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

+ BAIL APPLN. 1005/2018

RASHID

..... Petitioner

Through: Mr.M.Paikaray, Advocates.

Versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.Panna Lal Sharma, APP for State
with Investigating Officer ASI Satya
Prakash, P.S. Seelampur, Delhi.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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04.05.2018

Vide this application, the applicant seeks grant of anticipatory bail in relation to FIR No.39/2018, registered at Police Station Seelampur under Sections 308/504/34 Indian Penal Code, 1860.

On behalf of the applicant, it has been, inter alia, submitted that the applicant has been falsely implicated in this case, that there was only a dispute in relation to the parking of a car, that there was no weapon of offence utilized, that there has been no weapon of offence recovered despite arrest of the co-accused and the co-accused having been taken in police custody remand and the nature of injuries sustained by the injured were simple in nature and there was no fracture sustained by the injured on his nose and even if it is accepted that the applicant assaulted the petitioner, the ingredients of the alleged commission of the offence are not made out.

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On behalf of the State, the prayer for grant of anticipatory bail is vehemently opposed submitting, inter alia, to the effect that the applicant is named in the FIR itself, that the allegations against the applicant are of having assaulted the injured with a *danda* on his nose.

Without any observations on the merits and de-merits of the case, the MLC of the injured as issued by JPC Hospital No.11814/18 indicates injury on the nose of the injured and the applicant is named in the FIR as being one of the assaulters on the injured and thus taking the same into account, there is no ground for grant of anticipatory bail.

The application is accordingly dismissed.

ANU MALHOTRA, J

MAY 04, 2018

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