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

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Judgment delivered on: 13.12.2018

+ BAIL APPLN. 2755/2018

NEERAJ

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Raksh Pal Singh, Advocate.

For the Respondent :

Ms. Kusum Dhalla, APP for the State with SI Satish Singh

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

13.12.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No. 368/2018 under Section 308/34 IPC, Police Station Mayur Vihar, Delhi.
2. Petitioner has been in custody since 04.10.2018.
3. The FIR was registered consequent to an intimation received that somebody was found injured outside Star City Mall.
4. The injured in his statement before the police had stated that he along with his friends was going out of Star City Mall talking with each other, petitioner and his friends are alleged to have confronted complainant

and his friends stating that they were abusing which led to a fight. It is alleged that petitioner subsequently picked up a stone and hit on the head of the injured, as a result the complainant lost consciousness.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that even as per the statement given by the injured, the incident happened on the spur of the moment, consequent to a quarrel. Further, he submits that the petitioner has been in custody since 04.10.2018. He further submits that petitioner is in his prime and is married.

6. Without commenting on the merits of the case and keeping in view the totality of the facts and circumstances, I am of the view that petitioner has made out a case for grant of regular bail.

7. Accordingly, on petitioner furnishing a bail bond in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the Trial Court. Petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall not endeavour to contact the victim or his family.

8. Petition is disposed of in the above terms.

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

SANJEEV SACHDEVA, J

DECEMBER 13, 2018/‘rs’