

\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2275/2018**
BABITA Petitioner
Through: Mr. Harsh Jaidka, Advocate.

versus

STATE Respondent
Through: Mr. G. M. Farooqui, APP for the State with
SI Mahender Singh, PS-Pul Prahaladpur
ASI Tuli Ram, PS-Badarpur.

CORAM:
HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
% **19.03.2019**

By this petition filed under Section 438 of Cr.P.C., the petitioner seeks anticipatory bail in FIR No.158/2018 under Sections 324/326/34 IPC registered at Police Station – Badarpur.

Learned counsel for the petitioner has contended that he has moved an application for anticipatory bail before the Trial Court and he was given protection till 05.09.2018. He has further submitted that the charge sheet in connected FIR No.140/2018, under Section 302/34 IPC reveals that the co-accused Vishal has inflicted knife injuries on Nitin and the petitioner has been falsely implicated in the present case. He further submitted that no recovery are to be effected from the petitioner. Learned counsel further adds that he will cooperate with the Investigating Officer in the investigation and will not misuse the liberty granted by the this Court.

Status report has been filed by the State in connected Bail Application No. 2270/2018. Investigating Officer is present in Court today and submits that petitioner has joined the investigation as and when called.

From the perusal of the record, it transpires that vide order dated 27.09.2018, interim protection has been granted by the predecessor Bench of this Court. The petitioner is also stated to be cooperating in the investigation.

Keeping in view the facts and circumstances of the case, it is hereby directed that in the event of arrest till filing of the chargesheet, the petitioner, Babita be released on bail on the following terms and conditions:-

- (i) That the petitioner shall furnish a personal bond in the sum of Rs.25,000/- with one surety of the like amount subject to the satisfaction of Arresting Officer/SHO concerned;
- (ii) That the petitioner shall cooperate with the investigation and make himself available for interrogation by police officer, as and when required;

In case of default of aforementioned condition, the State is at liberty to take appropriate recourse in accordance with law.

Before parting with the order, it is relevant to mention that nothing contained in this order shall be construed as an expression on the merits of the case.

Application stands disposed of.

Copy of the order be given dasti under the signatures of Court Master.

SANGITA DHINGRA SEHGAL, J

MARCH 19, 2019

afa