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

+ **BAIL APPLN. 758/2017**

SHER SINGH

..... Petitioner

Through

Mr.Mukesh Kalia, Adv. with
Mr.Haanumant Sakhuja, Adv.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through

Mr. Manjeet Singh Oberoi, APP for
the State

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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28.04.2017

Arguments heard.

The present bail application under Section 438 read with Section 482 of the Code of Criminal Procedure, has been filed by the applicant for grant of anticipatory bail in FIR No. 187/2017 registered under Section 308/34 of the Indian Penal Code at Police Station Rajouri Garden.

The facts as are emerging from the records are that a complaint was lodged by Sunny, son of Prem Nath wherein he alleged that the son-in-law of Roshan Singh tried to park his car in front of his shop to

which his father Mr.Prem Nath objected. Meanwhile, Roshan Singh, Sher Singh and Happy along with four other persons entered his shop and Roshan Singh gave an iron rod blow on his head whereas Sher Singh and Happy caught hold of him. The complainant further alleged that the said persons also gave beatings to his father.

Learned counsel for the applicant has submitted that the role attributed to the accused/applicant is restricted to catching hold of the complainant. It is stated that no weapon was alleged to be with the applicant nor he caused injury to the complainant.

Learned Additional Public Prosecutor for the State has failed to show any purpose for the custody or custodial interrogation of the petitioner.

In view of the above mentioned facts and circumstances, the present bail application is allowed. It is hereby ordered that in the event of arrest of the petitioner/accused, he be released on bail on furnishing the personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the arresting officer. The petitioner is directed to join the investigation as and when required. He is directed not to tamper with the evidence and

influence the prosecution witnesses. He is further directed not to leave the country without prior permission of the court concerned.

Before parting with the order, this Court would like to place it on record by way of abundant caution that whatever has been stated hereinabove in this order has been so said only for the purpose of disposing of the prayer for bail made by the petitioner. Nothing contained in this order shall be construed as expression of a final opinion on any of the issues of fact or law arising for decision in the case which shall naturally have to be done by the Trial Court seized of the trial.

The application is accordingly disposed of.

Dasti.

P.S.TEJI, J

APRIL 28, 2017/aa