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

+ BAIL APPLN. 626/2019

USHA SHARMA

..... Petitioner

Through: Mr. Roopansh Purohit & Mr.
R.K. Shokeen, Advocates

versus

THE STATE (N.C.T OF DELHI) THROUGH STANDING
COUNSEL

..... Respondent

Through: Mr. Ashish Dutta, APP with SI
Arun, PS:Dabri, Delhi
Ms. Nimmi Sharma, Advocate
for respondent No.2

WITH

+ BAIL APPLN. 627/2019

SHIVANKI

..... Petitioner

Through: Mr. Roopansh Purohit & Mr.
R.K. Shokeen, Advocates

versus

THE STATE (NCT OF DELHI) THROUGH STANDING
COUNSEL

..... Respondent

Through: Mr. Ashish Dutta, APP with SI
Arun, PS:Dabri, Delhi
Ms. Nimmi Sharma, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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04.04.2019

1. These are the applications on behalf of the petitioners
under Section 438 of the Code of Criminal Procedure, 1973 for

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grant of anticipatory bail.

2. Brief facts of the case are that the complainant along with her husband, Bhim Singh, was going towards her house and on the way, her neighbour, Sushil met them and asked the complainant's husband why was he staring at him and said that he is going to teach him a lesson. It is alleged in the complaint that Sushil's daughter, Shivanki, handed over an iron pipe to Sushil and he assaulted Bhim Singh with it. Sushil's wife, Usha and their son, Vipul also came with a *danda*. Bhim Singh was also assaulted with the *danda* and was taken to the hospital in an unconscious state, where he was treated and later discharged. His statement could not be recorded by the Investigating Officer, as he was not fit to give a statement.

3. Status report has been filed.

4. Learned counsel for the petitioners submitted that, as per the status report, upon examination of the CCTV footage, Usha Sharma, petitioner in Bail Appn. No.626/2019, though was found at the spot, but was not found to be assaulting anyone and Shivanki, petitioner in Bail Appn. No.627/2019, was not found to be at the spot. Learned APP does not dispute the same.

5. Learned counsel for the petitioners also submitted that the allegations levelled against the petitioners are false and frivolous and they have no role in the offence.

6. Learned APP submitted that the husband/father and the son/brother of the petitioners are already in the judicial custody.

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7. Taking into consideration the aforesaid facts, I deem it appropriate that the petitioners have made out a good case for grant of anticipatory bail.

8. Accordingly, in the event of their arrest, the petitioners shall be released on bail, subject to their furnishing personal bonds in the sum of Rs.20,000/- each, with one surety each of the like amount, to the satisfaction of the SHO/IO and further subject to the condition that they shall join and cooperate in the investigation and shall not prejudice the investigation, tamper with the evidence or influence the witnesses.

9. The anticipatory bail applications are accordingly disposed of.


CHANDER SHEKHAR, J

APRIL 04, 2019

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