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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of hearing and order: July 18, 2016

+ BAIL APPLN. 1407/2016
NITIN @ LUCKY RANA

..... Petitioner

Through: Mr. J.P. Singh, Mr. Hemant Sharma,
Advocate

versus

STATE N.C.T OF DELHI

..... Respondent

Through: Ms. Manjeet Arya, Additional Public
Prosecutor for the State

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

ORDER
18.07.2016

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P.S. Teji (Oral)

Crl. M.A. No.10603/2016 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Bail Appln. No.1407/2016

1. By this petition filed under Section 438 of Cr. P.C., the petitioner seeks anticipatory bail in FIR No. 273/2016 under Section 186/353/332/34 of IPC registered at Police Station North Rohini, Delhi.

2. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and there is no motive behind the commission of the crime as alleged. There is not even a single evidence against him except the false and frivolous allegation of the prosecution. It is further contended that the alleged incident did not ever happened in the manner as alleged in the FIR and in fact, the petitioner was standing by the side of the road when the police official approached him and started asking Rs.1,000/- from the petitioner for plying his vehicle on wrong side of the road. It is further contended that in fact the police official picked up the helmet and started hitting the petitioner and when the petitioner in his self defence tried to stop the police official from hitting him by helmet, the helmet got hit on the hand of the police official causing him injury.

3. Learned counsel for the petitioner further contended that the petitioner is a young boy of 24 years and is ready to join investigation as and when required.

4. Notice.

5. Ms. Manjeet Arya, Additional Public Prosecutor for the State accepts notice of the petition and submitted that the petitioner has committed an offence of entering from the wrong side and creating obstruction in the execution of public duty and also manhandled the police official. However, it is fairly admitted that the petitioner is not required for recovery of any weapon of offence or for any other interrogation.

6. I have heard the submissions of both the sides and in the facts and circumstances of the case, this Court observes that nothing is required to be recovered from the petitioner nor any information is required to be obtained from him for which his custodial interrogation is necessary. This Court further observes that there is no challan against the petitioner indicating violation of any rule under the Motor Vehicle Act, 1988. Though the custody of the petitioner is sought by the State, but apparently, the petitioner does not appear to be required for custodial interrogation.

7. In view of the aforesaid facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner – Nitin @ Lucky Rana. Accordingly, it is hereby ordered that in the event of arrest, the petitioner – Nitin @ Lucky Rana be released on bail subject to furnishing of personal bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the arresting officer.

8. The petitioner is directed to join the investigation as and when required by notice in writing and to cooperate in the investigation of the present case.

9. With aforesaid directions, the present petition stands disposed of.

10. Dasti.

JULY 18, 2016
pkb

P.S.TEJI, J