



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

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Reserved on : 26.07.2023

Pronounced on : 26.09.2023

+ **BAIL APPLN. 1414/2023**

VIPIN

..... Petitioner

Through: Ms. Dolly Sharma, Advocate.

versus

STATE

.... Respondent

Through: Mr. Raghuinder Verma, APP for the
State with SI Parvesh and SI
Satyapreet PS Jaitpur.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

RAJNISH BHATNAGAR, J.

1. The present bail application has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in case FIR No. 524/2016 U/s 365/364A/392/397/328/342/411 IPC and Sections 25/27 of Arms Act registered at Police Station Jaitpur.

2. I have heard the Ld. counsel for the petitioner, Ld. APP for the State, perused the Status Report and also perused the records of this case.

3. It is submitted by the Ld. counsel for the petitioner that the bail application on behalf of the petitioner was dismissed by the Sessions Court vide order dated 25.04.2023 on the ground that the petitioner has misled the

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Court by not stating the actual status of his previous bail applications and the bail application of the petitioner was not heard on merits.

4. It is further submitted by the Ld. counsel for the petitioner that the petitioner has been languishing in jail for the last more than 7 years. It is further submitted that three co-accused persons with similar role are already on regular bail and both the victims have already been examined, so there are no chances of threatening or tampering with the evidence. It is further submitted that the petitioner has clean past antecedents and the trial is not likely to be completed in near future.

5. On the other hand, Ld. APP for the State has opposed the bail application and argued on the lines of the Status Report. Ld. APP for the State submitted that the mobile phone of the victim Ajay and Rs. 750/- belonging to the victim were recovered from the possession of the petitioner. He further submitted that the petitioner was identified by one of the abducted victim i.e. Dr. Vinod Kumar and pointing out memo of the place of kidnapping was also prepared at the instance of the petitioner and the petitioner has been identified by the victim Dr. Vinod Kumar during the trial.

6. In the instant case, the petitioner is in J.C. since 26.09.2016. Both the material witnesses who are the victims have already been examined and as per the Status Report the petitioner has no other involvements and three other co-accused are already on bail, therefore, in these circumstances, the application is allowed and the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one surety of the like



amount to the satisfaction of the Ld. Trial Court and subject to the following conditions:

- a) That the petitioner shall furnish his mobile phone No. and mobile phone No. of his surety to the IO and shall keep his mobile phone operational round the clock.
 - b) That the petitioner shall not commit any offence whatsoever during his bail period and in the event of him being involved in any other case and lodging of FIR or DD entry against him, the State would be at liberty to seek redressal in accordance with law.
7. The bail application is disposed of accordingly.
8. Nothing stated hereinabove shall tantamount to the expression of any opinion on the merits of this case.

RAJNISH BHATNAGAR, J

SEPTEMBER 26, 2023

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