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

+ BAIL APPLN. 1784/2020, CRL.M.A. 9526/2020 & CRL.M.A. 9604/2020

HASNAIN

.....Applicant

Through: Mr.Atul Kharbanda & Mr. Kapil Sethi,
Advocates.

Versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr.Ashok Kumar Garg, APP for State.

HON'BLE MS. JUSTICE ANU MALHOTRA

% **ORDER**
20.07.2020

(hearing through Video Conferencing)

CRL.M.A. 9526/2020 & CRL.M.A. 9604/2020 (Ex.)

Exemptions allowed subject to all just exceptions.

The applications stand disposed of.

BAIL APPLN. 1784/2020

Vide the present application, the applicant seeks the grant of anticipatory bail in relation to FIR No.232/2020, PS Vasant Kunj under Sections 308/34 of the Indian Penal Code, 1860 submitting to the effect that the applicant is a young boy aged 20 years that the only allegations levelled against him as per the averments made in the FIR were that he had caught hold of the hand of the injured at the time of alleged assault.

It has also been submitted on behalf of the applicant that the applicant is not the person alleged to have assaulted the injured persons and that the injured persons have already since been discharged.

Reliance is also placed on behalf of the petitioner on the order dated 19.06.2020 of this Court in relation to co-accused namely Rizwan @ Lalla to submit to the effect that the said applicant had been allowed to be released on bail vide the said order.

The application is vehemently opposed on behalf of the State submitting to the effect that the injured persons have sustained grievous injuries and that furthermore, the role attributed to the present application is not similar to that of Rizwan @ Lalla.

Without any observations on the merits or demerits of the trial that may take place, it is apparent that the allegations levelled in the FIR in relation to the present applicant Hasnain are categorically different in relation to the other co-accused persons of whom Faheem and Armaan are stated to have not yet been arrested, in as much as, the present applicant is stated to have caught hold of the injured/complainant with both his hands at the time of the assault made by Faheem and Armaan, whereas, there is no such role attributed to Rizwaan @ Lalla who had been granted bail vide the order relied upon.

The application seeking the grant of anticipatory bail qua the present applicant Hasnain is thus, declined.

ANU MALHOTRA, J

JULY 20, 2020

'neha chopra'