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

+ **BAIL APPLN. 1353/2019**

**RAVI @ RAVI KASHYAP**

.... Petitioner

Through:- Ravi Bhardwaj, Advocate.

versus

**STATE GOVT. OF NCT OF DELHI**

..... Respondent

Through:- Neelam Sharma, APP for the  
State along with SI Sachin  
Kumar, PS Gandhi Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE BRIJESH SETHI**

**ORDER**

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**18.09.2019**

1. Vide this order I shall dispose of anticipatory bail application filed by the petitioner in FIR No. 90/2019 u/s. 308/323 IPC, P.S. Gandhi Nagar.
2. Ld. Counsel for the petitioner has prayed for anticipatory bail on the ground that petitioner is innocent and has been falsely implicated. There is delay in lodging the FIR. Complainant and petitioner/ accused were earlier friends and used to run water supply business in partnership. However, when the petitioner had asked complainant for the amount of Rs. Three lacs due towards him and had gone to claim the amount, he was attacked by the complainant. The petitioner sustained injuries in the incident. He had thereafter gone to police station to lodge his complaint but instead of lodging the complaint, the police official lodged a false FIR against him. It is submitted that petitioner is joining the investigation and he be, therefore,

released on anticipatory bail in the event of his arrest, in the interest of justice.

3. Ld. APP for the state has opposed the application. He has submitted that petitioner is not cooperating in the investigation. The weapon of offence with the help of which injury was caused to the complainant is yet to be recovered. He has, therefore prayed that anticipatory bail application be dismissed.

4. I have considered the rival submissions. There are allegations that petitioner has caused injuries to the complainant with a pointed weapon. Keeping in mind the fact that the complainant is not cooperating with the investigating officer regarding recovery of weapon of offence and his custodial interrogation is required for recovery of the same, no grounds for anticipatory bail are made out. The anticipatory bail application is, therefore, dismissed.

**BRIJESH SETHI, J**

**SEPTEMBER 18, 2019**