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

+ **BAIL APPLN. 471/2018**

AMMAR

..... Petitioner

Represented by: **Mr.Sunil Tiwari, Advocate**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Mr.Amit Gupta, APP for the State
with SI Dinesh Kumar, PS Kamla
Market**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.05.2018

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1. The petitioner seeks anticipatory bail in case FIR No.329/2017 under Sections 308/506/34 IPC registered at PS Kamla Market. Abovenoted FIR was registered pursuant to an information of a quarrel received on 27th December, 2017 from a person which was recorded vide DD No.37B at PS Kamla Market and investigation was entrusted to SI Dinesh Kumar. Statement of Bhushan Mandal-the injured was recorded who stated that on 24th December, 2017 at 9:00 PM, two unknown boys had come to his shop at Azmeri Gate Chowk, Delhi and bought a cigarette. After putting the cigarette in his mouth, one of them told him to change the cigarette and when he refused to change the cigarette, there was a quarrel. Complainant's nephew went to call the police. In the meantime, the appellants ran away. It is stated that further again on 27th December, 2017 at about 1:15 PM, the

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two boys along with their two friends came to his shop, assaulted him with hockey, sticks and bottle and he sustained injuries on his head and right hand. One boy namely Rashid was caught at the spot but his friends succeeded in running away and that he could identify them on being produced.

2. During the course of investigation, name of the petitioner was revealed, however, the complainant has filed an affidavit stating that Ammar-the petitioner herein was not involved in the incident. Pursuant to the affidavit, statement of complainant has been recorded under Section 161 Cr.P.C. wherein he stated that the petitioner-Ammar was not involved in the incident.

3. Considering the statement of the victim, this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest, petitioner be released on bail on his furnishing a personal bond in the sum of ₹15,000/- with one surety bond in the like amount subject to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that he will join the investigation as and when directed and in case of change of address, the same will be intimated to the Trial Court.

4. Petition is disposed of.

5. Order dasti.

MUKTA GUPTA, J.

MAY 01, 2018

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