

\$~8

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

%

Judgment delivered on: 09.05.2019

+ BAIL APPLN. 2471/2018

AFSAR

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Nasimuddin, Advocate.

For the Respondent: Mr. Hirein Sharma, APP for the State.
SI Sandeep Rawal, PS Kalyan Puri.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 641/2017 under Sections 452/323/354-B/506/34 of the IPC registered at Police Station Kalyan Puri, Delhi.

2. The allegations in the FIR are that the petitioner along with his other family members who resides opposite the house of the complainant had barged into her house and misbehaved with the complainant and her sister-in-law.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated and subject FIR is off shoot of the disputes

between the two families, as a result of which several FIRs and cross FIRs have already been registered. He further submits that the bare reading of the FIR does not disclose the commission of any offence under Section 354B of the IPC. It is further submitted that the allegations in the FIR that a call to Police Control Room at 100 number was made are false as there is no record of any call having been made. Further, he submits that there is explained delay in lodging the complaint.

4. By order dated 16.10.2018, petitioner was granted interim protection subject to joining investigation.

5. Learned APP for the State, under instructions, from the Investigating Officer submits that petitioner has joined the investigation and investigation has been completed and charge sheet is in the process of being finalised for being filed in Court and there is no further requirement of the petitioner to join investigation.

6. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied 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 petitioner 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 that may prejudice the investigation, trial or prosecution witnesses.

8. Petition is allowed in the above terms.

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

MAY 09, 2019
st

SANJEEV SACHDEVA, J



भारतमेव जयते