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

+ **CRL.M.C. 5858/2024**
SHIVAM @ GOLU

.....Petitioner

Through: Mr. Nishank Tyagi and Mr. Gaurav Jain, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Pradeep Gahalot, APP for State with SI Sachin Sharma, PS: Pandav Nagar.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **31.07.2024**

CRL.M.A. 22398/2024 (Exemption)

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

CRL.M.C. 5858/2024

1. This petition has been filed seeking reduction of the surety amount for the petitioner who granted bail by order dated 25th September, 2023 by Trial Court. An application was moved before the Trial Court for reduction of the surety amount from Rs. 25,000/- to Rs. 2000/-, however, Trial Court has reduced only from Rs. 25,000/- to Rs. 20,000/-.
2. The petitioner was granted bail more than 10 months back, and as per the status report, the allegation is of robbing the mobile phone and purse containing Rs. 700/- and Aadhar Card. The petitioner has been in custody since 28th January, 2022. It is also noted that there are no previous



involvements of the petitioner.

3. He is unable to procure surety considering that he belongs to a poor stratum of society, the mother earns minimal wages through house hold work, the father is suffering from medical problem and is bed ridden, and he is the oldest son having 2 minor siblings.

4. In these circumstances and taking into account the guidelines laid down by the Hon'ble Supreme Court in ***In Re: Policy Strategy for Grant of Bail***, SMWP (Crl.) 4/2021 dealing with the issue of undertrial prisoners who continued to be in custody despite having been granted the benefit of bail on account of their inability to fulfil the conditions, the surety amount is reduced to Rs. 2000/-, the surety to be given by mother of the petitioner.

5. Rest of the conditions in the bail order remain unchanged.

6. Petition is disposed of accordingly.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 31, 2024/RK

[Click here to check corrigendum, if any](#)