

CNR No. DLNT01-006924-2018
IA No. 2/2022
Sessions No. 471/18
FIR No. 49/18
P.S Model Town
State Vs. Sandeep @ Babu
U/s- 392/397/459/411/34 IPC

01.02.2022

As per directions of Hon'ble High Court vide order No. 1/RG/DHC/2022 dated 12/01/2022 and subsequent order of Id Principal District & Sessions Judge, North District, Rohini Courts, Delhi bearing No. 1571-1626/Judl/North/Covid/2022 dated 13.01.2022, all the Judicial Officers shall hold their Courts through virtual mode only till 11/02/2022.

This application for grant of bail u/s 439 Cr.P.C, moved on behalf of applicant/accused **Sandeep @ Babu** is placed before me since the regular matter is pending before me. The same is taken-up through video-conferencing via CISCO Webex app., having meeting ID No. **1761575605**. The official email ID of this Court is reader.asj04north@gmail.com.

Present in the Court: None for parties.

Present through Webex: Sh. Sanjay Jindal, Id Additonal P.P for State.

Sh. Manoj Sonkar, Id counsel for applicant/accused.

Reply of the bail application has already been received. Apart from the general grounds for grant of the bail, it is submitted by Id counsel for the applicant/accused that, present applicant/accused has been falsely implicated in the present case and he has nothing to do with this case. It is further submitted by him that present applicant/accused is in JC since 11.02.2018. It is further submitted by him that trial shall take considerable time since due to COVID-19 virus. Id counsel has further submitted no fruitful purpose would be served by keeping the applicant further behind the bar and prayed that he may be granted bail.

On the other hand, Id Additional P.P for State has opposed the bail application and submitted that accused has previous involvements in other cases also hence he does not deserve any leniency, to which it is submitted by Id counsel for the applicant/accused that applicant/accused has been acquitted in all the cases pending against him.

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Heard. It is pertinent to mention herein that as per the submission of Id counsel the present applicant/accused is running in JC since 11.02.2018 and as per the reply of the IO the applicant/accused is running in JC since 11.02.2018, but surprisingly the involvement of this accused has been shown in a case of 2021. It is informed that as per the record the present applicant/accused was never given bail in this matter. Accordingly keeping in view the facts & circumstances of the case, considering the custody period of the applicant/accused and the fact that trial shall take considerable time period due to present scenario and the fact that applicant has been acquitted in other cases as per the submission of Id counsel for applicant/accused hence, it is ordered that applicant be released on bail on his furnishing personal bond in the sum of **Rs. 20,000/- with one surety** in the like amount. However the applicant/accused is directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime and to follow the guidelines qua COVID 19 issued by Government of India as well as by Govt. of NCT of Delhi. The applicant shall share his phone live location as and when required by the IO. In case, it is prima facie brought to the notice of the Court that the applicant/accused is violating the said conditions, the bail granted to him shall be liable to **be cancelled**. The bail application of applicant is disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case.

Copy of order be sent to concerned Jail Superintendent subject to furnishing of bail bond and surety bond in above mentioned terms. Copy of order be sent to the Id counsel for applicant/accused on his whatsapp/email ID for intimation.

(Shivaji Anand)

Addl. Sessions Judge: 04 (North)

Rohini Courts: Delhi:01.02/2022(M)