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

+ **BAIL APPLN. 151/2016**

PRIYA

..... Petitioner

Represented by: Mr. D.K. Singh and Mr. Jogender
Dhiryan, Advs.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Ashish Dutta, APP for State
with ASI Mahavir Singh, PS-Neb Sarai.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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28.01.2016

Crl.M.A. 1122/2016 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

+ **BAIL APPLN. 151/2016**

1. By way of the present petition filed under Section 438 Cr.P.C. petitioner seeks anticipatory bail in case FIR no. 1728/2015 registered at PS-Neb Sarai for the offence punishable under Section 308 IPC.

2. The aforesaid case was registered against the petitioner on the complaint of Ms. Pooja who stated therein that on 11.12.2015, petitioner who is her neighbour was cleaning her house with water and diverted the dirty water towards her house. On her protest, petitioner went inside her house and took out an iron rod and hit on the head of the complainant. Meanwhile, her neighbour Sumit made a call to PCR Van, which took her to

the Hospital.

3. Ld. Counsel appearing on behalf of the petitioner submits that present case is nothing but a counter-blast to a case being FIR no. 290/2015 registered PS-Neb Sarai for the offence punishable under Section 509 IPC against the real brother of the complainant, namely Niranjan.

4. It is not in dispute that the complainant was discharged on the same day from the Hospital and as per the MLC, she received simple injuries. It is not clear from the MLC whether stitches were applied on the complainant or not. It is also not disputed that earlier FIR mentioned above was registered against the brother of the complainant.

5. Therefore, keeping in view the facts recorded above, I direct the Investigating Officer of the case to admit the petitioner on bail in the event of her arrest on her furnishing a personal bond of Rs.15,000/- with one surety of the like amount to his satisfaction.

6. Accordingly, the petition is allowed.

7. *Dasti.*

SURESH KAIT, J

JANUARY 28, 2016

jg