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

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+ BAIL APPLN. 2131/2024, CRL.M.A. 18398/2024,
CRL.M.(BAIL) 1034/2024

MOHD FAHIM

.....Petitioner

Through: Mr. Vikram Seth and Mr. Yuvraj
Seth, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State.
Mr. Nadeem Ahmed, Advocate for
the victim.

57

+ BAIL APPLN. 2133/2024, CRL.M.(BAIL) 1035/2024

MOHD FURKAN

.....Petitioner

Through: Mr. Vikram Seth and Mr. Yuvraj
Seth, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State.
Mr. Nadeem Ahmed, Advocate for
the victim.

58

+ BAIL APPLN. 2134/2024, CRL.M.(BAIL) 1036/2024

MOHD FERHAN

.....Petitioner

Through: Mr. Vikram Seth and Mr. Yuvraj
Seth, Advocates.



versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for the State.
Mr. Nadeem Ahmed, Advocate for
the victim.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

18.12.2024

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1. The present petitions have been filed under Section 438 CrPC seeking grant of anticipatory bail in connection with FIR No.368/2024 under Sections 376/377/498A/506/34 IPC registered at PS Wazirabad. The petitioner Mohd Fahim is the father-in-law, Mohd Furkan is the brother-in-law and Mohd Ferhan is the husband, of the complainant.
2. The facts of the case have been noted by this Court in the order dated 21.06.2024. All the petitioners were granted interim protection vide separate orders subject to their joining the investigation with the condition that they will not try to threat or intimidate the complainant or tamper with the evidence.
3. The learned APP for the state, on instructions from the IO who is present in Court, submits that the petitioners have joined the investigation twice and the charge sheet has also been filed post conclusion of the investigation.
4. The learned counsel appearing on behalf of the complainant opposes the application on the ground that beatings were given to the complainant and he has shown certain photographs to the Court.



5. On the other hand, learned counsel appearing for the petitioners submits that the photographs which are being shown are part of the charge sheet.

6. Considering the fact that the present FIR is an outcome of the matrimonial discord and the petitioners have joined the investigation and further the chargesheet also stands filed without arrest of the petitioners, this Court is of the view that the petitioners are entitled to anticipatory bail and the interim order deserves to be confirmed.

7. In view of the above, it is directed that in the event of petitioners' arrest, they be released on bail subject to their furnishing personal bond in the sum of Rs. 10,000/- each and a surety bond of the like amount to the satisfaction of the Investigating Officer / Arresting Officer and further subject to the following conditions that:-

(i) Petitioners shall join investigation as and when directed by the I.O concerned.

(ii) Petitioner shall not influence the witnesses in any manner or try to contact the complainant or tamper with the evidence.

8. The petitions stand disposed of.

9. Order *dasti* under signatures of the Court Master.

10. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

DECEMBER 18, 2024

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