

IN THE COURT OF DISTRICT AND SESSIONS JUDGE

Gandhi Nagar Court, South Delhi

Cr. Appli. 37 of 2019

Date: 12.10.2019

In the matter of:

Bunty SutharApplicant

v.

State (N.C.T of Delhi)Respondent

Coram: Sh. Rupesh Singh, Judge, Session Court

Present: Mr. Madhav Mehrotra, Ld. Counsel for Applicant

Mr. Pradhuman Rajpurohit Ld. Public Prosecutor is not present.

Heard the Ld. Counsel for the applicant Mr. Madhav Mehrotra appearing on behalf of the accused in the aforesaid FIR No. 091/2019.

The submission of the learned applicant is that, Police has falsely implicated this case as there is a charge of Dacoity (Section 394 IPC) which cannot be committed alone.

Since, the Ld. Public Prosecutor after being given the notice did not appear before this court to object the bail considering the fact that police custody order is already in operation. The accused is disable in Loco motor activities that requires special attention; this court believes that the same cannot be provided in Jail or in Police Custody.

Keeping in mind the urgent requirement, this court orders to amend the Police Custody that was granted vide order dated 08.10.2019 by Ld. Metropolitan Magistrate.

The accused is released on bail immediately on furnishing a bail bond of 2 lakh rupees along with a condition that accused shall not leave the city without the prior permission of the court.

Police Custody order is stayed, bail granted in absentia of Public Prosecutor.

Copy of this order be given to the parties as well as the accused. The application is disposed off.



(Sh. Anil K. Thakur)

Sessions Judge

Delhi: 12.10.2019