

\$~39

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

+ **BAIL APPLN. 2622/2018**

**AMOD SAH**

..... Petitioner

Through Mr.Sushant Mukund with Mr.Vikash  
Kumar, Advs.

versus

**STATE**

..... Respondent

Through Mr.Mukesh Kumar, APP with SI  
Jitender, P.S Model Town.

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

% **13.11.2018**

1. Vide the present application, the petitioner seeks regular bail u/s 439 of the CrPC in FIR No.0332/2018 u/s 308 registered at P.S Model Town, Delhi.

2. The allegations in the FIR are that the petitioner had on 08.09.2018 at about 09:15 pm entered into a scuffle with his neighbour/complainant and had pushed him on the floor, resulting in injuries to the complainant.

3. Mr.Sushant Mukund, learned counsel for the petitioner submits that the petitioner who belongs to a humble background and lives in a small Juggi near Model Town, has been in judicial custody since 09.09.2018. He further submits that the petitioner and the complainant are friends and in the heat of the moment the parties had pushed each other leading to minor injuries to the complainant.

4. On the last date, Mr. Mukesh Kumar, learned APP was granted time to file a status report. The same has been handed over in Court and is taken on record. A perusal of the status report shows that as

per the medical opinion, the physical assault by the petitioner resulted in two injuries to the complainant, one resulting in swelling and abrasion of 1cm X 0.5cm on the left side of his forehead and the other in a clean lacerated wound measuring 3cm X 1cm on his chin. Based on the opinion of the doctor that the second injury caused to the complainant is grievous in nature, Mr.Mukesh Kumar opposes the present application.

5. Having considered the facts and circumstances emerging from the record and the rival contentions of the learned counsel for the parties, I am of the opinion that the petitioner has been able to make out a case for being released on bail. Accordingly, without commenting on the merits of the case, subject to the petitioner furnishing a bail bond of the sum of Rs.25,000/- alongwith a surety of the like amount to the satisfaction of the learned Trial Court, the petitioner be released on bail.

6. It is made clear that the petitioner would continue to cooperate with the investigations and will not try to intimidate or contact the witnesses or hamper with the investigations in any manner whatsoever. The petitioner will also not leave the NCR without prior permission of the learned Trial Court.

7. The application is disposed of in the above terms.

***Dasti***

**REKHA PALLI, J**

**NOVEMBER 13, 2018/sr**