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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2792/2018**
DHEERAJ Petitioner

Through: Mr. Vivek Sood, Senior
Advocate with Mr. D.K. Yati,
Advocate

versus

THE STATE (NCT OF DELHI) Respondent
Through: Mr. Panna Lal Sharma, APP
with SI Ram Bhau,
PS:Khayala, Delhi
Mr. V.K. Giri, Advocate for the
Complainant

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **14.12.2018**

1. The petitioner has filed the present bail application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.191/2018 dated 22.7.2018, under Sections 308/323/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at PS:Khyala, Delhi.

2. Learned APP for the State submitted that the petitioner is involved in another case, being FIR No.841/2014 under Sections 323/336/341/427/451 IPC, registered at PS:Khyala, Delhi. Learned counsel for the petitioner submitted that it is an old case of 2014, wherein the petitioner has been granted bail and the present FIR is a cross-FIR lodged by the complainant

against the petitioner.

3. Brief facts of the case are that the complainant, Ashwani Bildan stated that, on 19.7.2018, his friend Nayeem approached him and told that the petitioner and his friends were fighting with friends of Nayeem and when Nayeem reached in front of Sanjay Gandhi Animal Hospital, the petitioner and his associates assaulted Nayeem and also threatened to kill him if he reported the matter to the police.

4. The complainant assured Nayeem that he will get the matter compromised. On 21.7.2018, the complainant along with Nayeem reached the office of the petitioner, where the petitioner along with his friends was sitting. On seeing the two of them, the petitioner got angry and started abusing them and the petitioner along with his friends started beating Nayeem and the complainant. In the meantime, Nayeem fled the spot and the petitioner and his associates kept on beating the complainant, because of which his leg and hands got fractured and also sustained injuries on his head. In view of the MLC of the complainant, an FIR was lodged.

5. The Nominal Roll of the petitioner demonstrates that he has already been in custody for 4 months and 19 days as on 11.12.2018 and his conduct is found to be satisfactory in the jail. The charge-sheet has already been filed.

6. Learned counsel for the petitioner submitted that the parties have entered into a settlement vide Compromise Deed

dated 22.11.2018, copy whereof has been placed on record and they may be filing a petition for the quashing of the FIR and no useful purpose would be served by keeping the petitioners in custody.

7. In view of the aforesaid facts, the petitioner is admitted to bail, during the pendency of the trial pending before the Trial Court, subject to his furnishing a personal bond in the sum of Rs.25,000/-, with one surety of the like amount, to the satisfaction of the Trial Court.

8. The bail application is disposed of.

CHANDER SHEKHAR, J

DECEMBER 14, 2018

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