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

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Judgment delivered on: 03.08.2018

+ BAIL APPLN. 526/2018

MADHAV SENGAR

..... Petitioner

versus

THE STATE GOVT OF NCT OF DELHI Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.K.K.Manan, Sr.Adv with Mr.Ankush Narang, Ms.Bhavya Chauhan, Ms.Shivani Kant, Mr.Mukul Aggarwal and Ms.Akansha Mehrotra, Advs.

For the Respondent: Mr.Panna Lal Sharma, APP with SI Ishwar Singh, P.S.Jaitpur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

03.08.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR NO. 80/2018 under Section 307 IPC Police Station Jaitpur. Allegations in the FIR are that the petitioner who was the tutor for the son of the complainant had attempted to strangle the son. The petitioner was also a tenant in the property of the complainant.

2. Learned senior counsel for the petitioner submits that the petitioner has been falsely implicated. There is an unexplained delay in registering the FIR in as much as the alleged incident is of 05.02.2018 and the FIR was registered on 13.02.2018. Further it is contended that the allegations in the FIR are contradicted by the first call which was made on 07.02.2018 giving a completely different version. Further it is submitted that as per the FIR it is apparent that the father of the victim was present in the vicinity and the FIR does not explain the conduct of the father or as to how the alleged incident could have happened in the presence of the father.

3. Petitioner was granted interim protection by order dated 22.03.2018 and was directed to join investigation. Learned APP submits that petitioner did join investigation in terms of the orders of the Court as and when was called for by the IO.

4. Without commenting on the merits of the case, I am of the view that the petitioner has been able to make out a case for grant of anticipatory bail. In the event of arrest, petitioner shall be released on bail by the IO/arresting officer/SHO concerned, on petitioner furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the SHO/IO/Arresting Officer. Petitioner shall not do anything which may prejudice either the investigation or the prosecution witnesses. Petitioner shall not make any endeavour to contact the complainant or his family and shall also

not visit the property of the complainant.

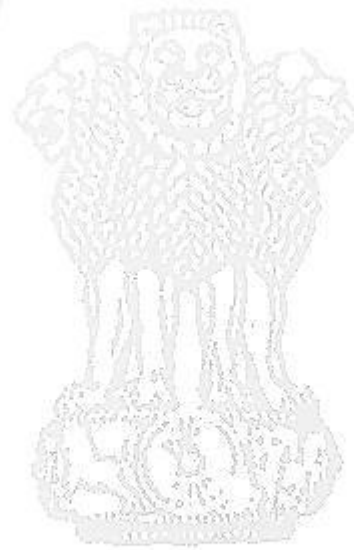
5. Petition is disposed of in the above terms.

6. Order *Dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 03, 2018

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