

\$~6

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

+ **BAIL APPLN. 2776/2020**

SATISH KUMAR @AMIT

..... Petitioner

Through **Mr. Harsh Vardhan Sharma, Adv.**

versus

THE STATE NCT OF DELHI

..... Respondent

Through **Mr. Hirein Sharma, APP for State.
SI Uday Singh PS S.P. Badli**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

%

21.09.2020

The hearing has been conducted through video conferencing.

Crl. M.A. 13002/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

Bail Appln.2776/2020

3. Present petition has been filed under section 439 Cr.P.C. for grant of regular bail on behalf of the petitioner in pursuance to FIR No.263/2019 registered at Police Station S.P. Badli for the offences punishable under sections 365/392/397/411/34 IPC.
4. Notice issued.
5. Learned APP accepts notice and has opposed the present petition by submitting that petitioner is a habitual offender and his case is not on parity with co-accused Surender Singh and Deep Kumar who are on bail.
6. It is not in dispute that in FIR No.126/2019 registered at Police

Station Crime Branch for the offences punishable under section 25/54/59 Arms Act, the petitioner was arrested and granted bail by the Trial Court vide order dated 31.10.2019. During interrogation of the abovementioned case, disclosure statement of the petitioner was recorded, however, no recovery was effected at the instance of the petitioner.

7. It is also not in dispute that recovery of articles belonging to the complainant was effected from co-accused Surender Singh & Deep Kumar, who had named the petitioner in their disclosure statement.

8. Keeping in view the above facts and the fact that petitioner is in JC since 22.05.2019 and the Trial will take substantial time, I am of the view that petitioner deserves bail.

9. Accordingly, he shall be released on bail on his furnishing a personal bond of Rs.20,000/- with one surety of the like amount to the satisfaction of Trial Court.

10. Petitioner shall not directly or indirectly influence any witness or tamper with the evidence.

11. The Trial Court shall not get influenced by the observation made by this Court while passing the order.

12. The petition is, accordingly, allowed and disposed of.

13. Copy of this order be transmitted to the Jail Superintendent concerned and Trial Court for information and necessary compliance.

14. The order be uploaded on the website forthwith.

SURESH KUMAR KAIT, J

SEPTEMBER 21, 2020/ab