

\$~9

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

%

Judgment delivered on: 11.02.2019

+

BAIL APPLN. 3012/2018

ANURODH

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr.B.K.Gautam, Advocate.

For the Respondent: Mr. Hirein Sharma, APP for the State.
SI Raghu Raj Singh, P.S.Mandawali.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks regular bail in FIR No.235/2018 under Sections 302/34 IPC, Police Station Mandawali Fazalpur. Initially the FIR was registered under Section 324/34 IPC, on the complaint of the victim. Subsequently the victim died within three days of the incident and accordingly Section 302 IPC has been added.

2. The allegations in the FIR are that the victim was called by the petitioner and co-accused to go to the house of another co-accused for a discussion with regard to refund of money, which the victim had to take.

3. The allegation is that when the victim demanded his money an altercation took place. The petitioner and one of the co-accused are alleged

to have held him while the third accused stabbed the petitioner in his stomach.

4. Petitioner was taken to the hospital where he gave his statement on which the FIR was registered. Subsequently a supplementary statement under 161 Cr.P.C was made by the petitioner where he reiterated his averments. Three days after the stabbing petitioner passed away.

5. As per the post mortem report the cause of death is *septicaemic shock consequent upon antemortem stab injuries to abdomen*.

6. Apart from the complainant's own statement, about the alleged role of the petitioner, two other eye witnesses have also narrated the incident in the manner in which the complainant had stated and corroborated the version of the complainant with regard to the role of the Petitioner.

7. Keeping in view the totality of facts and circumstances, gravity of offence and stage of trial, I am not inclined to admit petitioner to bail at this stage.

8. The petition is dismissed.

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

SANJEEV SACHDEVA, J

FEBRUARY 11, 2019

rk