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

% Judgment delivered on: 04.12.2018

+ BAIL APPLN. 730/2018

RISHI KAPOOR

..... Petitioner

versus

STATE OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sanjay Gupta with Mr. Gagan Kumar, Advocates.

For the Respondent : Mr. Hirein Sharma, APP for the State.
SI Satwant Singh, PS Adarsh Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

04.12.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in case FIR No. 83/2018 under Section 307/34 IPC registered at Police Station Adarsh Nagar, New Delhi.

2. It is alleged by the complainant that his brother-in-law along with petitioner came to his shop on 19.03.2018 at about 4.00 PM along with three individuals and had pointed towards the complainant and his wife for the purpose of identification so that they could be taught a lesson. Subsequently, it is alleged that on 22.03.2018 the said

three individuals came to the shop of the complainant and assaulted him and his wife.

3. Learned counsel for the petitioner submits that the only role assigned to the petitioner is that on 19.03.2018 at about 4.00 PM he has visited the shop of the complainant. He submits that there is CCTV footage available which shows that from 3.00 PM to 7.40 PM on 19.03.2018 he was available at his own shop and further prior to that he had gone to pick up his child and the location of the petitioner can be verified from cell phone location of the petitioner. He submits that copy of the CCTV footage has been filed.

4. Petitioner was granted interim protection by order dated 06.04.2018 subject to joining investigation.

5. Learned APP for the State, under instructions, submits that the petitioner had joined investigation and the investigation is nearly complete. He submits that since the petitioner had joined the investigation, there is no requirement of the petitioner to further participate in the investigative process.

6. Without commenting on the merits of the case and keeping in view the totality facts and circumstances of the case and on perusal of the record, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

7. Accordingly, it is directed that in the event of arrest, the

arresting officer/IO/SHO shall release the petitioner on bail on his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything which may prejudice the investigation, trial or the prosecution witnesses.

8. The petition is disposed of in the above terms.

9. Order *Dasti* under signatures of the Court Master.

DECEMBER 04, 2018
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SANJEEV SACHDEVA, J

