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

+ BAIL APPLN. 933/2015

RAJEEV ARORA Petitioner

Through: None.

versus

STATE Respondent

Through: Ms.Alpana Pandey, APP.
SI Jai Kishan, P.S.Vivek Vihar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **06.11.2015**

The petitioner seeks anticipatory bail in connection with FIR No.262/15 (P.S.Vivek Vihar) instituted for the offence under Section 308/34 of the IPC.

The allegation in the first information report is that because of an earlier incident of assault, one Raju @ Pawan Kumar and the petitioner who happens to be the son-in-law of Raju @ Pawan Kumar restrained the brother of the complainant in the street and started quarrelling with him. It is alleged in the first information report that thereafter two of the accused persons namely Rakesh Pandit and Ajay Bhaduriya assaulted the brother of the complainant by means of wooden dandas. The brother of the complainant got injured. Thereafter, on the exhortation of one Sunil Pandit, Raju @ Pawan Kumar assaulted the brother of the complainant by a brick for 2-3

times which seriously injured him.

It has been submitted on behalf of the petitioner that though he has been arraigned as an accused in the FIR but has only been attributed with the role of restraining the victim on the road. The act of assault has been attributed to others and not the petitioner. It is further submitted that the injury suffered by the victim have been opined to be caused by hard and blunt substance and the nature of the injury is simple. From the perusal of the status report it appears that other accused persons of this case are on bail.

Considering the aforesaid facts, the petitioner is directed to be released on bail in the event of his arrest on his furnishing bond in the sum of Rs.5000/- with one surety of the like amount to the satisfaction of the Arresting Officer/SHO of the concerned police station. The petitioner shall participate in the investigation and would visit the police station as and when required by the Investigating Officer of the case. The petitioner shall provide his contact number to the SHO so that he could be contacted for being interrogated.

With these observations, the petition is disposed of.

A copy of this order be communicated to the Superintendent of the concerned Jail for information and compliance.

Dasti.

ASHUTOSH KUMAR, J

NOVEMBER 06, 2015

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