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

+ **BAIL APPLN. 2606/2024**

SAMEER @ KAKA

.....Petitioner

Through:

versus

THE STATE NCT OF DELHI

.....Respondent

Through: **Mr. Amit Ahlawat, APP for State
with Ms. Shehnaz Khan, Adv.
SI Priyank Rana PS Daryaganj**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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14.10.2024

1. This petition has been filed seeking regular bail in FIR No.571/2023 under section 392/397/411/34 IPC of P.S Darya Ganj. Petitioner is in custody since 23rd November 2023; his jail conduct has been satisfactory.
2. Status report filed on 16th August 2024 appending the SCRB report shows that he has three other involvements. The Court had directed the State to verify status of other involvements.
3. Supplementary status report has been filed which notes that in FIR No.392/2023 and FIR No. 542/2023, petitioner was implicated but released under Section 169 Cr.P.C. for lack of evidence. As regards FIR No.350/2023 under Section 356/379/411 IPC P.S Darya Ganj, petitioner is on bail and matter is pending for framing of charges.
4. As regards the present petition pertaining to this FIR No.571/2023, counsel for petitioner points out that even as per the charge-sheet, he was merely the driver of the scooter on which pillion rider Bilal who had allegedly shown knife to the victim and took his phone. He submits that no



CCTV footage was recovered from the said area and petitioner had no role in the said robbery.

5. Charge-sheet has now been filed; charges have been framed. In these circumstances, the petition is allowed.

6. Consequently, the petitioner is directed to be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the Trial Court, further subject to the following conditions:

- i. Petitioner will not leave the country without prior permission of the Court.
- ii. Petitioner shall provide permanent address to the Trial Court. The petitioner shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.
- iii. Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- iv. Petitioner shall join investigation as and when called by the IO concerned.
- v. Petitioner shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the IO concerned.
- vi. Petitioner will mark presence physically before the concerned I.O. every first and third Monday at 4 p.m., and will be not kept waiting for more than an hour.
- vii. Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with any of



the prosecution witnesses, the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.

7. Needless to state, but any observation touching the merits of the case is purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on merits of the matter.
8. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
10. Copy of order be given *dasti*.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 14, 2024/sm