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

+ **BAIL APPLN. 2564/2023**

RITIK

..... Petitioner

Through: Mr.Ankur, Advocate

versus

STATE

..... Respondent

Through: Mr.Laksh Khanna, APP for State with
SI Ashok Kumar

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

30.01.2024

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1. The present application has been filed under Section 438 Cr.PC. seeking anticipatory bail in FIR No.144/2023 registered under Sections 394/397/34 at P.S. Civil Lines.
2. Learned counsel for the petitioner/applicant submits that the applicant was granted interim protection on 03.08.2023, whereafter he had joined the investigation. On the last date of hearing, learned APP, on instructions from the Investigating Officer, had stated that the chargesheet was prepared and it was likely to be filed soon. He further submits that one of the accused namely, *Amit@Monu* has already been granted anticipatory bail while the third accused namely, *Mukul Raj* was taken into custody and thereafter released on regular bail.
3. Learned APP for the State has vehemently opposed the bail application. He submits that the robbed mobile phone has been seized from the custody of the applicant. He further submits that the chargesheet will be filed within two weeks from today. The FIR was initially registered under



Sections 392/397/34 IPC however subsequently, as no deadly weapon was used, Section 397 was deleted. He, on instructions, submits that the chargesheet is likely to be filed under Sections 392/394/34. He further, on instructions, submits that the applicant is not found involved in any other case.

4. Keeping in view the aforesaid facts and circumstances including the fact that the applicant has joined the investigation, that Section 397 IPC stands deleted, and that the other co-accused have already been released on bail, the interim protection granted to the applicant vide order dated 03.08.2023 is made absolute and it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹20,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iii) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (iv) The applicant shall join the investigation as and when, he is asked for.



- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.
5. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

JANUARY 30, 2024

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