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

+ **BAIL APPLN. 1377/2016**

AFZAL KHAN

..... Petitioner

Represented by: Mr. Nusrat Hossain, Adv.

versus

THE STATE (GNCT OF DELHI)

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Richpal Singh PS Jamia Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.07.2016

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Crl.M.A. 10422/2016

Exemption allowed subject to just exceptions.

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Notice. Learned APP for the State accepts notice.

By this petition the petitioner seeks anticipatory bail in case FIR No. 517/2016 under Sections 308/506/34 IPC registered at PS Jamia Nagar on the complaint of Mohd. Mahir Rahman.

A PCR call was received on 2nd June, 2016. On reaching SI Richpal Singh found that from D-92, 4th Floor, Abul Fazal Enclave, Jamia Nagar injured Mohd. Mahir had been taken to the hospital. Mohd. Mahir stated that at about 5.00 PM Afzal i.e. the present petitioner was doing construction work at the terrace and was trying to cover certain areas of the complainant. In the meantime complainant's friend Khaild also came there who informed

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him about it. When the complainant went at the spot and raised objection Afzal abused them and an altercation took place. The complainant was beaten by kicks and fist and the role attributed to the present petitioner is that he picked up an iron rod and hit on the complainant's head.

As per the MLC the injury to the complainant is simple in nature. Further on the complaint of wife of the petitioner a cross FIR No. 518/2016 has been registered for the same incident against the complainant and his associates. The co-accused in the present FIR and the accused in FIR No. 518/2016 all have been granted anticipatory bail.

Considering the facts and circumstances of the case in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned. The petitioner will join the investigation as and when directed.

Application is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 15, 2016
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