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

+ **BAIL APPLN. 2040/2020**

SHAHRUKH QURESHI

..... Petitioner

Through: Mr Harsh Vardhan Sharma,
Advocate.

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr Amit Gupta, APP with SI Manoj
Kumar, PS Jahangirpuri.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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01.09.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, seeking interim bail for a period of forty-five days in connection with FIR No.0098/2019 under Sections 302/34 of the IPC registered with PS Jahangir Puri.
2. The said FIR was registered on the report that one Kailash has been shot near House No.638, Near Yadav Bakery, Bhalswa Village, Delhi.
3. The status report indicates that it was reported that there was an altercation between one Vikash Mishra and Wakil. It is stated that Vikas Mishra along with his friend Karuna Sagar was coming from Meetha Kuan Village, Bhalswa and Wakil was coming from the opposite side. There were heated arguments between them. The accused Wakil had left the spot and thereafter, he came along with his associates including the petitioner herein

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and thereafter, there was an altercation between the two groups. It is alleged that the accused Wakil threatened Vikash Mishra and his associates with his country made pistol and he took a shot at Vikash Mishra but the bullet hit Kailash in his head. The allegation against the petitioner is that he had also hit one of the persons (friend of Vikash Mishra).

4. The petitioner states that his family consists of his brother, who is a patient of mental illness and requires to be taken care of. He further states that his mother also requires a surgery for hernia. The family consists of the petitioner, his mother, brother and sister and the sister finds it extremely difficult to deal with the ailing family members. The said facts have been verified.

5. The main accused (Wakil), who allegedly fired, has been released on interim bail.

6. In the given circumstances, this Court considers it apposite to allow the present petition and to direct that the petitioner be released on interim bail till 31.10.2020, subject to the petitioner furnishing a personal bond in the sum of ₹10,000/- and one surety of an equivalent amount to the satisfaction of the concerned Jail Superintendent/Trial Court/Duty Magistrate. This is also subject to the following further conditions:-

- a) the petitioner shall provide a contact number and ensure that he is reachable on it at all times;
- b) the petitioner shall not leave the National Capital Territory of Delhi;
- c) the petitioner shall report to the concerned police station (PS Jahangir Puri) on Monday of each calendar week; and
- d) the petitioner shall not visit the locality where the complainant

or his family members reside.

7. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

SEPTEMBER 01, 2020
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