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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. No.2213/2020**

PUNIT

..... Petitioner

Through: Ms.Archana Sharma, Advocate

versus

STATE

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for
State with SI Babu Lal, PS Palam
Village

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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04.09.2020

The status report has been submitted by the State.

The applicant vide the present application seeks the grant of Bail in relation to the FIR No. 523/2020, Police Station Palam Village (South-West), registered under Sections 308/34 of the Indian Penal Code, 1860, submitting inter alia to the effect that the applicant has been incarcerated since 30.7.2020 and that the applicant is a young boy of 19 years of age and that the injury caused to the injured in the instant case were inflicted by the co-accused and that the injuries inflicted were simple in nature caused by a sharp object as allegedly inflicted by the co-accused Rakesh and that the injured was discharged from the hospital on 30.7.2020 itself. A further submission is made on behalf of the applicant that the applicant has been falsely implicated in the instant case due to a property dispute in as much as the complainant and the prosecution witnesses have been harassing

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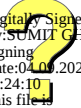
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MALHOTRA.

the mother and aunts of the applicant sexually in relation to which a complaint has also been made and that no FIR in relation thereto has so far been lodged.

The status report has been submitted by the State vehemently opposing the prayer made by the applicant seeking the grant of bail submitting inter alia to the effect that the complaint made by the mother and the aunts of the applicant in relation to the alleged sexual harassment is a counter blast to the FIR and was made subsequently. Furthermore, it has been submitted on behalf of the State that the role of the applicant is spelt out through the FIR itself wherein it has been categorically stated by the injured to the effect that the applicant and his three sons Rajesh @ Bitu, Mukesh @ Situ, Rakesh @ Toni and Punit S/o Rajesh @ Bitu had come and Rajesh @ Bitu, Jumman, Mukesh @ Situ and Punit, i.e. the present applicant, grabbed him and started beating him with their hands and Rakesh @ Toni hit him with a knife like instrument on the left side of his stomach which caused cut at 3-4 places and the blood had started oozing out and they threw stone towards his house due to which glass window of the house had broken and when his father came for his rescue and started calling the police on phone they snatched the phone and broke it and they all left thereafter threatening him to be killed.

Without any observations on the merits or demerits of the trial that would take place and taking into account the factum that the applicant is 19 years of age and that the injured in the instant case has been discharged with the injury inflicted on the injured being allegedly caused by one Rakesh @ Toni, a co-accused, taking the said

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aspect into account and the age of the applicant and the aspect that there are no previous antecedents, the applicant in the instant case is allowed to be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court with directions that

- he shall not leave the city;
- he shall make no contact with the complainant;
- he shall keep his mobile phone on at all times;
- he shall drop a pin on the Google map to ensure that his location is available to the Investigating Officer and;
- he shall commit no offence whatsoever.

The application is disposed of.

It is pointed out by the learned counsel for the applicant that in the cause list for the day in relation to serial No. 11, 12 and 13 , the police station mentioned is Palam Airport whereas the FIR No. 523/2020 and 522/2020 all relate to Police Station Palam Village. The Registry is directed to rectify the name of the police station and is directed to be careful in future.

ANU MALHOTRA, J

SEPTEMBER 04, 2020
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