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

+ BAIL APPLN. 1501/2017

DANISH ALI

..... Petitioner

Through: Mr. S.B. Tripathi, Adv.

versus

NCT OF DELHI

..... Respondent

Through: Mr. G.M. Farooqui, APP for State
with W/SI Chanchal, P.S. Mayur
Vihar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.08.2017

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the matter. Petitioner had also sustained injuries. Father of the complainant abused the mother of the petitioner which led to the quarrel in which petitioner was beaten. Petitioner has prayed for the grant of anticipatory bail.

Learned APP for the State submits that earlier also, two anticipatory bail applications were filed by the petitioner but the same were dismissed. Petitioner has not cooperated in the investigation despite service of notice under Section 41 Cr.P.C. on petitioner's father. Proceedings, for declaring the petitioner proclaimed offender have been initiated. Prosecutrix has specifically named the petitioner in the FIR. She has alleged that Parvez @

Tannu (brother of the petitioner) made advances towards her and when she objected to the same, he started abusing her. On hearing the voices, her brother came there and asked Parvez @ Tannu not to call names to the prosecutrix, however, he did not stop and started abusing her brother also. Petitioner, who was standing nearby, armed with a *danda* in his hand, started beating the prosecutrix and her brother. Parvez @ Tannu also gave beatings. They touched her breasts and torned her clothes. They also threatened to disfigure her face by throwing acid on her. Learned APP further submits that no complaint was made by the petitioner immediately after the incident; instead, he has filed a complaint after about 5 months of the incident. Also petitioner did not go to any Govt. hospital for the treatment of the injuries allegedly sustained by him during the said scuffle.

Keeping in mind the totality of the circumstances, I do not find it to be a fit case to extend the benefit of anticipatory bail to the petitioner.

Application is dismissed.

A.K. PATHAK, J.

AUGUST 03, 2017

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