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

+ **BAIL APPLN. 2209/2016**

MOHD FIROZ AHMED @ BHOLU & ORS Petitioners

Represented by: Mr. Alamgir & Mr. Naushad,
Advocates.

versus

STATE (NCT OF DELHI) Respondent

Represented by: Mr. Hirein Sharma, Advocate with
SI C.P. Singh, PS Jamia Nagar.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
29.11.2016

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1. By the present bail application, the three petitioners, that is, Mohd. Firoz Ahmed @ Bholu, Wakeel Ahmed and Hashim; petitioner Nos.1 and 2 being the real brothers and petitioner No.3 their cousin brother, seek anticipatory bail in case FIR No.1056/2016, under Sections 323/354/354-D/506/509 IPC read with Section 12 of the Protection of Children from Sexual Offences Act (in short 'POCSO') registered at Police Station Jamia Nagar.

2. The allegations against the petitioners, on the complaint of their minor cousin, are that the petitioner No.1 used to stalk and pass filthy comments on her. When she told these facts to her parents, her parents asked petitioner No.1, Bholu, to refrain from these activities

but he did not pay any heed to the same and continuously followed her. On 29th September, 2016 at about 11 pm, petitioner No.1 along with petitioner Nos.2 and 3 came to her house and started abusing her. Then the complainant and her mother came out from their house to stop them from abusing. The petitioner No.1 caught the hand of the complainant and molested her. When her mother tried to save her, all three of them started beating her. It is alleged that petitioner No.1 hit the complainant with a stick and the other two with the punch and fist. Further, they pushed the mother of the complainant.

3. As per the MLC, no apparent injury has been found on the complainant and thus, the injuries have been opined to be simple in nature. Further, as far as the mother of the complainant is concerned, a bruise mark has been found and her injury has also been opined to be simple in nature.

4. A perusal of the record reveals that there is a joint property in the name of the family members, the partition whereof is being sought.

5. Considering the facts and circumstances of the case and the nature of injuries, this court finds it fit to grant anticipatory bail to the petitioners. It is, therefore, directed that in the event of arrest, the petitioners be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety each of the like amount to the satisfaction of the Arresting Officer/SHO concerned; further subject to the condition that they will join investigation as and when

directed and will not leave the country without prior permission of the court concerned.

6. The bail application stands disposed of.

7. *Dasti.*

MUKTA GUPTA, J.

NOVEMBER 29, 2016
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