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

+ **BAIL APPLN. 1161/2016**

ARMAN

..... Petitioner

Through: Mr. Saurabh Upadhyay, Advocate

versus

STATE GOVT NCT DELHI

..... Respondent

Through: Mr. Ashish Dutta, APP

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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31.05.2016

CRL.M.A.9182/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

BAIL APPLN.1161/2016

The present is an application under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.65/2016, under Sections 323/341/308/34 IPC, registered at Police Station- Kanjhawala.

As per the case of the prosecution, the petitioner is alleged to have attacked the injured victim with a sharp edged weapon (purportedly a meat-cleaver), resulting in injuries to the latter.

It is an admitted case that the charge sheet has since been filed. However, the charges are yet to be framed.

An application seeking regular bail has been rejected by the Additional Sessions Judge, North-West, Rohini Courts on 09.05.2016 for the following reasons:-

“Due to the blow of sharp edged weapon perhaps from the blunt side by the applicant, the complainant Mohd. Yusuf had suffered fracture of his skull bone. The

nature of injuries suffered by him is opined to be grievous. The use of such weapon and the place of body of the complainant chosen for assault reflect the criminal propensity of the applicant. Since the likelihood of his tempering with evidence on being released, cannot be ruled out, this Court is not inclined to find favour with the applicant at this stage. His bail application, therefore, is dismissed.”

The testimony of the injured victim, who has suffered grievous injury, as a consequence of the offence for which the applicant is charged, is yet to be recorded. In view of the grave and serious allegations made against the applicant herein, I see no reason to differ with the conclusion arrived at by the Sessions Court in the order dated 09.05.2016, at this stage.

Dismissed.

SIDDHARTH MRIDUL, J

MAY 31, 2016

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