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

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Judgment delivered on: 26.11.2018

+ BAIL APPLN. 2359/2018

HIMALYA @ RAJA SINHA

..... Petitioner

versus

STATE OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Ishwar Singh, Adv.

For the Respondent:

Mr. Hirein Sharma, APP for the State with ASI Paras
Ram, P.S. Vijay Vihar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

26.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 545/2016 Police Station Vijay Vihar, initially registered under Sections 323/341/506/34 of the IPG. Subsequently, Section 354B and 325 of the IPC have been added.

2. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that the subject FIR emanates out of a dispute between the two families. Further, it is contended that there is no allegation in the FIR that any offence punishable under Section 354 IPC was committed by the petitioner.

3. Learned counsel for the petitioner submits that Section 354 IPG

has been added consequent to Statement under Section 164 Cr. P.C. of the niece of the complainant which was recovered over a year after the incident.

4. Petitioner was granted interim protection by order dated 08.10.2018, subject to joining investigation.

5. Learned APP under instructions submits that petitioner joined investigation and investigation is complete and charge sheet is in the process of being finalised for being filed in the Court.

6. Without commenting on the merits of the case, and on perusal of the records, I am satisfied that the 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 that may prejudice either the trial or the prosecution witnesses.

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

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

NOVEMBER 26, 2018
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SANJEEV SACHDEVA, J