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

+ **BAIL APPLN. 934/2018**

SURESH YADAV

..... Petitioner

Through: Mr. Amit Sharma, Mr. Hemant
Kumar Yadav and Mr. Umesh B.,
Advocates.

Versus

GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. G. M. Farooqui, Additional
Public Prosecutor for the State with
ASI Jagbir Singh, P.S. Burari.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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25.07.2018

The petitioner seeks anticipatory bail as he is apprehending his arrest in connection with FIR No. 154/18 under sections 354/323/34 IPC registered at Police Station Burari, Delhi.

It is the petitioner's case that the complainant has a history of making false complaints or otherwise has a reputation of being a trouble maker in the area and it has been so represented to the police by the local Residents Welfare Association of Swami Dayanand Enclave. A copy of their representation dated 08.04.2018 is also on record.

It is the petitioner's case that the present FIR is false because the assault was actually first on his family i.e. his sister-in-law, Ms. Savita had been assaulted by the complainant's family and an FIR had been registered contemporaneously with a difference of 4-5 minutes. He submits that the

petitioner too had suffered injuries in the altercation. His photograph is attached to the petition. He submits that all the accused in both the cases are out on anticipatory bail; that the petitioner is a law abiding citizen and does not have any criminal antecedents and is ready and willing to join the investigations.

In the circumstances, a case is made out by the petitioner for grant of interim protection.

Consequently, it is directed that in the event of arrest of the petitioner in FIR No. 154/18 under sections 354/323/34 IPC registered at Police Station Burari, Delhi, he be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- with a surety in the like amount to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions:

- (i) the petitioner shall continue to participate in the investigations as and when he is so intimated by the Investigating Officer;
- (ii) he shall make no attempt, directly or indirectly, to contact the complainant or her relatives or close associates;
- (iii) he shall furnish his mobile phone number to the Investigating Officer, which shall be kept operational at all times, so that the police could contact him;
- (iv) he shall not make any effort to evade the process of law; and
- (v) in case of change of the phone numbers or address, the petitioner shall inform the police forthwith.

Any observations made in this order shall have no bearing on the merits of the case.

The petition is disposed-off in the above terms.

A copy of this order be given *dasti* to the learned counsel appearing on behalf of the parties under the signature of the Court Master.

NAJMI WAZIRI, J.

JULY 25, 2018

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