

CNR No.DLCT12-000093-2023
Cr. Case No. 06/2023
U/s 354/354A/354D/506(1) IPC
FIR No. 78/2023
PS- Connaught Place
State Vs. Brij Bhushan Singh & Anr.

18.07.2023

Present: Sh. Atul Kumar Srivastava, Ld. Additional PP along with Sh. Ratnesh Kumar Gupta, Ld. APP for the state .
IO SI Pooja in person along with Inspector Sandeep Kumar, PS- Connaught Place, along with SHO PS-Connaught Place.
Both accused persons present along with counsel Sh. Rajiv Mohan (fresh vakalatnamas filed for both the accused persons).

To begin with, Ld. Counsel for accused persons has moved two separate applications for bail for both the accused persons.

Copy of the bail application supplied to the Ld. Additional PP.

Ld. Additional PP for State submits that even though the chargesheet has been filed without arrest, he still opposes the bail application.

Submissions heard, record perused.

In the matter at hand, the chargesheet has been filed without arrest, as per the police report, the accused persons have cooperated with investigation, the accused persons have put in appearance today upon court summons, that is to say, without any coercive process. The alleged offences are punishable with imprisonment not more than 07 years, the

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accused persons undertake to remain present before this court whenever called for and are further ready and willing to furnish bail and are ready to comply with every condition on bail. In these circumstances, this court is bound to follow the mandate of the Hon'ble Apex Court in **Satender Kumar Antil vs CBI (MANU/SC/0851/2022)**, wherein the Hon'ble Apex Court has observed that where the offences are punishable with imprisonment of 7 years or less and the chargesheet has been filed without arrest and the accused has cooperated throughout in the investigation including appearing before Investigating Officer whenever called, the bail applications of such accused on appearance may be decided without the accused being taken in physical custody or by granting interim bail till the bail application is decided.

Ergo, in view of the directions of the Hon'ble Supreme Court in aforementioned judgment, i.e., **Satender Antil (Supra)**, the accused persons are admitted to interim bail till the next date of hearing upon furnishing bail bonds in sum of Rs. 25,000/- each with one surety in like amount.

Bail bonds furnished, accepted till next date of hearing. Original FDR seen and returned, with the direction that the same cannot be encashed without the prior permission of the court.

Copy of the police report along with corresponding documents supplied to the accused persons, by the IO, receiving taken on previous ordersheet.

: 3 :

Matter be now taken up for arguments on bail and further proceedings on **20.07.2023 at 12:30 PM.**

(Harjeet Singh Jaspal)
ACMM-04/RADC/New Delhi
18.07.2023