

\$~39

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

+ **BAIL APPLN. 857/2017**

SHAHRUKH

..... Petitioner

Through: Mr.Ajayinder Sangwan, Adv. with
Mr.Rohan Sharma, Adv.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.Mukesh Kumar, APP for State
S.I. Manu Dev, P.S Amar Colony

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

09.05.2017

CRL.M.A.7715/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 857/2017

This is an application filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.101/2017, under Sections 307/341/34 IPC, registered at Police Station-Amar Colony.

Learned counsel for the petitioner submits that the FIR is dated 22.03.2017 and the injured has already been discharged from the hospital and the main accused has already been granted bail. He further submits that there is no allegation in the FIR qua against the present petitioner for causing injury as shown in the MLC and the petitioner is also ready to join

the investigation, as and when required.

Learned APP for the State vehemently opposes the bail application. He, on instructions from the IO, however admits that the injured has already been discharged from the hospital and the one co-accused, who is juvenile, has already been granted bail. He further submits that the other co-accused has also been granted bail by the Ld. Sessions Court.

Keeping in view the facts and circumstances and the contents of the FIR that there is no specific allegation of causing injury on the person by the present petitioner and the fact that the other co-accused persons have already been granted bail, the petitioner is directed to join the investigation and in the event of his arrest, the petitioner be released on anticipatory bail on his furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of IO/SHO concerned with the further condition that the person shall not contact, threaten or coerce the complainant or any of family members of the complainant; he shall not influence the prosecution witnesses; he shall not tamper the prosecution evidence and that the petitioner should not leave India without prior permission of the Court below.

The present bail application is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 09, 2017/km