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

+ **BAIL APPLN. 937/2018**

SANDEEP

..... Petitioner

Represented by: **Mr. Suraj Parkash Sharma,**
Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: **Mr. Ashok K. Garg, APP for**
State with SI Ravinder, PS
Alipur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.07.2018

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1. By this petition, the petitioner seeks bail in case FIR No.126/2017 under Sections 323/341/34 IPC registered at PS Alipur, Delhi.
 2. Investigation was set into motion on receipt of DD No.49B regarding quarrel on 9th April, 2017 at PS Alipur. On reaching the spot it was informed that the injured had been taken to the SRHC Hospital, Narela.
 3. Statement of Gurmukh Singh was recorded who stated that his son Sandeep was going towards medical store for taking eye drop, when Sandeep, the present petitioner/accused s/o Mangal Singh met him in the street, who twisted the hand of his son Sandeep. Thereafter Gurmukh Singh came in the street where Mangal Singh, father of the accused Sandeep came and threw brick towards him causing head injury.
 4. Initially FIR No.126/2017 was registered under Sections 323/341/34 IPC on 10th April, 2017 on the statement of Gurmukh Singh and the
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petitioner and his father were arrested and released on bail.

5. Gurmukh Singh soon after the treatment was discharged on 15th April, 2017 but was readmitted in hospital on 24th April, 2017 where he died. As per the post-mortem report the cause of death of Gurmukh Singh was head injury complicated by brain abscess and encephalitis. Thus the root cause of death of Gurmukh Singh was the injury by the brick inflicted by Mangal Singh. The role attributed to Sandeep, s/o Mangal Singh is that he had twisted the arm of Sandeep, s/o Gurmukh Singh on which further action ensued.

6. Considering the role attributed to the petitioner, the fact that the material witnesses have been examined and the petitioner is in custody since 27th April, 2017, this Court deems it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that the petitioner will not leave the country without prior permission of the learned Trial Court and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

7. Petition is disposed of.

8. Order dasti.

MUKTA GUPTA, J.

JULY 31, 2018

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