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

+ **BAIL APPLN. 80/2017**

SANJAY SINGHAL

..... Petitioner

Through: Mr. Vivek Aggarwal, Adv.

versus

THE STATE (GOVT. OF NCT OF DELHI) Respondent

Through: Mr. Ravi Nayak, APP for the State
with ASI Nanu Ram, PS Dwarka
South.

Mr. Jaspreet Singh Rai, Adv. for
complainant.

+ **BAIL APPLN. 204/2017**

ASHISH GUPTA

..... Petitioner

Through: Mr. Jitin Sahni, Adv.

versus

STATE (GOVT. OF NCT) DELHI Respondent

Through: Mr. Ravi Nayak, APP for the State
with ASI Nanu Ram, PS Dwarka
South.

Mr. Jaspreet Singh Rai, Adv. for
complainant.

+ **BAIL APPLN. 247/2017**

SUMIT GOEL

..... Petitioner

Through: Mr. Jitin Sahni, Adv.

versus

STATE Respondent

Through: Mr. Ravi Nayak, APP for the State
with ASI Nanu Ram, PS Dwarka
South.

Mr. Jaspreet Singh Rai, Adv. for
complainant.

BAIL APPLN. 80/2017 & conn.

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the physical file and no page is missing.

+ BAIL APPLN. 249/2017

ANUP GOEL

..... Petitioner

Through: Mr. Jitin Sahni, Adv.

versus

STATE

..... Respondent

Through: Mr. Ravi Nayak, APP for the State
with ASI Nanu Ram, PS Dwarka
South.

Mr. Jaspreet Singh Rai, Adv. for
complainant.

+ BAIL APPLN. 250/2017

ANKUR GARG

..... Petitioner

Through: Mr. Jitin Sahni, Adv.

versus

STATE

..... Respondent

Through: Mr. Ravi Nayak, APP for the State
with ASI Nanu Ram, PS Dwarka
South.

Mr. Jaspreet Singh Rai, Adv. for
complainant.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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20.07.2018

The names of these five petitioners have come up in the allegations which are subject matter of ongoing investigation into FIR No. 496/16 of police station Dwarka (South) for offences punishable under Sections 323/341/354/356/406/506/509/498A of Indian Penal Code, 1860. The petitioner in the first captioned petition i.e. Sanjay Singhal is maternal uncle

of Naman Gupta, the husband of the complainant Neha Gupta while the other petitioners Ashish Gupta, Sumit Goel, Anup Goel and Ankur Garg are his friends. The allegations against these petitioners in the said FIR, particularly relate to the incident of 07.09.2016 wherein two days after delivery of the child born to the first informant, they statedly visited her father's house and made an attempt to take away the new born baby in the process assaulting the family members of the complainant and members of her paternal family and damaging certain household property. The allegations against the petitioner Sanjay Singhal include loss of gold chain in the said very incident. The counsel for Sanjay Singhal has pointed out that no such role was attributed to Sanjay Singhal in the FIR, the allegations about his complicity in the loss of gold chain in the said incident having come up in the statement under Section 164 Cr.P.C. recorded later, a contradictory statement having been made in the context of domestic violence act also initiated simultaneously. It is pointed out that on basis of an amicable resolution of part of the dispute with the consent of the complainant's husband Naman Gupta, who was allegedly involved in the same incident as above, with the petitioners he was granted anticipatory bail by the court of Sessions by order dated 07.04.2017. On parity, there is no reason why the petitioners should be denied similar relief. Thus, the petitions are allowed.

It is directed that in the event of the petitioners being arrested, they shall be released on bail by the arresting officer on furnishing personal bonds in the sum of Rs. 25,000/- each with one surety in the like amount

subject to the following further conditions:-

- (i) The petitioners shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioners shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to their release, they shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

This order will inure only till the date of first appearance of the petitioners in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against them by the court of cognizance.

Dasti.


R.K. GAUBA, J

JULY 20, 2018/nk
BAIL APPLN. 80/2017 & conn.