

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **Bail Application No.2616/2008**

% **Date of Decision: 24.12.2008**

Ramji Lal Petitioner
Through Mr.Vikas Bakhin, Advocate.

Versus

The State (NCT of Delhi) Respondent
Through Mr.M.P.Singh, APP for the State.

CORAM:
HON'BLE MR. JUSTICE ANIL KUMAR

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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Crl.M.A No.14971/2008

Allowed subject to all just exceptions. Application is disposed of.

Bail Appl. No.2616/2008

The petitioner seeks anticipatory bail under Section 438 of Criminal Procedure Code.

Issue notice to the State. Mr.M.P.Singh, learned APP accepts notice for the State. I have heard the learned counsel for the parties. The petitioner is stated to be the registered owner of vehicle No.DL-1LE-9848 which was challaned for no entry on 20th November, 2008. An FIR

No.304/2008 under Sections 420/467/471 IPC has also been registered and the vehicle of the petitioner has been impounded.

The driver of the vehicle was arrested, however, he has been enlarged on bail and the vehicle of the petitioner is still in the Police Station Civil Lines.

The petitioner has contended that he has not committed any act towards the commission of the said offences and he is a permanent resident of House No.A-1/207, Street No.4, Nehru Vihar, New Delhi-110094 and he is a law abiding citizen and the sole bread earner of his family including his wife and three children and the vehicle which has been impounded is the sole source of income.

The allegations against the petitioner is that his driver was driving the vehicle in a no entry zone. The photocopy of the permission on the vehicle was duplicate/fabricated incorporating the number of petitioner's vehicle though the permission was for some other vehicle. The permission was also for fruit and vegetable, however, the vehicle was carrying clothes.

Considering the nature of accusations and antecedents of the petitioner, in the facts and circumstances the petitioner is entitled for anticipatory bail. Consequently, the petition is allowed and petitioner be released on bail on his furnishing a personal bond for a sum of Rs.15,000/- with one surety of like amount to the satisfaction of the Investigating Officer in case of his arrest. The petitioner shall appear before the Investigating Officer as and when directed by him and shall

take part in the investigation. The petitioner shall not try to influence any of the witnesses.

With these directions the petition is disposed of.

A copy of this order be given dasti under the signatures of the Court Master.

December 24, 2008

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**ANIL KUMAR
(Vacation Judge)**