

**IA No. 11/2022**  
**SC No. 103/2017**  
**Waseem Vs. State**

**In re:-**  
**FIR No. 591/2016**  
**PS: Seelampur**  
**U/s: 392/394/397/506/411/34 IPC**

**11.04.2022**

Present: Sh. C. S. Tyagi, Ld. Counsel for applicant.

IO SI Akhil Chaudhary in person.

The applicant is seeking release on bail u/s. 436-A of CrPC with the submissions that the charges for the offences were framed against the accused on 29.05.2017 for the offences punishable u/s. 392/397/411/34 IPC.

It is submitted that the as per Sec. 392 IPC rigorous imprisonment which may extend to 10 years may be awarded to the applicant. It is submitted that the custody period of the applicant is more than five years and one month and as per the Sec. 436-A CrPC, he is entitled to be release on bail as he has undergone detention in a period extending upto one and half of the maximum period of imprisonment specified for the offence. It is submitted that during this entire period of custody, there is no occasion when the applicant sought adjournment or that the matter was adjourned for the default at the part of the applicant.

IO SI Akhil Chaudhary stated after going through the file that there is no adjournment sought on behalf of the applicant Waseem.

Considering the facts and circumstances of the case, period of custody and provision u/s. 436-A CrPC, I am of the

view that the case is made out to admit the applicant on bail under the said provision as trial will take its own time, as such application is allowed. Applicant Waseem be released from custody on furnishing personal bonds in a sum of Rs. 35,000/- with one surety in the like amount with the directions that he will keep himself away from the criminal activities and if he is found involved in any criminal activity after his release, then he will be liable to be taken into custody in the present case also. During the period of bail, he will not directly or indirectly make contact with the witness of the case and will attend the Court on each and every date of hearing and will ensure the presence of his counsel so that witnesses present on that day may be examined. Copy of order be provided to the parties.

**(SUNIL CHAUDHARY)**  
**Special Judge (NDPS)/ASJ**  
**North East/Delhi/11.04.2022**