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

+ **BAIL APPLN. 2407/2017**

MANOJ

..... Petitioner

Represented by: **Mr.C.M.Sangwan, Advocate**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Ms.Meenakshi Chaudhan, APP for
State with SI Ravi Rana, PS Bawana,
Delhi
Mr.Ravinder Swaroop, Complainant
in person**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
23.04.2018

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1. By this petition, petitioner seeks anticipatory bail in case FIR No.411/2017 under Sections 452/323/506/34 IPC registered at PS Bawana on the complaint of respondent No.2. The above noted FIR was registered after receipt of a PCR call at 6:27 PM on 28th September, 2017 informing about a quarrel near Shiv Mandir, Auchandi Road, Bawana. When ASI Dalbir Singh reached the spot, complainant Ravinder Swaroop met him and he was taken to the hospital in an ambulance. Since statement of the injured could not be recorded, the complaint was kept pending. Later on complainant gave his statement stating that he has a plot measuring 500 square yards in front of his house Khasra No.104/15/2, Main Auchandi Road, Near Shiv Mandir, Bawana, Delhi. He further stated that a decision

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of Civil Court has been rendered in his favour and against Rajender and Others on 10th July, 2017. On 28th September, 2017, at about 6:00 PM when he was in his above plot i.e. the 550 square yards plot, both Manoj and Kapil entered his plot, started abusing him and asked him how he had become owner of the plot and why he has not left the way. They also threatened that they would see him in the court decision. When the complainant objected, it is alleged that Manoj hit him with a lathi and Kapil also hit him with a lathi from back side. When his son tried to intervene in the matter, he was also beaten. The injuries to the complainant and his son have been opined to be simple in nature.

2. Considering the allegations in the FIR and the fact that the petitioner has joined the investigation, 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 sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the Arresting Officer/SHO concerned subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer, further subject to the condition in case of change of address, petitioner will intimate the same to the Court concerned by way of an affidavit.

3. The grievance of the complainant, who is present in person, is that despite the decree having been passed in his favour, the petitioner interferes whenever the complainant seeks to repair the construction already made on his own plot. The SHO, PS Bawana is directed to ensure the protection to the complainant, subject to any further order by a Court of Competent

Jurisdiction, in case the complainant wishes to repair his structures on the 550 square yards plot for which a decree has been passed in his favour, he will inform the SHO concerned in advance who will provide him protection.

4. Petition is disposed of.

5. Order dasti.

MUKTA GUPTA, J.

APRIL 23, 2018

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