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

+ **BAIL APPLN. 3013/2018**

G MANI GANDA

..... Petitioner

Represented by: Mr. S.A. Khan, Adv.

versus

STATE NCT OF DELHI

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP with
ACP Anand Sagar, PS Mayapuri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.02.2019

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By this petition the petitioner seeks bail in case FIR No. 38/2015 under Sections 307/34 IPC registered at PS Inderpuri.

The above-noted FIR was initially registered on a DD entry as the injured was not in a position to make the statement and subsequently the statement of the injured Anand S/o Anna Durai was recorded on 3rd March, 2015 for the incident which took place on the intervening night of 15th and 16th February, 2015. The injured alleged that around 6-7 months ago he had given a loan of ₹25,000/- to the petitioner for a period of two months. However, now the petitioner was not returning the loan despite his repeated request. On 15th February, 2015 at about 10 PM he went to the house of the petitioner and asked return of his money, and an altercation took place

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between them which was settled with the intervention of the neighbours. On the intervening night of 15-16 February, 2015 at about 2 AM while he was going to his maternal aunt's house to sleep at E-172, JJ Colony, Inderpuri and when he reached in front of the shop of Kundan, petitioner along with T. Rajan Basura and one of his associates was present who caught hold of him and started beating him with kicks and fist blows. It is alleged that the petitioner injured him with kudwa (Talwar) due to which he sustained injuries and fell down on the road. He lost consciousness and regained the same only in the hospital.

Though the nature of injury opined is simple, however the injured received a stab wound of 5 cm long with active bleeding. Further, after the registration of FIR the petitioner filed anticipatory bail applications which were dismissed and thereafter could not be arrested and was declared a proclaimed offender on 22nd October, 2018 whereafter he was arrested on 31st October, 2018.

Learned counsel for the petitioner submits that the petitioner has now settled the matter with the complainant and the complainant has filed an affidavit in this regard. From this act of the petitioner it is evident that the petitioner is trying to influence the witness and hence in view of his previous conduct and the present conduct, this Court finds no ground to grant bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

FEBRUARY 08, 2019
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