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

+ **BAIL APPLN. 2369/2018**

FAYAZ

..... Petitioner

Through Mr. Ashok Barnwal, Adv

versus

THE STATE (GOVT NCT OF DELHI)

..... Respondent

Through Dr. M.P. Singh, APP for State

SI Vikram Singh, PS Punjabi Bagh

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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09.10.2018

It is submitted that complainant has falsely implicated the petitioner on account of a past enmity. It is submitted that FIR was not registered by the SHO of police station Punjabi Bagh. Subsequently, complainant approached learned Metropolitan Magistrate and pursuant to the directions of learned Metropolitan Magistrate passed under section 156 (3) Cr.P.C., present FIR was registered on 13th July, 2018 in respect of an incident that allegedly took place in the intervening night of 13th & 14th July, 2017. It is stated that the complainant had earlier lodged an FIR No.481/2008 under section 376 IPC at police station Saraswati Vihar. In the said case a compromise was reached whereby petitioner had agreed to marry daughter of the complainant. However, marriage could not be

solemnized as complainant was subsequently involved in a murder case registered in the year 2009 at police station Gogri district Khagriya, Bihar. Eventually, complainant got her daughter married to someone else; however, he continued to nurse a grudge against the petitioner.

Keeping in mind the totality of the facts and circumstances, it is ordered that in case of arrest, petitioner be released on anticipatory bail subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer/SHO concerned.

Petitioner shall, however, cooperate in the investigation and appear before the Investigating Officer as and when he is called upon to do so. Bail application is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

OCTOBER 09, 2018

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