

Vinod Kumar vs.state

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Court : Delhi

Decided On : Oct-25-2017

Appellant : Vinod Kumar

Respondent : State

Judgement :

§~ IN THE HIGH COURT OF DELHI AT NEW DELHI + BAIL APPLN. 1822/2017
Order reserved on 12th October, 2017 Order pronounced on 25th, October, 2017
VINOD KUMAR ..Petitioner Through: Mr. Vishal Raj Sehipal, Advocate. Versus
STATE Through: Mr. Amit Ahlawat, APP for the State. .Respondent CORAM:
HONBLE MS. JUSTICE SANGITA DHINGRA SEHGAL1 The present petition has
been filed under Section 439 Cr.PC for seeking interim bail for a period of 30 days
in case FIR No.225/2013 under section 302/323/2

IPC registered at Police Station Samaipur Badli.

2. Learned counsel for the petitioner submits that the petitioner is in judicial custody since 09.05.2013 and out of 33 witnesses, all the material witnesses have been examined including the complainant PW-7 Jasbir Singh; that the family of the petitioner is facing severe financial crunch specially children (one daughter and one son), whose studies are being hampered due to non-deposit of fee; that vide order dated 10.07.2017 passed by this Court, the petitioner was granted 30 days interim bail for arrangement of financial help to his family; that petitioner never misused the liberty of bail granted to him earlier and surrendered on time except on one occasion as he had to fulfil all formalities of educational loan applied for his

children; that petitioner is sole bread earner of his BAIL APPLN. 1822/2017 Page 1 of 2 family and he wants to dispose of his property at Chattisgarh to meet all daily needs and education expenses of his children.

3. Learned APP for the State vehemently opposed the bail of the petitioner and prays that looking to the criminal delinquency attributed to the petitioner and his previous conduct, he is not at all entitled to be enlarged on interim bail.

4. I have heard the learned counsel for the parties and perused the material available on record.

5. The petitioner is booked for offence punishable under Section 302 IPC. Undisputedly, vide order dated 10.07.2017, the petitioner had been granted 30 days interim bail to arrange financial aid for his family and he jumped the said liberty and surrendered after 4-5 days of expiry of the bail period.

... Petitioner

had also moved an application for extension of bail period on similar ground as raised in the present application, which was dismissed vide order dated 04.08.2017.

6. Keeping in view the facts and circumstances and the nature and gravity of the offence involved in the present case, I do not find it appropriate to allow the present application. The present application is dismissed.

7. SANGITA DHINGRA SEHGAL, J.

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