

\$~3

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

% Judgment delivered on: 14.02.2019

+ BAIL APPLN. 1425/2018

DHARAMPAL TANWAR

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.Siddhartha Nanwal and Mr.Dinesh Kumar, Adv.

For the Respondent: Mr. Hirein Sharma, APP for the State.
ASI Kanwar Singh, P.S.Moti Nagar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in case FIR No. 729/2015 under Section 186/353/332/34 IPC registered at Police Station - Moti Nagar.
2. Subject FIR was registered on the complaint of a doctor contending that he was on night duty when some persons came and started having a heated argument with him and also assaulted him.
3. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that sister of the petitioner gave birth to a child in the hospital and the child died within three days of birth during treatment. It is alleged that the petitioner had gone to make enquiries from the doctor about the medical treatment given to the newly born child, the doctor bolted himself in a room and dialled 100.

4. Petitioner was granted interim protection by order dated 15.06.2018 subject to joining investigation.

5. Learned APP submits that petitioner had joined investigation and investigation is complete and charge sheet is in the process of being finalised for being filed in court.

6. Without commenting on the merits of the case and keeping in view of the totality of facts and circumstances, I am of the view that the petitioner has made out a case for grant of anticipatory bail.

7. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything which may prejudice the trial or the prosecution witnesses.

8. The petition is allowed in the above terms.

9. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 14, 2019

rk