

Satya Prakash vs.the State

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Court : Delhi

Decided On : Aug-16-2018

Appellant : Satya Prakash

Respondent : The State

Judgement :

Judgment delivered on:

16. 08.2018 BAIL APPLN. 1857/2018 & CRL.M.A. 29370/2018 \$~52 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + SATYA PRAKASH THE STATE
Advocates who appeared in this case: versus

... Petitioner

..... Respondent For the

... Petitioner

: For the Respondent : Mr. Rajat Aneja and Ms. Chandrika Gupta, Advs. Ms. Neelam Sharma, Addl. PP for the State with SI Bajrang CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT1608.2018
SANJEEV SACHDEVA, J.

(ORAL) 1. The petitioner seeks regular bail in FIR No.330/2018 under Sections of the Juvenile Justice Act, registered at Police Station Karol Bagh, Delhi.

2. The allegations against the petitioner in the FIR are that a raid was conducted by the SDM consequent to a complaint received from a NGO/Salaam Balak Trust. During the raid two boys were found BAIL APPLN. 1857/2018 Page 1 of 3 working in the Dhaba of the petitioner; one aged about 17 years of age and the other aged about 18 years. As per the FIR, the boys were rescued and produced before the Child Welfare Committee.

3. Learned Addl. PP submits that in the statements under Section 164 Cr. P.C., the children have not deposed anything against the petitioner and stated that they have been voluntarily working.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that no case is made out even from the bare reading of the FIR. He submits that both the boys employed by the Dhaba owner were not children of tender age; one is aged 18 years old and the other is aged 17 years and 8 months. He further submits that even as per the statement under Section 164 Cr. P.C., they have not stated anything incriminating against the petitioner, rather they stated that they had been treated well and the working condition were also proper. He further submits that the entire complaint made by the NGO is doubtful.

5. Status report has been produced. However, the same does not bear the signature of the SHO. The same has been returned.

6. 7. The petitioner has been in custody since 10.07.2018. Arguments have been heard and record has been perused.

8. Without commenting on the merits of the case and perusal of BAIL APPLN. 1857/2018 Page 2 of 3 the record shows that the petitioner has made out a case for grant of bail. Accordingly, petitioner is directed to be released on bail on his furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the concerned trial court. The petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.

9. The petition is disposed of in terms of above.

10. Order Dasti under signatures of the Court Master. AUGUST16 2018 rs
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