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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. No. 2434/2020**

JITENDER SHARMA @ SONU Petitioner
Through: **Mr. Ramratan Saini, Advocate**

versus

STATE Respondent
Through: **Mr. Kamal Kumar Ghei, APP for**
State with SI Ramesh Kumar

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **17.09.2020**
(Hearing through Video Conferencing)

The Investigating Officer of the case is present.

The status report dated 15.9.2020 under the signatures of Inspector Mahabir Singh, SHO, Police Station Nihal Vihar submitted by the State has been received through e mail, the printout of which be placed on the record by the Registry.

Submissions have been made on behalf of either side.

On behalf of the applicant it is submitted that the applicant is aged about 22 years with no previous adverse antecedents against him and that the alleged recovery Rs.50,000/- stated to have been recovered from the possession of the applicant of the looted amount has been planted on him and that the same can only be ascertained on trial. It has been submitted on behalf of the applicant that likewise the

alleged recovery of the motor cycle could be planted on him.

On behalf of the State, the prayer made on behalf of the applicant is vehemently opposed submitting to the effect that the motorcycle involved in the commission of the offence on 16.3.2020 when a sum of Rs.3,71,000/- taken by the complainant from the Nangloi Gas Agency to be deposited at the IDBI bank was looted and at that time the motorcycle, the number of which has not yet been ascertained in as much as it was a new motorcycle without any registration number was recovered from the applicant and further more the sum of Rs.50,000/- out of the looted sum has also been recovered from the applicant and it has thus been submitted on behalf of the State that the applicant be not released on bail.

On a perusal of the status report it is indicated that the alleged motor cycle utilized in the alleged commission of the offence is stated to have been given to the applicant by the accused Yogender Yadav @ Monu, being one of the accused and the accused Sachin @ Titu had allegedly looted the cash and fired the bullet which accused persons are yet stated to be absconding.

In the circumstances, where the alleged recovery is stated to have already been effected from the applicant, who is aged 22 years with no previous adverse antecedents against him, the applicant in the circumstances is allowed to be released on bail 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 learned Trial Court with the directions that:

- he shall not leave the city;

- he shall join the investigation as and when required by the Investigating Officer;
- he shall keep his mobile phone on at all times and shall drop a pin on the Google map so to ensure that his location is available to the Investigating Officer;
- he shall make no contact with the complainant or the witnesses of the prosecution and shall make no attempt to influence them and;
- he shall commit no offence whatsoever and in the event of there being any FIR registered or complaint or DD Entry registered against him, the prosecution shall bring it to the notice of the Court forthwith.

The Bail Appln. No. 2434/2020 is thus disposed of.

ANU MALHOTRA, J

SEPTEMBER 17, 2020/SV