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

+ **BAIL APPLN. 1219/2020 & CRL.M.A. 7536/2020**

VINOD CHOUHAN Petitioner

Through: Mr. Charan Singh, Adv.

versus

THE STATE Respondent

Through: Mr. Mukesh Kumar, APP for State
with SI Jitender Joshi, P.S. Subzi
Mandi

CORAM:

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

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31.07.2020

(Video Conference Hearing)

As per the status report, the FIR came to be registered on the statement of the son of the deceased. The allegations attributable for the role of the accused persons as stated in the status report are as under:

“The statement of complainant/eye witness Nitin Vinay was recorded, wherein he alleged that they have dispute regarding extension of balcony with Vinod Chauhan and a Civil Case is also pending in the Court between them. On 01.05.20 at about 08.30 AM, Rahul S/o Jai Prakash R/o H. No. 21G, DDA Flats, Sari Phoos, Tis Hazari, Delhi started quarrel on the issue of the garbage in front of his one room at Ground floor. His father and mother intervened the matter meanwhile Vinod Chauhan present there started abusing his father and caught the “Gireban” of his father. He tried to intervene on which Naresh Chauhan (brother of Vinod Chauhan) and Shivam (son of Vinod Chauhan) caught him

and beaten him. Meanwhile the blood pressure of his father was increased and he started feeling discomfort in breathing. He took his father to hospital in the van of Gurdaya (his neighbour) to Hindu Rao Hospital, where his father was told to be dead but he further took his father to St. Stephens Hospital, where doctor declared him brought dead. Complainant alleged that the death of his father was caused due to the quarrel of Vinod Chauhan. On finding the commission of offence U/s 323/304/34 IPC present case was registered and investigation was taken up.”

Charge-sheet is stated to have been filed. During the course of hearing, Mr. Kumar, Id. APP on instructions from the IO – SI Jitender Joshi who has joined the hearing, concedes that the other co-accused were released on bail by the police itself. As for the applicant, he was arrested on the same day i.e. 01.05.2020 and continues to remain in custody since then.

Taking into account the totality of facts and circumstances of the case, the applicant is admitted to bail on his executing a personal bond in the sum of Rs.10,000/- to the satisfaction of the concerned Jail Superintendent and after his release from jail, a surety bond of the same amount to the satisfaction of the concerned Magistrate/Trial Court shall also be executed within seven days of the resumption of regular functioning of the court. The instant bail application stands disposed of accordingly, along with the pending application.

A. K. CHAWLA, J

JULY 31, 2020

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