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

+ **BAIL APPLN. 1576/2019**

MUKESH KUMAR

..... Petitioner

Through: Mr. KK Manan, Sr. Adv. with Mr.
Luv Manan, Mr. Mukul Aggarwal,
Advs.

versus

STATE (THE NCT OF DELHI)

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for
State with SI Deepak, PS Narela.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

30.01.2020

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The status report dated 30.01.2020 has been submitted on behalf of the State indicating that the petitioner has joined the investigation on 27.12.2019 and copy of the interrogation report has been placed on record.

The applicant vide the present application seeks grant of anticipatory bail in relation to the FIR No.206/2019, PS Narela, under Sections 452/380/354/323/341/506/34 of the Indian Penal Code, 1860 submitting to the effect that he has been falsely implicated in the instant case and as per his alleged interrogation dated 27.12.2019, he had some altercation with Mr. Naresh i.e. the husband of the prosecutrix and thereafter there had been an altercation between one Mr. Vicky, the son of the brother-in-law of the applicant and the husband of the complainant.

Vide proceedings dated 02.07.2019, the SHO, PS Narela was directed to be personally responsible for seizure of the CCTV system and scrutiny of the equipment and footage contained therein in relation to the contention raised on behalf of the petitioner that there was a

CCTV installed in front of the house at two points, in relation to which, the status report dated 20.11.2019 put forth by the State indicates that the CCTV footage of the date 31.05.2019 from 2 pm to 6 pm could not be retrieved from the hard disk. The proceedings dated 02.07.2019 in the present petition indicate that it had been observed therein that the applicant had made a request on 11.06.2019 for the footage of the said CCTV cameras to be seized and investigation carried out in its light and the case diary showed that the Investigating Officer called upon the complainant to produce the CCTV footage but on 20.06.2019, the complainant responded saying that the focus of the CCTV cameras was on the motor vehicles which were parked in the vicinity and the same would not cover the entry point of his house.

In reply to a specific Court query it has been submitted on behalf of the State to the effect that the applicant has been co-operating in the investigation.

In the circumstances, in the event of arrest, the applicant is allowed to be released on bail on filing a bail bond of Rs.1 lakh with one surety of the like amount to the satisfaction of the learned trial Court with directions that he shall not leave the country and shall not tamper with the evidence and shall make no contact with the prosecutrix/ complainant whatsoever.

The application is disposed of.

Copy of the order be given Dasti, as prayed.

ANU MALHOTRA, J

JANUARY 30, 2020/vm