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

+ **BAIL APPLN. 1475/2016**

MITESH CHHABRA

..... Petitioner

Represented by: **Mr. Sanjeev Salhan and Mr.
K.S. Saroha, Advocates.**

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Mr. Ravi Nayak, APP for the
State with SI Manmohan
Ahuja, PS Rani Bagh.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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08.08.2016

1. By this petition the petitioner seeks anticipatory bail in case FIR No.238/2016 under Sections 323/341/427/354/34 IPC registered at PS Rani Bagh, Delhi.

2. Learned counsel for the petitioner submits that the falsity of the allegations is writ large. Despite the fact that the petitioner and his brother were also taken for medical examination, no arrest was made and later on Section 313 IPC was added. Till date no notice to join the investigation has been given. The petitioner is willing to join and cooperate in the investigation.

3. Learned APP for the State has taken me through the status report.

4. As per the status report the allegations in the above noted FIR against the petitioner and his brother are that on 21st June, 2016 at about 11.30 AM

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two unknown persons came to complainant's house and asked her to send her son outside. When her son Ritik came out, those two persons tried to pull Ritik outside his home but the complainant intervened and pulled her son inside the house. It is further alleged that the brother of the petitioner, i.e. Hitesh Chhabra pushed the complainant by touching her chest resulting in miscarriage. The allegations against the petitioner herein Mitesh Chhabra are neither of pushing nor of misbehaviour.

5. Considering the allegations against the petitioner and the fact that he is not the one who pushed the complainant resulting in miscarriage or misbehaved with her, I deem it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that 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, further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the court concerned.

6. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 08, 2016

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