

HEARING THROUGH VIDEO COFERENCING

**State Vs. Neeraj Seth
FIR NO. 441/16
PS Ashok Vihar
U/S 302/34 IPC
r/w S. 25 Arms Act**

07.08.2020

Pursuant to the Order of the Hon'ble High Court of Delhi bearing No.26/DHC/20 dated 30.07.2020, all the cases shall be taken up through Video Conferencing Mode.

This is an application for interim bail moved on behalf of accused Neeraj Seth.

Present: Sh. Shiv Kumar-I, Ld. Additional Public Prosecutor for the State.
Sh. J.S. Arya, Ld. Defence Counsel for the accused.

The interim bail is sought in terms of directions issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020, wherein relaxation has been given to the UTPs facing trial for the offense u/s 302 IPC and offenses punishable with life imprisonment. It is submitted that accused has been falsely implicated in the present case and is in JC since 13.09.2016. The interim bail is also sought on the ground of parity as co-accused Dinesh @ Nanga was admitted to interim bail vide order dated 03.06.2020. It is further submitted that all the material witnesses have been examined. It is prayed that accused be released on interim bail considering the current pandemic situation of COVID 19.

Per contra it is submitted by Ld APP for the State that no ground is made out for grant of bail as the allegations against accused are serious and grave in nature and accused may threaten/ influence the witnesses, if released on bail.

Heard, ld. APP for the State, ld. Defence counsel and perused the report of IO.

As per the report of IO, accused is previously not involved in any of the offence. Even the conduct report of the accused received from Jail Superintendent is satisfactory. The case of the accused clearly falls under HPC guidelines dated 18.05.2020. Also the accused is also entitled to interim bail on the ground of parity as co-accused Dinesh @ Nanga has been admitted to interim bail vide order dated 03.06.2020. Accordingly, the application is allowed.

Accused is admitted to interim bail for a period of 45 days from the date of his release subject to furnishing PB/SB in the sum of Rs. 50,000/- to the satisfaction of the concerned Jail Superintendent.

Accused should always keep his phone in 'Switch ON' mode and shall install 'Aarogya Setu APP' and shall keep his location setting 'ON' 24 hours. He shall not influence any of the witnesses and shall contact the IO after every 10 days.

Application is disposed of accordingly.

Let the digitally signed scanned order be sent by E-mail to rohiniCourts-di@nic.in/courtrohini@gmail.com. In-charge, Computer Branch, Rohini Courts is directed to upload the order on the website and to provide the copy of the same to all concerned.

**KIRAN GUPTA
ADDITIONAL SESSIONS JUDGE-03,
NORTH WEST DISTRICT,
ROHINI COURTS,
DELHI/07.08.2020**