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

+ BAIL APPLN. 1098/2016 & CrI.M.A. 8668/2016 (Exemption)

IKRAR

..... Petitioner

Through Mr.Irfan Khan, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Mr.M.P. Singh, APP with SI K.P.
Singh, PS Seemapuri.

WITH

+ BAIL APPLN. 1099/2016

MAZHAR

..... Petitioner

Through Mr.Irfan Khan, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Mr.M.P. Singh, APP with SI K.P.
Singh, PS Seemapuri.

AND

+ BAIL APPLN. 1100/2016

BABLOO

..... Petitioner

Through Mr.Irfan Khan, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Mr.M.P. Singh, APP with SI K.P.
Singh, PS Seemapuri.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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25.05.2016

The present applications have been filed by the petitioners under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.487/2016, under Sections 323/308/34 IPC, Police Station Seemapuri.

Arguments heard.

As per FIR, the allegations levelled are that the complainant Sameer made a statement to the police that he had been working on a coconut kiosk being run by Gauhar Ali. In the night of 16/17.04.2016, he along with Gauhar Ali was present at the coconut kiosk. At about 09.30 p.m., one of their known one Salman came there and informed that he had a quarrel in the village with Jafar and Mazhar etc. The complainant and Gauhar Ali were laying on the pavement. At about 12.15 in the night, four boys came there and started beating them. Accused Bablu gave slaps and fist blows to Gauhar Ali; accused Mazhar started beating Salman; accused Jafar started beating the complainant and accused Ikrar also gave beatings to them. Accused Jafar was carrying a small danda in his hand which he hit on the head of the complainant repeatedly. Accused Mazhar picked up something from the ground and hit Salma with the same. When the complainant party raised alarm, all the four boys ran away from the spot.

As per the FIR, the injuries inflicted on the head of the complainant are attributed to accused Jafar who was allegedly carrying a danda at the time of hitting the complainant. Rest of the three accused persons i.e. the petitioners have not been shown to have any weapon at the time of the incident. No weapon has been alleged to have been used by the petitioners nor any such weapon is to be recovered from them. Apparently, the petitioners caused simple injuries to the complainant party.

In the facts and circumstances, the applications are allowed. It is hereby ordered that in the event of arrest of the petitioners, they be released on bail on furnishing the personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of the arresting officer. However, the petitioners are directed to join the investigation as and when required. They are directed not to leave the country without prior permission of the Court concerned and shall not tamper with the evidence.

The bail applications and the pending application, if any, are disposed of accordingly.


P.S. TEJA, J

MAY 25, 2016
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