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

+ **BAIL APPLN. 4007/2024 & CRL.M.(BAIL) 1809/2024**

MOHINI ALIAS LALIPetitioner

Through: Ms. Tanya Agarwal, Adv.

versus

STATE NCT OF DELHIRespondent

Through: Mr. Amit Ahlawat, APP for State
SI Saurav Singh PS Mangol Puri

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **03.12.2024**

1. This petition seeks anticipatory bail in FIR No.232/2024 dated 26th March 2024, PS Mangol Puri under Sections 307/457/34 IPC.
2. Counsel for petitioner states that all co-accused have been granted regular bail including the main accused who is alleged to have wielded the knife. She further states that petitioner is only a co-accused and one of the family members who have been accused of assault in the said matter and is ready to join investigation.
3. APP for the State objects to grant of bail on the ground that proclamation has been issued under Section 82 Cr.P.C. against petitioner since petitioner was evading arrest. To this counsel for petitioner points out that states that petitioner is a transgender and is staying away from the family and is residing at P-1/182, T-Huts, Jhandewalan Park, Sultanpuri, Delhi; copy of Aadhar Card has also been appended along with the petition.
4. While issuing notice on 4th November 2024, this Court had granted interim protection to from arrest to petitioner, subject to his joining and cooperating in the investigation.
5. It is informed by petitioner's counsel that petitioner has joined and



cooperated in investigation. APP for the State also does not deny this averment as regards joining of investigation is concerned. It has also not been denied by the APP that all other co-accused have been granted regular bail and that charge-sheet as regards other co-accused have also been filed.

6. Considering that investigation is over, the process relating to filing of charge-sheet *qua* this petitioner is also expected to be undertaken by the IO. The impediment of proceedings under Section 82 Cr.P.C. would stand in the way. However, considering submission of petitioner, as noted, that petitioner has now provided her residential address, no purpose would be served in continuing proceedings under Section 82 Cr.P.C. Accordingly, said proceedings stand cancelled.

7. Petitioner shall continue to join and cooperate in the investigation and appear before the IO and the Trial Court, as and when so directed.

8. Petitioner undertakes to inform the IO of any change of address in future.

9. In light of the above, the Court is of the considered opinion that petitioner is entitled to anticipatory bail. Consequently, in the event of arrest the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that petitioner will join investigation as and when directed and not influence any witness/complainant/victim or tamper with evidence of the case.

10. Accordingly, the petition is disposed of. Pending application is disposed of as infructuous.

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

ANISH DAYAL, J

DECEMBER 3, 2024/sm