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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. No.2461/2020**
UPENDER KUMAR Petitioner

Through: Mr.Vibhas Kumar, Advocate

versus

STATE NCT OF DELHI Respondent
Through: Ms.Meenakshi Dahiya, APP for State
With SI Pradeep Kumar, PS Model
Town.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **18.09.2020**

(Through Physical Hearing)

The petitioner vide the present application seeks the grant of interim bail for a period of 45 days in relation to FIR No. 197/2018, Police Station Model town under Sections 395/482/411/34 of the Indian Penal Code, 1860, on the grounds of parity and in terms of the Minutes of the meeting dated 18.5.2020 of the Hon'ble High Powered Committee of this Court.

The status report dated 14.9.2020 under the signatures of Inspector Prabhanshu Kumar, SHO, Police Station Model Town, has been submitted by the State opposing the prayer of interim bail made by the applicant submitting inter alia to the effect that the complainant is yet to be examined and that the recovery of a motorcycle has been effected from the applicant bearing No. DL-7S AT 3342, though the

said vehicle was found registered in the name of Deepak Kumar S/o Mahesh Prasad. The role attributed to the applicant as per the status report is that at the time of commission of the offence he was on a motorcycle along with the two accused named Pradeep and Abdul and that the applicant was the rider and was keeping a watch on the public and after looting the cash from the complainant they had run away on the said motorcycle. The applicant is also stated to have refused to participate in the TIP proceedings.

It is however brought forth through the status report and the submissions made on behalf of the State as well as on behalf of the applicant and the Nominal Roll dated 15.9.2020 received from the Superintendent Jail No.10 that the applicant has undergone 2 years 2 months and 10 days of incarceration till 15.9.2020 in relation to FIR No. 197/2018 Police Station Model Town, with satisfactory jail conduct and thus the applicant is within the ambit of Minutes of the Meeting dated 18.5.2020 of the Hon'ble High Power Committee of this Court and also taking into account the aspect that there are no previous adverse antecedents against the applicant and the three other co-accused are on interim bail in relation to the same case, on the ground of parity, the applicant is allowed to be released on interim bail for a period of 45 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 directions that he shall appear as and when directed before the learned Trial Court and shall make no contact with the complainant and shall commit no offence whatsoever and shall

surrender before the concerned Superintendent Jail, Delhi on the 46th day of his release on bail.

ANU MALHOTRA, J

SEPTEMBER 18, 2020/SV