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

+ **BAIL APPLN. 2350/2020**

DEEPAK SHARMA

..... Applicant

Through: Mr.Nishant Sharma, Advocate.

Versus

STATE

.....Respondent

Through: Mr. Kewal Singh Ahuja, APP for State.

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

18.09.2020

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(physical hearing)

The status report dated 17.09.2020 under the signatures of the SHO, PS Bindapur has been submitted by the State which indicates that the applicant apart from the instant FIR in which the bail application has been filed i.e. FIR No.678/2020, PS Bindapur under Sections 307/379/427/34 of the Indian Penal Code, 1860 is involved in two other cases i.e. FIR No.349/2015, PS K.N. Katju Marg under Sections 379/411/34 of the Indian Penal Code, 1860 which however as per the status report that has been submitted itself states that the same was compounded, thus, apparently the said case does not continue anymore and the other case in which the applicant is allegedly involved is FIR No.607/2015, PS Vikaspuri under Section 25 of the Arms Act, 1959 qua which learned counsel for the applicant submits that the applicant was

only the pillion rider in that case and there was no recovery of any arms effected from the petitioner herein.

It has further been submitted on behalf of the applicant that the accused who is alleged to have stabbed the injured, has already been released on bail i.e. Prince Nehra qua which it has been submitted on behalf of the State that Prince Nehra was released on bail because of his non identification whereas the applicant in the instant case had refused to participate in the TIP and was during his remand identified by the complainant.

As regards the submission made on behalf of the State, it is essential to observe that the applicant is named in the FIR itself.

Taking into account the factum that Prince Nehra who is alleged to be the main assailant in the instant case having inflicted the alleged stab wounds on the injured, is on bail and taking into account the factum that the applicant is 28 years of age with he being on bail in relation to FIR No.607/2015, PS Vikaspuri in which he is admittedly stated to be the pillion rider of the vehicle on which the driver was found in the possession of arms, it is considered appropriate to release the applicant on bail on filing a bail bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the learned Trial Court with directions to the applicant to the effect:-

- he shall not leave the city of Delhi;
- he shall make no contact with the complainant and the prosecution witnesses;
- he shall keep his mobile phone on at all times;
- he shall drop a pin on the Google map to ensure that his location is available to the Investigating Officer;
- he shall commit no offence whatsoever; and

- he shall join the investigation as and when required by the Investigating Agency.

The petition is disposed of.

ANU MALHOTRA, J

SEPTEMBER 18, 2020

'neha chopra'

Signature Not Verified

Digitally Signed
By: SUMIT GHAI
Signing Date: 19.09.2020
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