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

% Judgment delivered on: 30.11.2018

+ BAIL APPLN. 1643/2018

ANKIT CHAUHAN

..... Petitioner

versus

GNCTD (STATE)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Sushil Kumar Singh, Advocate.

For the Respondent : Ms.Kusum Dhalla, APP for the State.
SI Pankaj Kumar, P.S. Chattarpur.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.126/2018 under Sections 323/341/427/506/34 IPC. It is informed that Section 392 has been added later on.

2. It is noticed that Sections 323/341/427/506 IPC are bailable apart from Section 392 IPC, which has been added later on.

3. The allegation against the petitioner is that the petitioner along with the other co-accused stopped the car of the complainant in which he and his brother were travelling and thereafter dragged them out of

the car, assaulted them and damaged their car. It is alleged that money was removed from the pocket of the brother of the complainant.

4. It was contended that there is a video recording made by the complainant on his cell phone which had captured the incident as also the presence of the petitioner and his involvement in the subject offence.

5. The video was sent to Forensic Science Laboratory for the purposes of examination. The Forensic Science Laboratory has submitted a report wherein it is opined that facial recognition test could not be possible on account of low pixel resolution.

6. Petitioner was granted interim protection by order dated 18.07.2018 subject to joining investigation.

7. Learned APP under instructions submits that the investigation is complete and Charge Sheet is in the process of being finalised for being filed.

8. Keeping in view the facts and circumstances of the case and without commenting on the merits of the case and on perusal of the record, I am of the view that petitioner has made out a case for grant of anticipatory bail.

9. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of

the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything that may prejudice the Trial or the prosecution witnesses.

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

11. Order *Dasti* under signatures of the Court Master.

NOVEMBER 30, 2018

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SANJEEV SACHDEVA, J

