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

+ **BAIL APPLN. 420/2024**

ABHISHEK CHAWLA

.....Petitioner

Through: Mr. S.N. Qureshi and Mr. Shekhar
Chaudhary, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

15.07.2024

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1. The present application under Section 438 Cr.P.C has been filed by the Petitioner for grant of bail in the event of arrest in FIR No.26/2024 dated 16.01.2024, registered at Police Station Geeta Colony for offences punishable under Sections 308/120B/34 IPC.

2. Material on record indicates that a PCR call regarding a quarrel and beating at 17 Block, Geeta Colony was received at PS Geeta Colony vide DD No. 69A. Material on record indicates that on receipt of the PCR call, IO/ASI Hari Om and ASI Rajesh Kumar reached the spot and the victim was sent to Swami Dayanand Hospital for medical treatment. The Investigating Officer reached the hospital and it was found that the injured victim was under treatment vide MLC No.56/2024, wherein the doctor has mentioned that it is a case of a physical assault with injury on head. During the treatment, the victim was referred to GTB Hospital but the statement of the



victim could not be recorded as the victim was complaining of severe pain. Though the injury was on head, the MLC reveals that the injury is simple in nature.

3. Material on record indicates that after discharge of the victim from the hospital, statement of the victim was recorded wherein he has stated that he along with his friends, namely, Devansh and Chaitanya came for attending coaching. It is stated that at about 7.15 PM, when he reached near Sunday Market Geeta Colony, suddenly two boys came there on a motor cycle and chased him by parking their bike in front of his bike and one of the accused took the victim to a separate corner and one boy, namely, Abdul came there and all the accused persons started beating the victim due to which he suffered head injury. On the statement of the victim and on the basis of MLC, the present FIR has been registered.

4. Material on record indicates that all the co-accused have been granted bail. Material on record also indicates that injury suffered by the victim was simple in nature. This Court is of the opinion that since no recovery has to be made from the Petitioner herein and all other accused have been granted bail, this Court is inclined to grant bail to the Petitioner in the event of arrest in the present FIR. In case the Petitioner is arrested, he shall be released on bail subject his furnishing a personal bond in the sum of Rs.50,000/- with two sureties of the like amount to the satisfaction of the SHO/Investigating Officer and further subject to the following conditions:

- a) The Petitioner shall co-operate with the investigation and in case charges are framed, the Petitioner shall appear before the Court on every date of hearing.
- b) The Petitioner is directed not to contact the victim or any of his family



members or try to influence the victim or any of his family members in any manner.

c) In case of violation of any of the conditions, the bail granted to the Petitioner shall be liable to be cancelled.

5. With these observations, the application is disposed of.

SUBRAMONIUM PRASAD, J

JULY 15, 2024

S. Zakir