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

+ BAIL APPLN. 1917/2015

MUKESH SAINI

..... Petitioner

Through: Mr.Kanwar Udai Bhan Singh, Advocate

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms.Rajni Gupta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **27.11.2015**

The petitioner seeks pre-arrest bail in FIR No.736/2014 (P.S.Punjabi Bagh) instituted for offences under Sections 308/322/341/506/34 of the IPC. One Jai Kumar was injured in the occurrence.

The First Information Report was lodged by his brother Pushpak who claims to be an eye witness to the occurrence.

On 13th September, 2014, the petitioner along with his father and brother had visited the shop of the informant and had threatened the complainant and his brothers of dire consequences. They were also threatened for being dispossessed. After about some time of the aforesaid occurrence, it is alleged that the petitioner along with others, named in the F.I.R., arrived at the house of the complainant and assaulted the brother of the informant with iron rods, bricks etc. Jai Kumar, brother of the complainant, received injuries which are opined to be simple.

Learned counsel for the petitioner submits that the allegations in the F.I.R. are general and omnibus in nature. There does not appear to be any

intention on the part of the petitioner or other accused persons to do away with the life of the injured victim. There is a cross case also, namely, F.I.R. No.766/2014 instituted for the offences under Sections 323/341/506/34 IPC in the same police station. There are two other F.I.Rs. There appears to be some property disputes between the parties.

The petitioner was granted interim protection by order dated 14th September, 2015 with a direction to participate in the investigation. Pursuant to such a direction, the petitioner has been visiting the police station as and when required by the Investigation Officer of this case.

Considering the nature of accusation, the conduct of the petitioner, omnibus and general allegations against the petitioner and civil dispute background, this Court is inclined to grant anticipatory bail to the petitioner.

In the event of his arrest, the petitioner shall be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with two sureties of the like amount to the satisfaction of the Arresting officer/IO/SHO of the concerned police station. Needless to say that the petitioner would join the investigation and would visit the police station as and when required by the I.O./SHO of the case/police station.

Application stands disposed of.

Dasti.

ASHUTOSH KUMAR, J

NOVEMBER 27, 2015

Bisht