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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2240/2018**

DHEERAJ KUMAR SHARMA Petitioner
Represented by: **Mr. Gaurav Kochar & Mr. Dovar Jain, Advocates**
versus
THE STATE (NCT OF DELHI) Respondent
Represented by: **Ms. Meenakshi Chauhan, APP with ASI Kartar Singh, PS Welcome**

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

% **ORDER**
24.01.2019

By this petition, the petitioner seeks anticipatory bail in case FIR No. 341/2018 under Section 308/34 IPC registered at Police Station Welcome on the complaint of one, Diksha Dixit.

Learned counsel for the petitioner contends that even on the allegations of the complainant in the FIR, the petitioner and his son are not the aggressors and the objection, if any, to the talking was made by the complainant, who came down to quarrel with them. He further states that the petitioner is a Government servant and has been falsely implicated in the matter.

In the complaint dated 27th August, 2018, Diksha Dixit alleged that on 26th August, 2018, she was at first floor of her house when one boy came to meet son of Yogesh, namely, Chetan. Chetan was talking to that boy in front of his house and she asked them not to stand there to which Chetan

retorted that they would talk and stand there only and who she was to stop them. Diksha Dixit came in gali then Chetan and Dheeraj started beating her. In the meantime, her brother Dilip also came. Then, Yogesh, Chetan, Dheeraj and Umesh Walia started beating them.

It is alleged that the Dheeraj hit with a danda on the head of Dilip, due to which he sustained injury. On this incident a PCR call was made on 26th August, 2018, which was recorded vide DD No. 56B at Police Station Welcome. During the course of investigation, statement of witnesses including the injured witnesses have been recorded and clothes of the injured have been seized. As per the MLCs, injuries to Diksha Dixit and Dilip are simple.

Considering the nature of allegations and the nature of injuries which have been opined to be simple, this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹ 25,000 with one surety bond of the like amount to the satisfaction of the Investigating Officer/SHO concerned, further, subject to the condition that he will join the investigation as and when directed and in case of change of residential address, the same will be intimated to the learned trial court by way of an affidavit.

MUKTA GUPTA, J.

JANUARY 24, 2019
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