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

+ **BAIL APPLN. 177/2019**

**NISHU**

..... Petitioner

Represented by: Mr.Paritosh, Mr.Parveen Chaudhary  
and Mr.Vikram Singh Bhatia,  
Advocates

versus

**STATE**

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for the  
State with SI Ashish Sharma, PS  
Jafrabad

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**18.02.2019**

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No.661/2018 under Sections 308/34 IPC registered at PS Jafrabad. The said FIR was registered after a PCR call was received on 10<sup>th</sup> November, 2018 at 9:55 PM which was recorded as DD No.53-B. On reaching the hospital, Aman and his father Sanjay were found injured. Statement of Sanjay was sought to be recorded who gave his statement later in the police station. On 11<sup>th</sup> November, 2018 itself Sanjay appeared before the police station and gave his written complaint wherein he alleged that on 10<sup>th</sup> November, 2018 at about 9:50 PM, noise of sewing machines was coming from neighbouring house. The complainant complained to the neighbours regarding the noise

coming from sewing machine. After that Pappi, Nishu and Pradeep came with sticks and started abusing them. It is stated that the petitioner along with the co-accused dragged the complainant and hit him with the sticks and when his son namely Aman came to rescue, he was also caught hold and injured. Opinion of the two MLCs have been received and the nature of injuries have been opined to be simple in nature.

2. Learned counsel for the petitioner-Nishu on instructions from Nishu, who is present in Court and undertakes, states that no sewing machine will be run at the premises and the already running ones have already been removed from there.

3. Considering the nature of allegations and the injuries received, 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 the sum of ₹25,000/- with one surety bond of the like amount to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that the petitioner 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.

4. Petition is disposed of

5. Order dasti.

**MUKTA GUPTA, J.**

**FEBRUARY 18, 2019**

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