

(2002) 05 DEL CK 0219

Delhi High Court

Case No: Criminal M. (M) 4308 of 2001

Pritam Singh @ Pappu

APPELLANT

Vs

State (Govt. of N.C.T. of Delhi)

RESPONDENT

Date of Decision: May 17, 2002

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 439, 482
- Penal Code, 1860 (IPC) - Section 302

Citation: (2003) 69 DRJ 638

Hon'ble Judges: Surinder Kumar Aggarwal, J

Bench: Single Bench

Judgement

S.K. Agarwal, J.

This is an application u/s 439 read with Section 482 Cr. P.C. for grant of bail in case FIR No. 635/2000 u/s 302 IPC P.S. Punjabi Bagh.

2. Learned counsel for petitioner submits that petitioner was arrested in the above notice case on 1st August, 2000 ; that allegations against him are false and on 23rd May, 2001, taking into consideration the nature of allegations, prosecution was directed to conclude its evidence within three months and the following order was passed :

"Learned counsel for the State on instructions from S.I. Pramod Kumar submits that all witnesses have been examined and the case is fixed for prosecution evidence on 29th May, 2001. Trial Court is directed to complete the evidence within three months from the next day fixed. In case the evidence is not completed during stipulated period, petitioner shall have the liberty to move an application for bail."

3. The said period expired on 29th August, 2001. Learned counsel for the petitioner further submits that petitioner continues to be in custody, that out of 28 witnesses cited by the prosecution, only 15 witnesses have been examined so far ; that on 21st

February, 2002 prosecution sought time to file an affidavit in this regard but the same has not been filed so far. Therefore, the petitioner is entitled to be released on bail.

4. In the facts and circumstances of this case, petitioner is ordered to be released on bail pending for final disposal of the case on his furnishing personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of the trial court, subject to the condition that the petitioner shall not leave the jurisdiction of NCT of Delhi without permission of the Court.

5. dusty.

6. Petition stands disposed of.