

Pooran Singh @ Tiger vs State on 9 November, 2020

Author: Vipin Sanghi

Bench: Vipin Sanghi, Rajnish Bhatnagar

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.A. 141/2020
POORAN SINGH @ TIGER

Through: Ms. Inderjeet Ka
(DHCLSC)

versus

STATE

Through: Mr. Ashish Dutt,
with Insp. Naren
Bazaar.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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09.11.2020

CRL.M. (BAIL) 8048/2020

The appellant seeks interim suspension of sentence and interim bail for a period of two months on the ground that his family consists of his wife and two minor children aged 15 years and 9 years, are in financial distress, and are finding it difficult to make their ends meet.

The submission of the appellant is that his wife was earning her livelihood and was earning about rupees 8-10 thousand a month by setting up a rehri, however, due to pandemic and the lockdown her earnings have taken a hit.

The address where the appellant's family has been residing, has been got verified. Learned counsel for the appellant submits that the appellant is a native of Uttrakhand, and to arrange for the family, he is intending to dispose of his ancestral property in Pithoragarh, Utthrakhand. The said property, as per the status report, is in a dilapidated state.

Considering the circumstances, in which the crime appears to have been committed, it appears to us that the appellant does not have any criminal background, and it is unlikely that if he is released on interim bail, he would indulge in a similar criminal conduct. The appellant has undergone over 6 years and 3 month's incarceration continuously.

In these circumstances, we are inclined to grant interim bail to the appellant for a period as prayed for. Accordingly, we suspend the sentence of the appellant and grant interim bail for a period of two months on the following terms:-

- (i) The appellant shall furnish personal bond in the sum of Rs.10,000/- to the satisfaction of the Magistrate concerned;
- (ii) During this interim bail period, the sentence of the appellant shall remain suspended;
- (iii) The appellant shall provide his mobile phone number to the Investigating Officer (IO) concerned - at the time of release, which shall be kept in working condition at all times. The appellant shall not switch-off, or change the same without prior intimation to the IO concerned, during the period of interim bail;
- (iv) The appellant shall telephonically call the IO concerned once a week on every Monday at 11:00 a.m. to mark his presence. On each such occasion, the appellant shall drop a Google pin from his mobile phone to the IO concerned so as to inform the IO about the current location of the appellant;
- (v) The appellant shall not leave the NCR except to visit his home town in Pithoragarh, Uttarakhand. Whenever he visits his home town, he shall inform the IO concerned as well as report to the local police station about his visit during the suspension period;
- (vi) The appellant shall not indulge in any criminal activity during the suspension period;
- (vii) The appellant shall not communicate with, or come into contact with any of the prosecution witnesses, or any member of the victim's family, or tamper with the evidence of the case; and
- (viii) The appellant shall duly surrender at the end of the interim bail.

The application stands disposed of in the aforesaid terms.

VIPIN SANGHI, J RAJNISH BHATNAGAR, J NOVEMBER 9, 2020/ib