

\$~18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2528/2020**

AMIT @ KHADDAR Petitioner
Through: Mr. M.P. Sinha, Advocate.

Versus

STATE Respondent
Through: Ms. Radhika Kolluru, APP for State.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER
% **15.09.2020**

1. The present application has been filed under Section 439 Cr.P.C. seeking interim bail in FIR No. 539/2016 registered under Sections 302/34 IPC at P.S. Rajouri Garden on the ground that the petitioner is not involved in any other case and his case is fully covered by the guidelines issued by the High Powered Committee in the Minutes of Meeting dated 18.05.2020, and also on the ground that the petitioner's mother is unwell and needs the petitioner's support during this COVID-19 pandemic situation.
2. Mr. M.P. Sinha, learned counsel for the petitioner submits that the petitioner was earlier released on interim bail from 06.02.2020 to 11.02.2020 and he did not misuse the concession so granted to him and surrendered on time. Learned counsel lastly states that in case the interim bail of the petitioner is considered, the petitioner will stay at his given

address and will be available at his mobile number i.e. 9999391634 which he will keep operational at all times during the period of his release.

3. As per the Status Report, out of the total 23 witnesses, 20 have already been examined and the case is listed for examination of the IO. It has been further stated that the petitioner's mother namely, *Sheela* is residing at B-93/B, DDA Flats, Shivaji Enclave, Delhi and is suffering from *Epilepsy* and *Asthma* for the last 3-4 years.

4. Nominal Roll of the petitioner was also requisitioned and has been placed on record. As per the Nominal Roll, the petitioner has undergone the sentence of 4 years, 3 months and 19 days as on 10.09.2020. The petitioner is stated to be not involved in any other case. It is also reported that the petitioner was earlier released on interim bail for the aforementioned period and surrendered on time.

5. In view of the fact and circumstances of the case and the fact that the petitioner is not found involved in any other case and has not misused the concession of interim bail granted to him earlier, the petitioner is admitted to interim bail for a period of six weeks from the date of his release, subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent/ Concerned Court/ Duty M.M. and subject to further following conditions :-

- i) The petitioner shall remain available on his mobile phone number i.e. 9999391634, which he undertakes to keep operational at all times during the period of his interim bail.
- ii) The petitioner shall report to the IO/SHO Insp. *Anil Sharma*, P.S. Rajouri Garden telephonically on his mobile phone number 8750871127 on every Monday

and Friday during the period of his interim bail.

- iii) The petitioner shall not leave the NCT of Delhi without prior permission of the IO and the concerned Court.
- iv) The petitioner shall not try to get in touch with any of the prosecution witnesses or tamper with the evidence.
- v) The petitioner shall surrender before the concerned Jail Superintendent after expiry of the interim bail period.

6. The application is disposed of in the above terms.

7. A copy of this order be communicated electronically to the concerned Jail Superintendent.

MANOJ KUMAR OHRI, J

SEPTEMBER 15, 2020

ga