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

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Judgment delivered on: 30.11.2018

+ BAIL APPLN. 1890/2018

NITIN KUMAR SOOD @ SUMIT Petitioner

versus

THE STATE (GOVT OF NCT OF DELHI)..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Vivek Aggarwal, Advocate.
For the Respondent : Mr.Hirein Sharma, APP with SI Sanjay Singh,
P.S.Ambedkar Nagar.
Mr.Rajeev Ranjan Pandey, Adv. for the
complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.277/2018 under Sections 324/341/34 IPC. Subsequently, Section 354B and 326 has also been added.

2. Subject FIR has been registered consequent to a quarrel that took place between the two neighbouring families. It is alleged that the petitioner's family was abusing the family of the complainant when the family of the complainant objected, they started assaulting

them. When the complainant came on the spot, he found that his father was being assaulted. He intervened and subsequently the petitioner is alleged to have stabbed the complainant.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated as the subject FIR is a counter blast to the FIR registered by the complainant and his family being FIR No.279/2018. It is alleged that the family of the complainant had assaulted the family of the petitioner and the father of the petitioner sustained grievous injury on his head as he was hit by an iron rod and an FIR *inter alia* under section 308 IPC has been registered.

4. Status report has been filed. Same is taken on record. As per the status report petitioner joined investigation, however, did not aid and assist in the recovery of the weapon of offence which was used to stab the complainant on his thigh.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated and no weapon was used by the petitioner and as such there was no question of the petitioner aiding and assisting in recovery of the alleged weapon. Learned counsel for the petitioner further submits that the accused in the FIR lodged by the petitioner have already been enlarged on bail.

6. 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.

7. 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 which may prejudice the investigation, trial or the prosecution witnesses. Petitioner shall not contact the complainant or her family members. Both the parties shall ensure that peace and harmony is maintained in the area and no incident occurs between the families.

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

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

NOVEMBER 30, 2018
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SANJEEV SACHDEVA, J