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

% Judgment delivered on: 16.07.2018

+ BAIL APPLN. 911/2018

SATYA PRAKASH @ LUV KUSH Petitioner

versus

THE STATE (NCT OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Pooja Marwah, Advocate.

For the Respondent: Ms. Neelam Sharma, APP for the State.
SI Ramankant, PS Sarai Rohilla.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

16.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.830/2015 under Sections 308/34 IPC, Sarai Rohilla. The allegations are that the complainant was going on his motorcycle when the accused called him from behind. It was alleged that petitioner had hit him and dropped his motorcycle, consequent to which, an altercation took place and the petitioner is alleged to have picked up an iron pipe lying on the road and hit the complainant on his head.

2. The incident is alleged to have taken place on 19.07.2015 and the FIR was registered on 26.07.2015.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that there is unexplained delay in registering the FIR. He submits that as per the allegations, the dispute is alleged to have happened in the heat of the moment without any premeditation.

4. By order dated 23.04.2018, the petitioner was directed to join investigation and to appear before the Investigating Officer on 24.04.2018.

5. As per the Investigating Officer, the petitioner did join investigation.

6. Without commenting upon the merits of the case and looking into the facts and circumstances of the case, I am of the view that the petitioner has made out a case for grant of anticipatory bail. In the event of arrest, the petitioner shall be released on bail by the Arresting Officer/Investigating Officer/SHO, on his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO.

7. The petitioner shall not do anything, which may either prejudice the investigation or the prosecution witnesses. The petitioner shall join investigation, as and when so required by the Investigating Officer.

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

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

JULY 16, 2018/st

SANJEEV SACHDEVA, J