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

+ **BAIL APPLN. 2072/2017**

NARESH

..... Petitioner

Represented by: Mr. Kanwarpreet Singh and
Mr. Mahavir Sharma,
Advocates.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP for
the State with SI Deepak, PS
Prashant Vihar.
Mr. S.S. Dahiya, Advocate for
the complainant.

+ **BAIL APPLN. 2073/2017**

MOHIT @ MONU

..... Petitioner

Represented by: Mr. Kanwarpreet Singh and
Mr. Mahavir Sharma,
Advocates.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP for
the State with SI Deepak, PS
Prashant Vihar.
Mr. S.S. Dahiya, Advocate for
the complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.02.2018

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1. By these two petitions the petitioners seek anticipatory bail in case
FIR No. 420/2017 under Sections 308/323/34 IPC registered at PS Prashant

BAIL APPLN. 2072/2017 & 2073/2017

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Vihar, Delhi.

2. The above noted FIR was registered on the complaint of one Ashish Dahiya who alleged that he fell in love with Lavanya, daughter of Rohtash and they both got married in the year 2016 without the consent of their family members. Later after the families reconciled, their marriage was again performed however, after few days of the marriage, family of Lavanya started threatening to kill the complainant. Lavanya went back to her parental home and did not return.

3. On 18th August, 2017 at about 11.00 PM the complainant along with his brother Vineet and Vikas went to G3S Mall, Sector-11, Rohini and was sitting outside the Mall, when at around 11.15 PM the family members of Lavanya, that is, Rohtash her father, Naresh her uncle, Lakshya her brother, Monu, Dadu and two other persons reached there in muffled faces with baseball sticks and iron rods in their hands. They brutally assaulted the complainant, his brother and friend. Thereafter the accused ran away. The injuries to the three injured have been opined to be simple in nature.

4. Though learned counsel for the complainant claims that recovery of weapons of the offence are to be made, however, this Court on 16th October, 2017 granted interim protection to the petitioners, subject to their participating in the investigation and visiting the Police Station as and when required but till date no notice to join the investigation has been given to the petitioners by the Investigating Officer. It is thus apparent that the Investigating Officer does not want the presence of the petitioners for investigation. Moreover the learned Trial Court has already granted anticipatory bail to Rohtash and Lakshya who have been assigned similar

roles.

5. Considering that the role assigned to the petitioners is same as Rohtash and Lakshya, this Court deems it fit to grant anticipatory bail to the petitioners. It is, therefore, directed that in the event of arrest the petitioners be released on bail on their furnishing a personal bond in the sum of ₹25,000/- each with one surety each of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that they will join the investigation as and when required by the Investigating Officer and will not leave the country without prior permission of the learned Trial Court and in case of change of residential address, the same will be duly intimated to the learned Trial Court by way of an affidavit.

6. Petitions are disposed of.

7. Order dasti.


MUKTA GUPTA, J.

FEBRUARY 08, 2018

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