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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1987/2024 & CRL. MA 17654/2024**

MANISH@MANISH TANWAR

.....Petitioner

Through: Mr. V.K. Mishra, Ms. Dipti Mishra,
Mr. Irshaad Siddiqui and Ms. Richa
Bais, Advocates.

versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Aashneet Singh, APP for State
with Mr. Sahil Arora, Mr. Vishwajeet
Singh, Ms. Ritu Kapoor Arora, Mr.
Vijay Pratap Singh, Ms. Priyanka
Mishra, Advocates with SI Sachin
Panwar and SI Ramphool PS
Fatehpur Beri, Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.08.2024

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1. By way of the present application, the applicant seeks anticipatory bail in FIR No. 578/2023 registered under Sections 323/341/34 at P.S. Fatehpur Beri, Delhi.
2. Learned counsel for the petitioner/applicant states that though Section 308 IPC was added later on, however, the complainant/injured was discharged on the very same day. He further states that the complainant has entered into a settlement with the accused persons, including the present applicant and in this regard, he has referred to this Court's order dated 12.07.2024 passed in Bail Appln. No.2407/2024, whereby the co-accused Sumit was admitted to regular bail in view of the no objection given by the



complainant.

3. Learned APP submits that Section 308 IPC was added as the injuries were opined to be grievous in nature. He, however, on instructions affirms that the co-accused Sumit was admitted to regular bail as the complainant had appeared on 12.07.2024 and had given his no objection. He further submits that the parties have approached the IO and given him a copy of the aforementioned settlement deed dated 11.07.2024. It is also stated that the applicant is not involved in any other case.

4. A reading of the FIR would show that the allegations levelled against the applicant are that he, along with others, had entered into an altercation with the complainant on 19.12.2023. Further, there is a cross FIR registered at the instance of the present applicant being FIR No.577/2023 registered under Sections 323/341/506/34 at PS Fatehpur Beri, Delhi. The parties have lodged cross FIRs against each other and as stated, have now entered into a settlement.

5. Keeping in view the aforesaid facts and circumstances, and the fact that the applicant is not involved in any other case and furthermore, that the injured was discharged on the very same day, it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

(i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.



- (ii) The applicant shall join the investigation as and when he is asked for.
 - (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
 - (iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
 - (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - (vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.
6. The application is disposed of in the above terms along with pending application.

MANOJ KUMAR OHRI, J

AUGUST 6, 2024/*rd*