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

+ **BAIL APPLN. 1975/2017**

PRASHANT SHARMA

..... Petitioner

Represented by: Mr. Ashwin Vaish, Mr.
Sekhzakir Hussain, Mr. Vinod
Pandey, Mr. Kunal Awana,
Advs.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Sunil Kumar PS Dwarka
North.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.12.2017

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By this petition the petitioner seeks anticipatory bail in case FIR No. 182/2017 under Sections 365/323/341/506/34 IPC registered on the complaint of one Raja who alleged that on 11th June, 2017 at 5.50 PM while he was going towards NSIT, Dwarka in his Honda City car and reached Dwarka Mor, one person came from behind, broke the right side window of his car, where after two more boys joined and they put the complainant in the back seat of the car and one of the boys started driving the Honda City Car. The four boys then took the complainant to an unknown place and he

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was beaten and threatened at gun point. The complainant arranged a cab and reached near his Honda City car and thereafter made a call to the Police. During the course of investigation it was revealed that the complainant did not give the name of any of the assailants except Sumit, who was known to him.

Name of the petitioner cropped in the disclosure statement of the co-accused and till date no Test Identification Parade of the petitioner has been got conducted, nor any application filed for the same.

Learned APP for the State submits that the complainant is now not cooperating with the investigation. Learned counsel for the petitioner states that the reason for the non-cooperation is that a settlement has been arrived at between the complainant and Sumit who filed a petition before this Court seeking quashing of the above-noted FIR, thus indicating that there was a monetary dispute between Sumit and the complainant.

By the order dated 27th September, 2017 this Court had already directed that the petitioner be released on anticipatory bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount. Pursuant to the said order the petitioner has furnished the bonds with the learned Investigating Officer.

Considering the fact that the petitioner is neither named in the FIR nor identified by the complainant who is now not forthcoming, nor any TIP of the petitioner sought and the complainant has settled the matter with Sumit, this Court deems it fit to grant anticipatory bail to the petitioner. The order dated 27th September, 2017 passed by this Court is confirmed further subject to the condition that the petitioner will not leave the country without the

prior permission of the Court concerned and in case of change of address the same will be intimated to the learned Trial Court by way of an affidavit.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 20, 2017
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