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

+ **BAIL APPLN. 2082/2016**

VISHNU DUTT SHARMA & ORS

..... Petitioner

Through: Mr. Dharmendra Vasishtha and Sumit
Kalra, Adv.

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, APP with Ms.
Ankita Goyal, Adv. with SI Shyam
Lal Dagar, PS Pul Prahaladpur

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

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06.10.2016

Crl.M.A. No. 15836/2016

Exemption allowed, subject to all just exceptions. The application stands disposed of.

BAIL APPLN. 2082/2016

Issue notice. Notice is accepted on behalf of the State. The petitioner has preferred the present petition to seek anticipatory bail apprehending arrest in case FIR No.112/2016 dated 27.04.2016 under Section 323/354/341/509/34 IPC registered at PS Pul Prehladpur.

The submission of learned counsel for the petitioner is that at the instance of the petitioner FIR No.39/2016 has been registered against the husband and five other relatives of the complainant in the present case. The submission is that since the complainant in the present case is a police personnel, no action has been taken in the petitioner's complaint and as a counterblast, the FIR in question has been registered at the instance of the complainant without any basis. The submission is that the petitioner is ready and willing to join the investigation as and when called for.

The petitioner is a tenant of the complainant's husband and the landlord is seeking to pressurise the petitioner/ tenant to vacate the premises by abusing the process of law.

Prima facie, a reading of the petition and FIR probablises the aforesaid situation. Accordingly, the application is allowed. In case of his arrest, the petitioner shall be released on bail upon furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the arresting officer. This is subject to the condition that the petitioner shall join the investigation as and when called for. He shall not contact the complainant or any other witnesses.

In case the petitioner is called for investigation, the same shall be through a written notice only and the petitioner's participation shall be acknowledged.

VIPIN SANGHI, J

OCTOBER 06, 2016

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