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

+ **BAIL APPLN. 2019/2017**

GAURAV SOOD

..... Petitioner

Represented by: **Mr. Vijay Singla and Mr. C.M. Sangwan, Advocates.**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Mr. Amit Gupta, APP for State with ASI Balkishan, PS Adarsh Nagar.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.02.2018

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1. By this petition the petitioner seeks anticipatory bail in case FIR No. 412/2017 under Sections 354B/323/506 IPC registered at PS Adarsh Nagar, Delhi.

2. The above-noted FIR was registered on the complaint of the complainant on 3rd September, 2017 who alleged that on the night of 17/18th September, 2017 while she was with both her sons at about 10.30 PM her elder son got injured. When they were taking him to doctor, on the ground floor her father-in-law, mother-in-law and her husband came out. Her brother-in-law and sister-in-law also came out. Her brother-in-law hit her son with a phone and when she tried to save her son from the brother-in-law, he tried to assault her and thereafter he tore her gown.

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3. An information was received in respect of the incident on the intervening night of 17/18th September, 2017 and on reaching the spot statements of the complainant and all other members were recorded. In the statement the complainant stated that her son had suffered an injury and when she was taking him downstairs, he fell unconscious however, the brother-in-law continued making the video as there is a dispute between the complainant and her husband. She further stated that her brother-in-law abused her and sister-in-law Pooja tried to assault her. It is also the case of the complainant that her brother-in-law hit her son on the face by the phone and tore her clothes. However, despite the fact that the police reached immediately at the spot no torn cloth of the complainant was seized. Statements of other family members were also recorded which reveal that there was an ongoing dispute between the complainant and her husband and on the said date the complainant abused and threatened them that she would tear her own cloths and implicate them falsely. The call to the police was in fact made by the father-in-law of the complainant on the intervening night of 17/18th September, 2017.

4. Considering the initial statement and statements of the other persons at the spot, this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and in case of change of residential address, the same will be intimated to the Court

concerned by way of an affidavit.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 16, 2018/‘vn’