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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% Judgment delivered on: 06.07.2018

+ BAIL APPLN. 1389/2018

SHRI KALU @ YAMEEN Petitioner

versus

THE STATE (GOVT. OF NCT OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. S.K. Mishra and Mr. B.P. Pandey, Advs.

For the Respondent : Mr. Panna Lal Sharma, Addl. PP for the State with
SI Arvind Kumar

CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT
06.07.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks regular bail in case FIR No. 239/2018 under Sections 308/323/34 of the IPC, Police Station Jaitpur, New Delhi.
2. It is alleged in the FIR that an altercation took place between the complainant and his friends with some shop keeper over the quality of the food that they were eating. Thereafter, it is alleged that the shop keeper and some of his associates including the petitioner

assaulted them. The petitioner is alleged to have hit the injured with a rod used for roasting. The petitioner has been in custody since 23.05.2018.

3. Learned counsel for the petitioner submits that the petitioner has settled with the complainant who has executed a settlement deed wherein he has stated that the petitioner was not present on the spot. Learned counsel for the petitioner submits that the petitioner has clean antecedents and is sole bread-earning member in the family.

4. Learned Addl. PP submits that the matter is still under investigation. However, medical report has been received which has opined that the nature of injury sustained by the complainant is simple. Learned Addl. PP further submits that the settlement deed has not been submitted to the IO and it has not been verified. Status report has been produced and the same is taken on record.

5. Keeping in view the facts and circumstances, the antecedents of the petitioner and the fact that he is stated to be the sole bread earner of the family as well as the nature of injury sustained and on perusal of the record, I am of the view that the petitioner has made out a case for grant of regular bail.

6. Subject to petitioner furnishing a bail bond in the sum of Rs.25,000/- alongwith one surety of the like amount to the satisfaction of the Trial Court, the petitioner shall be released on bail, if not

required in another case. The petitioner shall not do anything, which may either prejudice the trial or the prosecution witnesses.

7. The petition is disposed of in the above terms.
8. Order Dasti under signatures of the Court Master.

July 06, 2018/‘rs’

SANJEEV SACHDEVA, J

