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

+ **BAIL APPLN. 2913/2019**

SUNIL @ RAMJAANE

..... Petitioner

Through: Mr Ishwar Singh, Advocate.

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State with
SI Vishal Malik, PS S. B. Dairy.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.11.2019

CRL.M.A. 40974/2019

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, seeking anticipatory bail in connection with FIR No.0200/2019, under Sections 307/34 of the IPC and Section 27/54/59 of the Arms Act, 1959, registered with PS Shahbad Dairy.

3. The said FIR was registered pursuant to a report of incident that is stated to have occurred on 28.04.2019 at 10:00 PM. The complainant (Avnish @ Chotu) had reported that he was out taking a stroll at Dada Ram Smadhi Wala Park at the material time. He was accosted by three persons – one Monty, his brother and the petitioner herein. All the three persons had

made a statement to the effect that the complainant must be taught a lesson. Thereafter, Monty had taken out a pistol like weapon and had aimed the same at the complainant. In order to protect himself, the complainant had caught hold of Monty but he fired the said weapon and the bullet had pierced the complainant's ear. He also reported that Monty had fired another bullet in his stomach and had also shot the person accompanying the complainant Nishant @ Nishu at his chest.

4. Apart from the allegation that all three of them have made a statement that the complainant must be taught a lesson, no specific allegations have been made against the present petitioner and the other co-accused (Rahul—who is stated to have accompanied them), apart from the allegation that all three of them have made a statement that the complainant must be taught a lesson.

5. The learned counsel appearing for the petitioner points out that Rahul has already been released on bail by an order dated 13.09.2019 passed in Bail Application No.1877/2019. He submits that the petitioner is also in custody since 01.05.2019 and should be released on parity with Rahul.

6. In view of the above, the present petition is allowed. It is, accordingly, directed that the petitioner be released on bail, subject to the petitioner furnishing a Personal Bond in the sum of ₹25,000/- and one surety of the like amount to the satisfaction of the Trial Court. The petitioner shall not contact any of the witnesses (either directly or indirectly) or try to influence them in any manner. The petitioner shall not leave the National Capital territory of Delhi and report to the local police station on every 2nd and 4th Monday of the calendar month at 10:30 AM.

7. The petition is allowed in the aforesaid terms.
8. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 25, 2019/MK