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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 1021/2016
NITIN GAUTAM

Through Mr Sudhir Batra, Adv. alongwith parents of
petitioner
versus
STATE

Through Mr Akshai Malik, Additional Public Prosecutor
for the State alongwith Sub Inspector Satish
Lohia Police Station Hauz Khas, New Delhi

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 26.05.2016

This is application under Section 438 of Cr.PC moved by the petitioner for grant of anticipatory bail in case FIR No.410/2016 under Ss. 308/341/34 IPC registered at Police Station Hauz Khas, New Delhi.

The application is vehemently opposed by learned Additional Public Prosecutor for the State on that ground that the petitioner alongwith four others caught complainant – Disu @ Sandeep and started beating him with rod and dandas. The injuries sustained by injured Dishu @ Sandeep were opined to be 'grievous' while injuries on the persons of Rohit and Hari Chand were opined to be 'simple'. It is submitted by learned Additional Public Prosecutor for the State that the injured remained in the hospital for five days. Moreover, the weapon of offence is yet to be recovered.

Under the circumstances, it is not a case of grant of anticipatory bail.

It is, however, submitted by counsel for the petitioner that the petitioner is a student of BBA-G from Institute of Management and Technology, The final examination for the first year has started from 25.05.2016 and will continue till 13.06.2016. Counsel undertakes that on 14.06.2016, the petitioner will surrender before the Investigating Officer of the case.

As such, in order to enable the petitioner to appear in the examination, he be not arrested till 13.06.2016. He is, however, directed to surrender before the Investigating Officer of the case on 14.06.2016 at 10 am.

The application stands disposed of accordingly.

A copy of this order be given *dasti* to both sides.

SUNITA GUPTA, J

MAY 26, 2016/rd