

\$~13

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

+ **BAIL APPLN. 1280/2019**

PUNEDU CHAKRABORTY

..... Petitioner

Through Mr Rajive Maini, Ms Shriya Maini,
Advocates.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through Ms Meenakshi Chauhan, APP for State.
SI Vivek Malik, P.S. Safdarjung Enclave.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

18.09.2019

1. The petitioner has filed the present petition, *inter alia*, seeking anticipatory bail in connection with FIR No. 98/2019 under Sections 308/323/341/354/509/34 of the IPC registered at P.S. Safdarjung Enclave.
2. The said FIR relates to an incident that occurred within the precincts of the All India Institute of Medical Sciences Trauma Centre.
3. The complainant is one of the family members of one a patient admitted at the said Trauma Centre. The allegation is that the complainant had attempted to enter the said Trauma Centre on the basis of passes issued to another person and were prevented from doing so. It appears that on the second attempt to do so, a scuffle had ensued and several security guards/bouncers had congregated at the site. It is alleged that a brutal assault was made by the said security guards on the relatives of the patient and one of the patient's relatives is also stated to have suffered a grievous injury.

4. The status report indicates that CCTV footage has been retrieved and the said footage does not indicate that the petitioner was carrying any *danda*. However, other guards (bouncers) were carrying *dandas* and it is alleged that they had hit the relatives of the patient, at the instance of the petitioner who is their supervisor.

5. All other persons involved in the present FIR have already been released on bail. It does appear that material evidence has also been collected by the Investigating Officer (IO). In this view, this Court does not consider it necessary that the petitioner be taken into custody at this stage.

6. Accordingly, the present application is allowed and anticipatory bail is granted to the petitioner. Subject to the petitioner furnishing a personal bond in the sum of ₹20,000/- with one surety of the like amount to the satisfaction of the IO, the petitioner shall be released on bail. This is also subject to the condition that the petitioner shall fully cooperate with the IO and appear before the IO for the purposes of investigation as and when called upon to do so. The petitioner shall also provide his current mobile number to the IO and ensure that he is reachable at all times. Further, the petitioner shall not leave the National Capital Territory of Delhi without approval of the IO.

7. The petition is allowed in the aforesaid terms.

8. Order *dasti* under signatures of the court master.

VIBHU BAKHRU, J

SEPTEMBER 18, 2019/pkv