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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 616/2023

SANJAY KUMAR

(S/O SHIV KUMAR)

..... Petitioner

Through: Mr. Aditya Aggarwal, Mr. Ankit
Mutreja, Advs. (through VC)

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Ajay Vikram Singh, APP
SI Parvesh Kumar, PS Shastri Park

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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30.05.2023

1. This is an application seeking bail in the FIR No. 153/2021 dated 29.03.2021 registered at PS Shastri Park under Section 386/ 365/ 342/ 419/ 170/ 34 of IPC.
2. As per the FIR, the allegations are that complainant was kidnapped from outside his shop and thereafter Rs. 5 lakhs as ransom was demanded from him. It is further stated that the complainant paid a sum of Rs. 1 lakh out of the ransom amount to secure his release. Hence, the FIR.
3. The applicant was arrested on 16.06.2021 and he was released on account of HPC Guidelines. It is further stated that the allegations in the FIR are untrue and concocted.

4. My attention has been drawn to the cross-examination of the complainant dated 16.05.2023, wherein he has not supported the case of the prosecution. It is stated that the applicant was shown to the complainant and on seeing him, the complainant has denied that the applicant had kidnapped or demanded ransom from the complainant.
5. Since the complainant has not supported the case of the prosecution, I am entitled to allow the present bail application. The applicant is directed to be released on bail in the FIR No. 153/2021 dated 29.03.2021 registered at PS Shastri Park under Section 386/365/342/419/170/34 of IPC on the following terms and conditions:-
 - i. The applicant shall furnish a personal bond and a surety bond in the sum of Rs. 10,000/- each to the satisfaction of the Trial Court;
 - ii. The applicant shall appear before the Court as and when the matter is taken up for hearing;
 - iii. The applicant shall provide his mobile number to the Investigating Officer (IO) concerned, which shall be kept in working condition at all times. The applicant shall not switch off, or change the same without prior intimation to the IO concerned, during the period of bail;
 - iv. In case the applicant changes his address, he will inform the IO concerned and this Court also;
 - v. The applicant shall not leave the country during the bail period and surrender his passport, if any, at the time of release before the Trial Court;
 - vi. The applicant shall not indulge in any criminal activity during the bail period;

- vii. The applicant shall not tamper with the evidence of the case.
 - viii. The applicant shall not come in contact with the complainant or any of his friends/ family members etc. through any mode.
- 6. The application stands disposed of in the aforesaid terms.
 - 7. *Dasti* under the signature of the Court Master/ Private Secretary.

JASMEET SINGH, J

MAY 30, 2023 / (MS)

Click here to check corrigendum, if any