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

+ **BAIL APPLN. 4285/2023**

ZEENAT

..... Petitioner

Through: Mr. Mohd. Zahid, Mr. Brahm Kumar
Pandey and Ms. Mariya, Advocates.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Aashneet Singh, APP for State
with SI Ravi Narwal PS Moti Nagar,
Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

22.02.2024

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1. The present application has been filed under Section 438 Cr.PC. seeking anticipatory bail in FIR No. 0042/2023 registered under Sections 304/34 IPC at P.S. Moti Nagar, Delhi. The case was initially registered under Section 308 IPC, however when the deceased succumbed to injuries, the same was converted into Section 304 IPC.

2. Learned counsel for the petitioner/applicant states that the applicant is about 27 years of age and the only role assigned to the present applicant is that she has slapped the son of the deceased. It is further stated that insofar as the injuries suffered by the deceased are concerned, the same are not attributable to the applicant but to the other co-accused persons. It is further submitted that pursuant to the interim protection granted to the applicant by this Court on 19.12.2023, the applicant has joined investigation. He further submits that it is alleged that beating were given by iron rod to the deceased which was also picked up from the spot.

3. Learned APP for State has handed over a copy of the status report



which is taken on record.

4. As per the investigation, the complainant Junaid Khan has stated that on 09.02.2023, he and his father were present at the shop. The applicant along with Shabab Khan and Sufiyan came to their shop and started quarrelling with the father of the complainant over a petty issue. Thereafter, Shabab Khan and Sufiyan gave beatings to the father of the complainant. The only the role assigned to the present applicant is that of slapping the son of the deceased. Insofar as injuries suffered by the deceased, no allegations are attributed to the applicant. Considering the above, it is directed that in the event of arrest, the applicant be released on bail subject to her 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 she undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when, she is asked for.
- (iii) The applicant shall inform the concerned Investigating Officer about her 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.

MANOJ KUMAR OHRI, J

FEBRUARY 22, 2024/rd