

\$~14

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

+ BAIL APPLN. 2468/2015

NAFE SINGH

..... Petitioner

Through: Mr.Anirudh Yadav, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms.Rajni Gupta, APP.

SI Anuj Yadav, P.S.Chhawla.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **08.12.2015**

The petitioner seeks anticipatory bail in connection with FIR No.477/2015 (P.S.Chhawla) which has been instituted for offences under Sections 147,148, 149, 307 and 34 of the IPC read with Sections 25, 27 and 54 of the Arms Act.

The petitioner is alleged to have come to the construction site of the complainant along with 7-8 persons and attacked them. Specifically, allegation has been raised against the petitioner of having whipped out a revolver and fired at the complainant with the intention to kill him. The complainant has stated in the first information report that in order to ward off such attack, he ducked and the bullet hit his forearm.

The injuries suffered by the complainant was examined by the doctor which were found to be simple in nature. The doctor has also opined that the injury could be self inflicted.

After the petitioner was granted interim protection by this Court by order dated 17.11.2015, the petitioner has participated in the investigation

and has never evaded to face the interrogation by the police.

Ms.Rajni Gupta, APP, however, opposes the anticipatory bail of the petitioner on the ground that in the past he had been made accused in several cases and he is a bad character of the area.

The status report lists a number of cases against the petitioner. Out of nine cases listed against the petitioner, the petitioner has either been acquitted or discharged in seven of them. There are only two cases viz.FIR Nos.77/2011 (under Section 325/34 IPC) and 181/2011 (under Sections 307/341/147/148/149/120B IPC) both registered at P.S.Chhawla, which are pending adjudication.

Considering the fact that the petitioner has participated in the investigation process and the injuries on the complainant of which the petitioner was the author, were found to be simple, the petitioner is granted the privilege of anticipatory bail.

In the event of his arrest, the petitioner shall be released on bail on his furnishing bond in the sum of Rs.10,000/- with one surety of like amount to the satisfaction of the Investigating Officer/SHO of the concerned police station.

Needless to say that in case the petitioner does not cooperate in the investigation, it would be open for the IO to have his anticipatory bail cancelled.

Application is disposed of.

DECEMBER 08, 2015/k

ASHUTOSH KUMAR, J