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

+ **BAIL APPLN. 1811/2020**

FAIZAN

..... Petitioner

Through: Mr.Raj Kumar Advocate

versus

STATE

..... Respondent

Through: Mr. Kamal Kumar Ghei, APP for
State

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **18.08.2020**

(Hearing through Video Conferencing)

Pursuant to the directions dated 11.8.2020, the State has submitted on record the status report dated 16.8.2020 under the signatures of Inspector Mukesh Walia SHO PS Hazrat Nizamuddin as per which it has been recorded qua the alleged involvement of the petitioner to the effect:

Sl. No.	FIR No./year	U/S	PS	Status of case
1.	1746/2015	356/379/511/34 IPC	Seema Puri	Pending Trial
2.	1498/2015	379 IPC	Seema Puri	Pending Trial
3.	611/2016	356/379/34 IPC	Bhajanpura	Released
4.	649/2016	356/379/34 IPC	Bhajanpura	Released
5.	670/2017	392/34 IPC	Bhajanpura	Pending Trial
6.	313/2016	25 Arms Act	Gokal Puri	Acquitted
7.	215/2017	356/379/34 IPC	Vivek Vihar	Pending Trial
8.	620/2017	356/379/34 IPC	Bhajan Pura	Released

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9.	580/2017	356/379/34 IPC	Bhajan Pura	Released
10.	0656/2017	356/379/34 IPC	Bhajan Pura	Released
11.	631/2017	356/379/34 IPC	Bhajan Pura	Released
12.	425/2017	356/379 IPC	Bhajan Pura	Released
13.	114/2018	356/379/34 IPC	Bhajan Pura	Released
14.	169/2018	25 Arms Act & 102 CrPC	Bhajan Pura	Pending Investigation
15.	468/2018	25 Arms Act	Gokal Puri	Pending Trial
16.	149/2019	186/353/307/34 IPC & 25/27 A Act	Hazrat Nizamuddin	Pending Trial

submitting thus to the effect that the applicant is a habitual offender and regularly involved in the commission of crime and that he is an active BC of the area of Police Station Dayal Pur and has 16 criminal involvements and that taking into account the gravity of the offences, the prayer made by the applicant seeking the grant of the interim bail is opposed. In as much as in view of the list of involvements of the applicant in 8 of the cases as adverted to hereinabove, the applicant has been reported to have been 'Released' and in reply to the specific Court query the learned APP for the State submitted to the effect that that the word "Released" in the status report means that the applicant has been discharged. Thus a submission is made on behalf of the State that the applicant is discharged in 8 cases and has been acquitted in one case and five cases are pending trial and that the

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prayer made by the applicant seeking grant of interim bail is thus opposed on behalf of the State. The submission is thus made on behalf of the applicant that the applicant be released on interim bail. The prayer made in the petition is for the grant of interim bail for a period of 30 days submitting to the effect that the applicant's father is unwell and is unable to perform his daily chores and apart from that the petitioner's mother is aged.

During the pendency of the bail application, the status reports that have been submitted by the State as per which it has been submitted to the effect vide the status report dated 23.7.2020 that the applicant's family did not want the applicant to come and that the father is very happy being taken care of by his daughter Sajida who it is submitted on behalf of the State comes daily to take care of her father. Thus it was considered appropriate vide order dated 4.8.2020 that the father of the applicant as well as the sister of the applicant named Sajida be produced through video conferencing before the Court. On 11.8.2020, the father of the applicant as well as the sister of the applicant were produced through video Conferencing. The father of the applicant Islammudin was seen lying on a bed and stated that that he was in a lot of difficulty and finds it difficult even to go to respond to the nature's call with the assistance of his daughter Sajida and contended that the applicant is the only son to take care of him.

On a consideration of the submissions that have been made on behalf of either side and taking into account the condition of the applicant's father as was submitted through video conferencing, the aspect of involvement of the petitioner and the status report of the State which indicates that he has been discharged in eight cases and acquitted in one case, in the interest of justice, the applicant is allowed to be released on interim bail for a period of

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10 days on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court with the directions that:-

- the applicant shall surrender on the 10th day of his release before the Superintendent Jail;
- the applicant shall mark his telephonic presence every day to the Investigating Officer of the case by 11:30 a.m. during the period he is on bail;
- the applicant shall keep his mobile phone on at all time and drop a pin on the Google map to ensure that his location is available to the Investigating Officer of the case;
- furthermore, the applicant shall make no contact with the prosecution witnesses;
- the applicant shall commit no offence whatsoever and in the event of there being any DD entry or FIR lodged against the applicant, the State shall forthwith bring the same to the notice of the Court.

The application is disposed of.

ANU MALHOTRA, J

AUGUST 18, 2020/SV

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