

\$~6

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

%

Judgment delivered on:30.10.2018

+ BAIL APPLN. 2006/2017

ANMOL KUMAR SINGH & ANR Petitioners

versus

STATE NCT OF DELHI Respondent

Advocates who appeared in this case:

For the Petitioners : Mr. M.Z. Chaudhary, Advocate.

For the Respondent : Ms. Meenakshi Dahiya, APP for the State.
SI Upendra Kumar, PS New Ashok Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.10.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners seek anticipatory bail in FIR No.535/2017 under Sections 323/341/452/34 IPC, Police Station New Ashok Nagar.

2. The allegations in the FIR are that the complainant along with his friends had gone to attend a birthday party. After attending the party at night when they were coming back one of their friends started vomiting. It is alleged that when he was vomiting, the petitioners came on the spot and objected to the same. Thereafter, an altercation took place and other friends of the petitioners came on the spot and

started assaulting the complainant and his friends with sticks, on account of which, they sustained injuries.

3. As per the medical report, the nature of injuries sustained is simple.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated. He further submits that the subject FIR was a counterblast to the complaint made by the petitioner against the boys for misbehaving with his family, on which also, an FIR No.595/2017 under Sections 323/354A/34 IPC, Police Station New Ashok Nagar has been registered.

5. Learned counsel for the petitioners submits that the parties have since settled their disputes and the complainant has signed a letter in front of the Investigating Officer.

6. By order dated 27.09.2017, the petitioners were granted interim protection subject to joining investigation.

7. Learned APP for the State submits that the petitioner did join investigation and investigation is nearly complete and chargesheet is like to be filed within four weeks.

8. Without commenting on the merits of the case and keeping in view of the facts and circumstances of the case and on perusal of the record and also the fact that the petitioner has been on interim protection since 27.09.2017, I am of the view that the petitioners have

made out a case for grant of anticipatory bail.

9. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioners on bail on petitioners furnishing a bail bond in the sum of Rs. 10,000/- each with one surety each of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioners shall not do anything that may prejudice either the investigation or the prosecution witnesses.

10. The Petition is disposed of in the above terms.

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

OCTOBER 30, 2018
st

SANJEEV SACHDEVA, J

नित्यमेव जयते