

State Vs. Neetu @ Sita & Anr.
FIR No. 249/16
PS: Begumpur

08.09.2017

Present: Sh. P. K. Samadhiya, Ld. Addl. PP for the State.
Accused Neetu in JC with Sh. Naresh Talwar, Advocate.
Accused Pradeep in JC with Ms. Usha Rani, Advocate from DLSA
and Sh. Sudhir Shokeen, Advocate.

Bail application of accused Pradeep has been filed by both the counsels. On being inquired from the accused, he states that he has engaged independent counsel. Ms. Usha Rani, Advocate, therefore, seek recusal in this case. Her request is allowed and she is discharged.

On her request, the bail application filed on behalf of accused Pradeep is dismissed as withdrawn without any reflection on the other bail application.

No PW is present. HC Kallu Singh has sent request on the ground of having gone to Madhya Pradesh for investigation of a case. ASI Vinod Kumar is on medical rest. Ct. Ankit and IO/SI Ravinder Kumar are absent despite service of summons.

Let PW-9 and witness no. 8 be summoned for 13.09.2017, already fixed for PE.

Arguments on bail application of accused Pradeep, filed by Sh. Shokeen, Advocate, have been heard. It has been contended that co-accused Neetu has already been granted bail and that he has been falsely implicated in this case

by planting recovery of case property. It is also stated that the applicant/accused has old mother to support being sole bread earner for the family.

Ld. Addl. PP has opposed the application stating that he is involved in a number of heinous offences. His role cannot be equated with co-accused

Neetu as he had used firearm at the time of commission of offence. Even though, the complainant did not identify him in the court, the applicant was found sitting in the robbed vehicle on the same being obstructed by the Police of PS Bawana within minutes thereafter. It is another matter that the applicant was successful in fleeing away from there and was subsequently apprehended by Crime Branch.

Since his arrest on 29.04.2016, the applicant/accused is in judicial custody. The third fourth of the cited witnesses have already been examined in this case and remaining witnesses are Police officials. It has been contended that the applicant has been acquitted in most of his cases.

Taking into account the totality of circumstances, it is found expedient that **subject to applicant/accused Pradeep depositing a sum of Rs. 50,000/- by way of FDR of a nationalized bank drawn in favour of 'The District & Sessions Judge, North-West, Rohini, Delhi' in Court, which may be released to the rightful claimant at appropriate stage including by way of compensation to the complainant and/or costs of proceeding, he is admitted to bail on furnishing personal bond in the sum of Rs. 40,000/- and one surety in the like amount.**

(Sunil K. Aggarwal),
Addl. Sessions Judge-04 (North-West)
Rohini Courts/08.09.2017