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

+ **BAIL APPLN. 1577/2019**

SMT. POOJA VERMA

..... Petitioner

Represented by: Mr.Pankaj Kumar Dubey, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms.Rajni Gupta, APP for the State
with ASI Prem Pal, PS Swaroop
Nagar

+ **BAIL APPLN. 1583/2019**

NARESH VERMA

..... Petitioner

Represented by: Mr.Pankaj Kumar Dubey, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms.Rajni Gupta, APP for the State
with ASI Prem Pal, PS Swaroop
Nagar

+ **BAIL APPLN. 1614/2019**

SH. JAGJEET SINGH @ JONY

..... Petitioner

Represented by: Mr.Mahendra Sharma, Advocate

versus

STATE

..... Respondent

Represented by: Mr.Ashok Kumar Garg, APP for the
State

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CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
05.07.2019

Crl.M.A.No.13036/2019 in Bail Appn.No.1614/2019

Allowed subject to just exceptions.

Bail Appn.Nos. 1577/2019, 1583/2019 & 1614/2019

1. By these petitions, the petitioners seek anticipatory bail in case FIR No.360/2018 under Sections 323/341/34 IPC registered at PS Swaroop Nagar. The abovenoted FIR was registered on the complaint of one Smt.Sheela on 7th September, 2018 wherein she alleged that on the previous day i.e. on 6th September, 2018 the three petitioners gave beating to her with legs and fist blows due to which she fell down on the road and received injuries. She was removed to the hospital however as she was in pain, she could not give her statement on that day. Later result of the nature of the injury received to the complainant was received and in view of the fact that she had suffered a fracture in the ulna region, Section 308 IPC was added during the course of investigation.

2. Learned counsels for the petitioners submit that on 6th September, 2018, a quarrel took place between the parties who were neighbours and on the complaint of petitioner Pooja Verma, FIR No.359/2018 was also registered under Sections 323/341/34 IPC.

3. A status report has been filed in Bail Application Nos.1577/2019 & 1583/2019 wherein it is stated that efforts were made to make the petitioners join the investigation however they were absconded. On a query put by this

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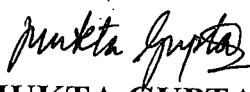
Court to the Investigating Officer as to whether any notice of joining the investigation was given, the answer is in the negative and he says that he went to trace them but could not find them as they had changed the address.

4. Learned counsel for the petitioners states that when the petitioners filed their anticipatory bail application before the learned Additional Sessions Judge, the fresh address was mentioned therein which was thus in the notice of the Investigating Officer. Investigating Officer fairly states that he made no efforts to join the petitioners for investigation after the address was noted in the anticipatory bail application before the learned Additional Sessions Judge however he had visited the said house before filing of the anticipatory bail application.

5. Considering the fact that the complainant Sheela admits that she was given beatings with legs and fist blows and received injuries on falling down on the road, this Court deems it fit to grant anticipatory bail to the petitioners. It is, therefore, directed that in the event of arrest, the petitioners be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety bond each of the like amount to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that they will join the investigation as and when directed by the Investigating Officer and in case of change of residential address, the same will be intimated to the Court concerned by way of an affidavit.

6. Petitions are disposed of.

7. Order dasti.


MUKTA GUPTA, J.

JULY 05, 2019/mamta
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