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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1114/2019**
ASLAM ALI Petitioner

Through Mr. M.A. Hasan, Adv.
versus

STATE Respondent
Through Mr. Mukesh Kumar, APP with
SI Deshpal

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **14.10.2019**

1. The present application has been filed by the petitioner under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner.
2. The brief facts of the case, as noted by the Trial Court, are as under:

“Complainant, namely Yusuf s/o Mohd. Aneesh had stated in his complaint that he was visiting the house of his brother, Mohd. Umar on the night of 18.02.2019. He witnessed his brother having a heated argument with his neighbour Bhagwan Dass and his wife. There is a legal dispute pending between Mohd. Umar and his landlord Saleem Akhtar. Thereafter, Saleem Akhtar's two sons Aftab and Sadab along with two persons, Aslam and Shammi from the neighbourhood arrived at the spot. All of them started quarrelling and hurling abuses at Md. Umar. After this, the complainant was caught hold by Aslam, Aftab, Sadab and Shammi and one Bhagwan Dass attacked the complainant on the head with an iron object resulting in bleeding from his head. Thereafter, an MLC bearing No.B/568/5/19 was prepared at G.T.B. Hospital and on 19.2.2019, accused Sadab and Bhagwan Dass were arrested.”

3. Status report already filed.
4. Learned APP for the State, on the query of the Court, submitted that no other case is pending against the petitioner.
5. Learned APP opposed the bail application and submitted that taking into consideration the seriousness of the allegations as well as the gravity of the offence, the present bail application may be dismissed, however, the other two accused persons, namely Bhagwan Dass and Sadab are already on regular bail and another accused Shammi has got anticipatory bail from the Sessions Court and he has joined the investigation.
6. Learned APP, on instructions of the Investigating Officer, further submitted that nothing is required to be recovered from the petitioner.
7. Taking into consideration the aforesaid facts, it is directed that in the event of arrest, the petitioner be released on bail subject to his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of Investigating Officer subject to the condition that the petitioner shall co-operate and join the investigation as and when called by the IO/SHO in writing. Petitioner shall also not prejudice the investigation, tamper with the evidence or influence the witnesses in any manner.
8. The application stands disposed of.

CHANDER SHEKHAR, J

OCTOBER 14, 2019/rk