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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2491/2017 & CRL.M.A. 20044/2017**

NAVEEN KUMAR Petitioner
Through: Mr. Bharat Bhushan, Adv.
versus

THE STATE GOVT OF NCT OF DELHI Respondent
Through: Mr. Ravi Nayak, APP for State with
ASI Narvir Siungh, P.S. Mundka.
Mr. D.K. Sharma, Adv. for
complainant.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **09.10.2018**

The involvement of the petitioner in the incident which is subject matter of investigation into the case FIR No. 271/2017 of police station Mundka involving offences punishable under Sections 323/341/308/506/34 IPC has been alleged. By order dated 05.12.2017 he was granted interim protection against arrest. The said protection has continued till date.

Further status report in continuation of the earlier status reports has been submitted. It appears the incident occurred when Sharmila wife of the petitioner was using a hammer to remove an iron peg (*kundi*) from a wall to which the complainant side objected. The exchange of hot words, use of abusive language led to a scuffle in which the petitioner assisted by his children Kirti and Harsh and wife Sharmila is stated to have assaulted on the person of complainant Satpal and his brother Tejpal. The injuries of both have been found to be simple in nature. On the previous date when the matter was heard, it was alleged that the complainant had suffered loss of tooth. The status report submitted today indicates that the complainant had not reported for examination by dental

department and, therefore, no opinion with regard to loss of tooth as is alleged amongst the injuries suffered can be given.

In the above facts and circumstances, the petition is allowed. It is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

The petition stands disposed of in above terms.

Dasti.

R.K.GAUBA, J

OCTOBER 09, 2018//srb