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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. 2250/2018

VINOD SAINI

..... Petitioner

versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. R.K. Gupta and Ms. Pushpa Gupta, Adv.

For the Respondent: Mr. Hirein Sharma, APP for the State with SI H. Gangte

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.307/2018 under Section 308/34 IPC, Police Station Vasant Vihar.

2. The allegations in the FIR are that the complainant was walking on a road when he was accosted by a co-accused as he was celebrating the birthday with his friends and was under the influence of alcohol. The complainant was thereafter threatened by one of the co-accused with a knife and another co-accused is alleged to have removed Rs.15,000/- from his pocket and when he objected, it is alleged, the

petitioner and another co-accused caught hold of him and another co-accused broke a bottle of liquor on his head.

3. Learned counsel for the petitioner submits that as per the prosecution, the petitioner is neither the one who had shown the knife, removed money or hit the complainant with the bottle.

4. As per the MLC, the nature of injury is simple/sharp.

5. The petitioner was granted interim protection by order dated 26.09.2018, subject to joining investigation.

6. Learned Addl. PP, under instructions, submits that the petitioner joined investigation whenever was so required by the Investigating Officer and investigation qua the role of the petitioner is complete and the chargesheet is in the process of being finalised for being filed before the Trial Court.

7. Without commenting on the merits of the case and keeping in view the totality of the facts and circumstances and on perusal of the records, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

8. 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 either the trial or the prosecution witnesses.

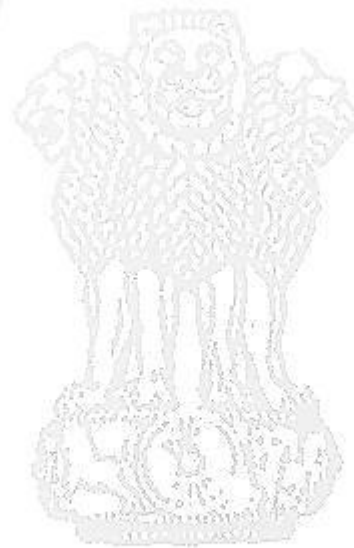
9. The petition is disposed of in the above terms.

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

NOVEMBER 30, 2018

SANJEEV SACHDEVA, J

‘rs’



भारतमेव जयते