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

+ **BAIL APPLN. 2540/2017**

MOHD AASHQEEN QURESHI

..... Petitioner

Represented by: **Mr. Sanobar Ali, Advocate.**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Represented by: **Ms. Meenakshi Chauhan, APP
for State with ASI Dinesh
Tyagi, PS Mayur Vihar.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.02.2018

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1. By this petition the petitioner seeks anticipatory bail in case FIR No. 422/2017 under Sections 186/353/32/34 IPC registered at PS Mayur Vihar, Delhi on the complaint of Arun Kumar Gupta.

2. The complainant stated that he along with his senior officers and staff with government vehicles raided shops where illegal sale of meat was going on in the market in front of Block-27, Trilokpuri, Bus Stand, Delhi. While he and his friends were lifting the unauthorised articles kept outside the meat shop, some persons obstructed the same, scuffled with them and stopped the government vehicle. He was also injured with the stone by the obstructers. The complainant named Danish, Ashqueen, the present petitioner and Javed in the FIR.

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3. The petitioner along with the present petition has placed on record photographs and CD of the videograph done which according to the petitioner showed that instead of obstructing the work, the present petitioner was in fact helping removal of the unauthorised articles. The petitioner has also placed on record the conversation of the petitioner with Raj Kumar, one of the witness and an official of the East Delhi Municipal Corporation (in short 'EDMC') who stated that in fact the petitioner was clearing the obstruction which was being done by the public over there. When further statement of Raj Kumar, the employee of EDMC was recorded he stated that since he has to be in the field every time, he is scared of persons who are selling meat as his life is in danger since he visits the areas every time.

4. Considering the photographs placed on record and that the witnesses do not specifically state that the petitioner was the one who had injured Arun Kumar Sharma, this Court deems it fit to grant anticipatory bail to the petitioner. It is therefore, directed that, subject to the conditions noted above, in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with two sureties of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and in case of change of residential address the same will be duly intimated to the Court concerned, by way of an affidavit.

5. It is further made clear that whenever raids are conducted the same will be videographed by the EDMC and in case the petitioner in future is found interfering in the same, EDMC or the police would be at liberty to get

the anticipatory bail of the petitioner cancelled in this case also.

6. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 20, 2018

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