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

+ **BAIL APPLN. 2083/2017**

JAIVINDER SINGH

..... Petitioner

Represented by: Mr. Ankur Sharma, Mr.
Muddassir Daiyyan, Adv.

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Mr. Amit Gupta, APP with ASI
Ramesh Kr., PS Malviya
Nagar.

+ **BAIL APPLN. 2084/2017**

LALIT GULIA

..... Petitioner

Represented by: Mr. Ankur Sharma, Mr.
Muddassir Daiyyan, Adv.

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Mr. Amit Gupta, APP with ASI
Ramesh Kr., PS Malviya
Nagar.

+ **BAIL APPLN. 2137/2017**

ASHISH

..... Petitioner

Represented by: Mr. Ankur Sharma, Mr.
Muddassir Daiyyan, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with ASI Ramesh Kr., PS
Malviya Nagar.

BAIL APPLNs. 2083/2017, 2084/2017 & 2137/2017

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CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.02.2018

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By these petitions the petitioners seek anticipatory bail in case FIR No. 293/2017 under Sections 308/34 IPC registered at PS Malviya Nagar.

Learned APP for the State contends that during the course of investigation in view of the nature of injuries to Niranjana and Deepak Sehrawat Section 307 IPC was added to the FIR.

The genesis of the above-noted FIR was a quarrel on 5th August, 2017 at about 10 PM between Dalvinder @ Pappe and Niranjana Sehrawat in presence of Gagan Sehrawat when Niranjana first slapped Dalvinder @ Pappe who in turn slapped Niranjana. It is the case of Dalvinder that after 1.00 AM mid-night when he went to sleep at about 1.45 AM Niranjana along with his nephew Deepak Sehrawat and other persons entered in his house and started beating him, his brothers Jaivinder, Parvinder and cousin brother Lalit & Ashish. The doctor opined 'simple' on the MLCs of Dalvinder, Parvinder, Jaivinder and Lalit whereas 'Grievous Blunt' to Ashish. On the said complaint FIR No.292/2017 was registered.

However, in the process Niranjana and Deepak Sehrawat were also injured. Niranjana was first taken to the Trauma Centre, AIIMS and Deepak Sehrawat to Batra Hospital. Niranjana Sehrawat remained unconscious for 20-22 days and had various surgical interventions. Deepak Sehrawat also had various surgical intervention. On the injuries caused to Niranjana and Deepak FIR No.293/2017 under Sections 308/34 IPC was registered wherein Section 307 IPC has been added as noted above.

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On being declared fit statement of Deepak Sehrawat was recorded on 7th August, 2017 who stated that on intervening night of 5-6 August, 2017 at about 1.00 AM in the night his uncle Niranjana telephonically informed that a quarrel had taken place with Dalvinder @ Pappe. On reaching near Dalvinder @ Pappe's house in his Duster car he met his uncle Niranjana and his friend Lalit. His uncle had sustained injuries on his head. They went inside the door and touched the feet of Pappe's father and started talking to him. In the meantime brother of Pappe started misbehaving with them and a scuffle took place between his uncle and brother of Pappe. The other side including the females started beating him and his uncle. It is alleged that wife of Pappe hit him on his head. He fell down and they kept beating him and his uncle saying '*today the story is going to end*'.

From the statement of Deepak Sehrawat also it is evident that after the quarrel between the Dalvinder and Niranjana took place at 10 PM wherein both slapped each other, Niranjana called Deepak Sehrawat where after they entered the house of the petitioners. As noted above, injuries have been received on both the sides. The place of incident being inside the house of Dalvinder and time being mid-night is not disputed by either side. Undoubtedly, injuries caused to the Niranjana and Deepak Sehrawat are serious in nature, however the fact remains that it was Niranjana, Deepak Sehrawat and Lalit who entered the house of the petitioners where after a scuffle took place and both sides received injuries. There are three cases already registered against Deepak Sehrawat, which shows the reason Niranjana calling Deepak to assist him.

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Considering the nature of allegations 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 bond each of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned with the further condition that the petitioners will not leave the country without the prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of affidavit.

Petitions are disposed of. Order dasti.


MUKTA GUPTA, J.

FEBRUARY 08, 2018

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