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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 2023/2016

HARPREET SINGH

..... Petitioner

Represented by: Mr. Vimal Puggal, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Gurcharan Singh PS Rajouri
Garden.

Mr. Rajneesh Bhaskar, Adv. for
complainant.

+ BAIL APPLN. 2027/2016

MAN MOHAN SINGH

..... Petitioner

Represented by: Mr. Vimal Puggal, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Gurcharan Singh PS Rajouri
Garden.

Mr. Rajneesh Bhaskar, Adv. for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2017

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By the present petition the petitioners seek anticipatory bail in case
FIR No.785/2016 under Sections 452/341/323/34 IPC registered at PS
Rajouri Garden on the complaint of Ashwani Kumar.

BAIL APPLN. 2023/2016 & BAIL APPLN. 2027/2016

page 1 of 3

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In the complaint Ashwani Kumar alleged that he and his brother are living in Raghubir Nagar and some construction work was going on in the adjacent house due to which their LED Samsung TV broke. One Harminder @ Vicky S/o Ajit Singh who was doing the work of demolition agreed to bear the loss and issued a cheque of ₹38,000/-. Since the cheque was of a later date, Ashwani Kumar went to the office of Vicky and an altercation took place between him and Vicky, Happy and two other persons who were present there, who caught hold of him and one of the person hit him with some sharp weapon. His brother Ravi intervened, who was also given injuries by fist blows. In the meantime he was taken to hospital when it was revealed four persons came to his house, threatened and assaulted his mother and when his brother Ravi and mother were going to the Police Station they also stopped them on the way and assaulted them.

As per the three MLCs the mother of Ashwani Kumar received no external injury. Ashwani Kumar and his brother received lacerated wound and there is no injury on Ashwani Kumar by any sharp object. The injuries have been opined to be simple in nature. As per the statement of Sanjeev Ghai, the third brother of the complainant, the assault at the place of incident was by Sukhbir Singh @ Maggo, Manmohan, Jaspreet and Happy. Since there is variation in the statement of witnesses and also injuries received by the injured were simple in nature, this Court deems 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 ₹25,000/-

each with one surety each of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that they will join the investigation as and when directed and will not leave the country without the prior permission of the Court concerned.

Petitions are disposed of. Order dasti.


MUKTA GUPTA, J.

FEBRUARY 06, 2017
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