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

+ BAIL APPLN. 2109/2016

SIDHARTH KAPOOR

..... Petitioner

Represented by: Mr. B.S. Mathur with Mr. Rajat Mathur, Advs.

versus

STATE

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with SI Surender Kumar, PS Hari Nagar.
Mr. Nitesh Mehra, Adv. for complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.12.2016

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By the present petition, the petitioner seeks anticipatory bail in case FIR No.580/2016 under Sections 323/356/354A/452/506/34 IPC registered at PS Hari Nagar on the complaint of uncle of the petitioner.

The allegations in the above noted FIR by the complainant Bimal Kapoor are that on 4th September, 2016 at about 9.30-10.00 pm while he was sleeping, the petitioner along with his friends rang the bell of his house. When Vikrant Kapoor, son of the complainant opened the door, they all attacked him. It is further alleged that the petitioner and his friends also assaulted the wife of the complainant and also hit on her chest with the butt of the pistol. There is allegation of snatching of gold chain as well.

Status report has been filed as per which the nature of injuries was opined to be simple in nature. Further the CCTV footage has been taken

into possession by the investigating agency which reveals that Sidarth Kapoor along with his friends had entered the residential premises where both the parties were residing on 4th September, 2016 at about 9.50 PM.

On a query put to learned APP for the State as to on which floor the petitioner resides, learned APP on instructions from investigating officer informs that the petitioner was residing on the first floor of the premises whereas complaint was residing on the second floor of the premises. He further informs that from CCTV footage the only fact that can be gathered is that petitioner along with his friends was entering the house on the ground floor and thereafter took the stairs to first floor, there is no CCTV footage to show that petitioner went upto second floor.

As per the status report, on the complaint of wife of the petitioner, FIR No.598/2016 under Sections 354/354B/509/34 IPC has already been registered against the complainant and his son Vikrant Kapoor.

Considering that there is property dispute between the parties and nature of injury is simple in nature, this Court deems it fit to grant anticipatory bail to the petitioner. It is thus directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25000/- with one surety of the like amount, subject to the satisfaction of Arresting Officer/SHO concerned, further subject to condition that the petitioner will join the investigation as and when directed and will not leave the country without prior permission of the Court concerned.

Petition is disposed of.

Order dasti.

MUKTA GUPTA, J.

DECEMBER 20, 2016/‘v mittal’