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

+ BAIL APPLN. 1824/2017

M D NASEEM @ RINKAL

Through

..... Petitioner

Mr. Salar M. Khan with Ms. Shruti
Rathore & Ms. Akanksha Singh,
Adv.

versus

STATE OF NCT OF DELHI

Through

..... Respondent

Ms. Neelam Sharma, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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20.09.2017

The petitioner seeks bail in anticipation of his arrest in connection with FIR No.854/2017 dated 17.07.2017 (P.S. Aman Vihar) instituted for offences under Sections 323, 324, 307 and 34 of the IPC.

It has been submitted on behalf of the petitioner that one Sanjeev @ Sonu Dabas has lodged the FIR alleging that there was some dispute between his brother and one Amit @ Mogli and because of that dispute, some occurrence had taken place in the past. On the day of the assault, as alleged in the present FIR, the informant of this case was assaulted by one Sumit @ Titu who asked about the whereabouts of the brother of the informant. On not getting any desired information, an attempt was made to assault him. He was allegedly assaulted by Amit @ Mogli and his associates. It has been alleged that the petitioner thereafter came from behind and hit him with a knife resulting injuries in his arm. He also

assaulted on the chest of the informant.

It has been submitted on behalf of the petitioner that the present case is only an attempt to frame the petitioner so as to put pressure on the other accused persons to abandon cases/FIRs lodged by them against the informant of the present case. The two FIRs which have been lodged by the accused persons of the present case are FIR Nos.850/2017 and 852/2017 in P.S. Aman Vihar.

The petitioner has stated that he is a social worker and has been associated with holding of functions in times of festivals for the residents of the locality.

Ms. Neelam Sharma, learned APP has, however, stated that one co-accused was arrested and has been granted bail by the Court below. She has taken reference of two FIRs against the petitioner but according to the learned counsel for the petitioner, he has been acquitted in both the cases.

The nature of the injury suffered by the informant could not be ascertained by the police because the informant has been absconding as he is also an accused in the other case.

Considering the aforesaid facts, this Court is inclined to grant anticipatory bail to the petitioner.

In the event of arrest or surrender, the petitioner shall be released on bail on furnishing bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Arresting Officer/Court.

The petitioner shall, however, participate in the investigation and would visit the police station as and when required of him. In case it is reported by the police that the petitioner in any manner is evading the process of investigation, it would be open for the State to take steps for

cancellation of the anticipatory bail.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 20, 2017

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