committed under section 392 IPC. However, he has been charged under section 394 IPC. The petitioner is stated to be earlier involved in four criminal cases, of which he was acquitted in two, while in case FIR No. 391/2019 registered at the same police station,

he is on bail. In the fourth case he was convicted and sentenced for three months. He has served the said term in jail.

4. The petitioner has deep roots in the society. His address in Delhi has been verified. He claims to be the sole breadwinner of his family as he lost his father some time ago and he has to take care of his ailing mother and four sisters who are helpless in these strained pandemic circumstances.
5. In view of the above, the petitioner is granted interim bail for a period of 45 days from the date of his release, on his furnishing a personal bond in the sum of Rs. 15,000/- with a 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 alternate days 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 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 stands 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 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 email.

NAJMI WAZIRI, J

JULY 29, 2020

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