

\$~2

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

+ BAIL APPLN. 413/2016

ZAHID KHAN & ANR Petitioner
Through Mr.M. Hasibuddin, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI) Respondent
Through Mr.Amit Chadha, APP for the State
with SI Brahma Dutt, PS Sunlight
Colony.

CORAM:
HON'BLE MR. JUSTICE P.S.TEJI

ORDER
% **09.03.2016**

The present bail application has been filed on behalf of the two accused Zahid Khan & Rashid Khan, for grant of regular bail. It has been submitted that in the present case, the accused had caused injury which resulted in registration of FIR No.33/2016 under Section 308/34 of the Indian Penal Code (IPC), PS Sunlight Colony.

During the course of argument, it has been submitted that at the time of preparation of challan, it was found that the injury caused by petitioner no.1 Zahid Khan is found dangerous inviting Section 307 IPC and the prosecution is now in the process of filing chargesheet under Section 307 IPC against the petitioner no.1.

The admitted position is that the injury attributed to Rashid Khan, petitioner no.2, is simple in nature and does not invite Section

307 of IPC.

Consequently, this Court is of the considered opinion that keeping in view the facts and circumstances, the accused Rashid Khan, petitioner no.2, is released on bail on furnishing personal bond for a sum of Rs.25,000/- as well as two sureties of the like amount to the satisfaction of the Court below subject to the condition that the petitioner no.2 shall join the investigation as and when required; shall not influence the prosecution witnesses or tamper with the evidence and shall not leave the country without prior permission of the Court concerned.

So far as the accused Zahid Khan, petitioner no.1 is concerned, the injury caused by him, is grievous in nature inviting Section 307 of the Indian Penal Code. Hence prayer in the bail application for grant of bail to Zahid Khan, is dismissed at this stage.

With the above direction, the present bail application is disposed of.

Dasti.

P.S.TEJI, J

MARCH 09, 2016

aa

