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

+ **BAIL APPLN. 1318/2020**

SAFOORA ZARGAR

.....Petitioner

Through

Ms. Nitya Ramakrishnan, Mr. Trideep Pais, Mr. Ritesh Dhar Dubey and Ms. Sanya Kumar, Advs.

versus

STATE

.....Respondent

Through

Mr. Kewal Singh Ahuja and Ms. Richa Kapoor, Advs. for State.
Mr. Tushar Mehta, SG, Mr. Aman Lekhi, ASG, Mr. Amit Mahajan, Mr. Rajat Nair, Mr. Ujjawal Sinha and Mr. Ritwiz, Advs. for Delhi Police.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

23.06.2020

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[Court hearing convened *via* video-conferencing on account of COVID-19]

1. Mr. Tushar Mehta, learned Solicitor General, has returned with instructions.

1.1 Mr. Mehta makes the following statement before me:

“Without in any manner conceding to the factual assertions and legal submission made by the petitioner and without in any manner diluting the contents and submissions made in the reply filed thereto and without making it a precedent either in on-going investigations or any other investigation(s), purely on humanitarian ground, the prosecution agrees to the petitioner being released on regular bail. ...”

2. Mr. Mehta, thus, says that the petitioner can be released on bail, subject to the following conditions being imposed by the Court.

BAIL APPLN. 1318/2020

1/3

“i) The petitioner, during the period of bail, shall not indulge in activities for which she is investigated and is being investigated;

ii) The Petitioner shall not influence, hamper or interfere with the on-going investigation, in any manner;

iii) The petitioner will remain out of National Capital Region of Delhi”

3. Ms. Nitya Ramakrishnan, who appears for the petitioner, says that she would have no difficulty with the statement made by Mr. Mehta as long as the order enlarging the petitioner on bail does not bind the petitioner in terms of law and merits. Furthermore, Ms. Ramakrishnan expresses reservation *qua* condition number (iii) proposed by Mr. Mehta.

4. Having heard Mr. Mehta and Mr. Lekhi as well as Ms. Ramakrishnan, it is directed that the petitioner will be enlarged on bail subject to the following conditions.

- i. The petitioner will furnish a personal bond of Rs. 10,000/- with a surety of like amount to the satisfaction of the concerned Jail Superintendent.
- ii. The petitioner shall not indulge in any activity *qua* which she is being investigated which may infract the law.
- iii. The petitioner will also refrain from influencing, hampering or interfering with the ongoing investigation against her.
- iv. The petitioner will establish telephonic contact with the Investigating Officer, at least, once in fifteen (15) days.

- v. In case the petitioner is required to leave the National Capital Territory of Delhi, she will seek permission from the concerned Court.
5. Needless to add, since the parties have not addressed me on the merits, this order will not be treated as a precedent.
6. I have received some documents filed on behalf of the respondent/state, *albeit*, in a sealed cover. I have not opened the sealed cover. The documents, which are in sealed cover, are returned to the Registry.
- 6.1 The Registry will hand over the aforementioned documents to an authorized officer of the respondent/State.
7. The Registry is directed to transmit the order passed today, electronically, to the concerned Jail Superintendent.

RAJIV SHAKDHER, J

JUNE 23, 2020
pmc/KK

Click here to check corrigendum, if any