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Sandeep vs.state

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SooperKanoon Citation : sooperkanoon.com/1222908

Court : Delhi

Decided On : Apr-30-2019

Appellant : Sandeep

Respondent : State

Judgement :

$~5 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:

30. 04.2019 BAIL APPLN. 757/2019 SANDEEP STATE versus .....

... Petitioner
..... Respondent Advocates who appeared in this case: For the

... Petitioner
: Mr. Omkar Sharma, Adv. For the Respondent : Mr. Hirein Sharma, Addl. PP for the State with ASI Samarvir Singh CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT SANJEEV SACHDEVA, J.

(ORAL) 1.

... Petitioner

seeks regular bail in FIR No.525/2018, under Section 394/3
of the IPC at Police Station Mianwali Nagar, Delhi.

2. Subject FIR was registered on the complaint of the injured, who alleged that he was returning home from work when two boys accosted him at a red light and took him aside, and snatched Rs. 21,000/-, two ATM Cards and other documents from him and one of them stabbed him with a pointed object. BAIL APPLN. 757/2019 Page 1 of 3 3. As per the prosecution, the petitioner was apprehended in some other case and confessed to his involvement in the subject offence. Subsequently, Test Identification Parade (TIP) of the petitioner was conducted and the petitioner has been identified as the one who held the complainant, while the other stabbed him..

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the petitioner is aged about 30 years of age and has no involvement and has clean antecedents. He submits that the petitioner was not having proper legal advice and consented for TIP.

5. 6. The petitioner has been in custody since 16.12.2018. Learned Addl. PP submits that, as per his instructions, apart from the subject FIR, petitioner is involved in one FIR registered under Arms Act with Police Station Nangloi for possessing a knife. She submits that as per her instruction there is no other record of his involvement in any other case.

7. Without commenting on the merits of the case and keeping in view of the fact that the petitioner has been in custody since 16.12.2018 and also the fact that investigation is complete and charge sheet has been filed, I am of the view that petitioner has made out a case for grant of regular bail.

8. Accordingly, on petitioner furnishing a bail bond in the sum of BAIL APPLN. 757/2019 Page 2 of 3 Rs. 25,000/- with one surety of the like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case.

... Petitioner

shall not do anything which may prejudice either the trial or the prosecution witnesses.

9. The petition is allowed in the above terms.

10. Order Dasti under signatures of the Court Master. APRIL30 2019 rs SANJEEV SACHDEVA, J BAIL APPLN. 757/2019 Page 3 of 3

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