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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3137/2022

ABHAY KUMAR

..... Applicant

Through: Mr.Vikas Gupta, Mr.Sohail
Sharma, Mr.Tarun Gaur,
Ms.Rekha Panwar and
Mr.Tanveer Gaur, Advs.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr.Aman Usman, APP with
SI Mahesh Chand.
Mr.Harshit Jain, DHCLSC for
the victim

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

29.01.2024

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1. This is an application filed by the applicant under Section 438 of Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') praying for grant of anticipatory Bail in FIR no.135/2022 registered with Police Station: Badarpur, South-East District, Delhi under Sections 323/354/354B/34 of the Indian Penal Code, 1860 (in short, 'IPC').
2. It is the case of the prosecution that on 09.03.2022, information regarding an indecent conduct by the accused was received on the PCR call, which was recorded under GD no.54A. Another PCR call was recorded vide GD no.55A, which stated that a person has run away with the phone of the complainant. The said second complaint/phone call was made by the applicant herein.



When the police reached the spot, they found a quarrel taking place between the complainant in the present FIR and her family members with the applicant and his wife, who are their neighbours.

3. This Court, by its *interim* order dated 24.11.2022, had directed that on the applicant joining the investigation and subject to the other conditions mentioned therein, the applicant be not arrested in relation to the above-mentioned FIR.
4. The respondent has now filed a status report which *inter alia* discloses various FIRs being registered by the parties, that is, the applicant and the respondent no.2, against each other and their family members. It is further reported that the parties are, in fact, involved in a quarrel with each other on many previous occasions. It is further stated that the applicant has now duly joined the investigation.
5. Keeping in view the contents of the status report, it appears that the parties are not the ideal examples of a friendly neighbourhood.
6. Be that as it may, and keeping in view the contents of the FIR, as the applicant has now joined the investigation, it is directed that the applicant, in the event of arrest in relation to FIR no.135/2022 registered with Police Station: Badarpur, South-East District, Delhi, be released on Bail on furnishing a personal Bond in the sum of Rs.25,000/- with one local surety of the like amount subject to the satisfaction of the officer/IO/SHO concerned. The applicant shall also remain bound by the conditions that were



stipulated in the order dated 24.11.2022 of this Court, except the condition that the applicant will drop a PIN on the google map to ensure that his location is available to the IO.

7. The Bail Application is disposed of in the above terms.

NAVIN CHAWLA, J

JANUARY 29, 2024
RN/AS

Click here to check corrigendum, if any