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

+ **BAIL APPLN. 490/2024**

NAZIM

..... Petitioner

Through: Mr Pulkit Jain, Ms Alisha, Ms Anjali
Kumari and Mohd. Anas Ansari,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr Raghvinder Varma, APP for the
State with Insp. Shrichand, PS
Timarpur.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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09.02.2024

CRL.M.A. 4207/2024

1. Allowed, subject to all just exceptions.

BAIL APPLN. 490/2024

2. The present bail application has been filed under Section 439 CrPC seeking regular bail in connection with FIR No.0198/2023 under Sections 307/34 IPC registered at PS Timarpur.

3. The aforesaid FIR came to be registered on the statement of the injured Satyaprakash wherein he alleged that on 09.04.2023 at about 9:40 PM when he was parking his scooty on roadside at Patrachar Lucknow Road, Timarpur, Delhi, accused Farid, who runs his roadside shop of cutting and selling chicken, with the help of his two sons, namely, Shoib and Nazim



opposed the parking of scooty of the complainant, which led to an argument between them and accused Farid started abusing the complainant and told his sons that the complainant is not mending his ways, therefore, let us finish him today. Thereafter, the sons of the accused Farid namely, Shoib and Nazim caught the complainant and Farid struck the complainant with a sharp edged weapon, as a result of which the complainant got injured.

4. Learned counsel for the petitioner submits that during the pendency of the proceedings the parties have arrived at a settlement. He invites the attention of the Court to the order dated 18.01.2024 passed in CrI.M.C.394/2024 filed by the petitioners seeking quashing of the FIR, in which notice was issued and the complainant (respondent no. 2 therein) who was present in the Court on the said date also affirmed the fact that a settlement has been arrived at between him and the accused persons. It was further stated by the complainant that he does not have any objection in case the FIR is quashed.

5. Issue notice. Learned APP for the State accepts notice. He affirms the fact that the petitioners have filed a petition seeking quashing of the FIR and the complainant has stated that he has no objection in case the FIR is quashed.

6. In view of the above, the petitioner is admitted to regular bail subject to his furnishing personal bond in the sum of Rs. 25,000/- and a Surety Bond of the like amount to the satisfaction of the learned Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.



b) Petitioner shall provide his permanent address, as well as, his mobile number to the IO concerned. The mobile number shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.

c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the complainant.

7. The petition stands disposed of.
8. Copy of the order be forwarded to the concerned Jail Superintendent for information and necessary compliance.
9. Order *dasti* under signatures of the Court Master.
10. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 9, 2024
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