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

+ **BAIL APPLN. 2145/2020**

ANITA

..... Petitioner

Represented by: Mr.Ankit Agarwal, Advocate.

versus

STATE

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for
State with IO SI Sandeep Kumar, P.S.
Swaroop Nagar (through video
conferencing)

+ **BAIL APPLN. 2146/2020**

RAJESH

..... Petitioner

Represented by: Mr.Ankit Agarwal, Advocate.

versus

STATE

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for
State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.08.2020

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The hearing has been conducted through Video Conferencing.

1. These two bail petitions have been filed by Anita and Rajesh, who are wife and husband, in case FIR No. 357/2020 under Sections 323/324/308/34 IPC registered at P.S. Swaroop Nagar.
2. The above-noted FIR was registered after a PCR call was received on

the intervening night of 26th/27th July, 2020 at P.S. Swaroop Nagar regarding a quarrel. When SI Ravinder reached the spot, he found that injured Babu, Lokesh and Shakuntala had been shifted to BJRM Hospital by the PCR. Statement of Shakuntala was recorded by the Investigating Officer, who stated that her neighbour Rajesh had some issues for partition of the property with his younger brother Babu. Both the brothers started quarrelling in the street. On hearing the commotion, being their neighbour, Shakuntala and her brother-in-law Lokesh came out of their house. When Shakuntala asked about the reason of quarrel from Rajesh, he started beating Lokesh and Babu with an iron chain having lock on another side. In the meantime, Anita bit right hand thumb of Shakuntala.

3. The Investigating Officer collected the MLC of the three injured and as regards Babu and Lokesh are concerned, both the MLCs noted 'CLW on temporal region approximately 3 x 5 cms.', whereas, the injury on Shakuntala was 'CLW 2.5 cm at DIP joint right thumb with thumb hanging with a skin tag only'.

4. Injured were discharged immediately after the treatment. The petitioners have been in custody since 27th July, 2020 and no further recoveries are to be made from them. The injuries on Shakuntala and Lokesh were prima facie at the spur of moment as they intervened to enquire the reason of quarrel. The petitioners have minor children to look after.

5. Consequently, this Court deems it fit to grant bail to the petitioners. It is, therefore, directed that the petitioners be released on bail on their furnishing a personal bond in the sum of ₹ 15,000/- each with one surety bond each of the like amount, subject to the satisfaction of the learned Trial Court/CMM/Duty Magistrate concerned. This is further subject to the

condition that the petitioners will not cause any threat to or induce the witnesses/victims during the pendency of the trial.

6. Petitions are disposed of.
7. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

AUGUST 13, 2020
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