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

\+ BAIL APPLN. 4251/2023, CRL.M.A. 34650/2023, CRL.M.A. 7213/2024 and CRL.M.A. 7854/2024

INDER JEET SINGH NANDA .....Petitioner

Through: Mr.Kailash Ray, Mr.Shivendra Singh and Mr.S.N.Shukla, advts.

versus

STATE OF DELHI NCT OF DELHI .....Respondent

Through: Ms.Priyanka Dalal, APP for the State. Insp.Vikas Mudgal, PS Mukherjee Nagar

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

O R D E R

% 23.07.2024

1. In continuation of the earlier orders, it is fairly not disputed by the learned APP for the State that the petitioner has been joining the investigation.
2. In the additional status report dated 14.05.2024, it has been submitted that audio sampling of the petitioner and Priyanka were got conducted in Physics Division, Forensic Science Laboratory, Rohini, Delhi on 23.04.2024. The photography/videography of both the petitioner and Priyanka wereconducted in Photo Division, Forensic Science Laboratory, Rohini, Delhi on 02.05.2024.
3. Learned APP has opposed the anticipatory bail application on the ground that the offence is serious in nature.
4. *Per contra*, learned counsel for the petitioner has submitted that the

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detention during the investigation cannot be termed as a punitive detention. Learned counsel submits that co-accused Priyanka has already been admitted to anticipatory bail by this court and this fact has not been disputed by the learned APP.

5. It is correct that while exercising the jurisdiction of anticipatory bail, the court has to take into account the seriousness of the offence. However, this is one of the factums and all other attendant circumstances have also to be taken into account. The addendum factors include joining the investigation, availability of the person during the trial and previous records. The IO has fairly submitted that there are no criminal antecedents.

6. The IO has submitted that the investigation pending is only to the extent of audio/video sampling of the brother of the petitioner.

7. I consider that since the petitioner has been joining the investigation and taking into account the totality of the facts and circumstances of the case, the petitioner is permitted to be released in the event of his arrest 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 Trial court/IO/SHO, subject to the following conditions:

   a) the Petitioner shall appear as and when directed by the Investigating Officer/court concerned;

   b) the Petitioner shall under no circumstances leave India without prior permission of the Court concerned;

   c) the Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

   d) the Petitioner shall provide his mobile number to the Investigating

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Officer and keep it operational at all times;and

e) In case of change of residential addressee and/or mobile number, the Petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.

8. It is made clear that the expression of any opinion hereinabove may not be treated as an expression on the merits of the case.

9. In view of the above, the petition along with all other pending applications stand disposed of.

10. Copy of the order be sent to the concerned Jail Superintendent for information and necessary action.

DINESH KUMAR SHARMA, J

JULY 23, 2024
rb/dg

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