
(2019) 02 DEL CK 0094

In the Delhi High Court

Case No : Bail Application No. 185 Of 2019

Anwar Hussain

APPELLANT

Vs

State (Govt. Of Nct Delhi)

RESPONDENT

Date of Decision : 11-02-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 354A, 506, 509

Citation : (2019) 1 JCC 763

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Shamsher Ali, Mohd. Idrish, Hirein Sharma

Final Decision : Allowed

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks regular bail in FIR No.319/2018 under Section 354-A/323/509/506/34 IPC, Police Station Jaipur, Delhi. Petitioner has been in custody since 30.04.2018.

2. The allegations in the FIR are that the petitioner has misbehaved with the complainant when she had come to her mother's house. It is alleged that the petitioner had used abusive language and called her a whore and even offered her money in exchange for favour. When the mother of the complainant went to the house of the petitioner to speak to his mother about said incident, it is alleged that petitioner assaulted them with a blade and also inappropriately touched the prosecutrix.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the subject FIR is motivated and is a counter-blast to the complaint given by the petitioner against the family of the complainant. Further it is contended that as per the MLC nature of injury sustained was simple.

4. Without commenting on the merits of the case and keeping in view of the

totality of the facts and circumstances of the case and that the petitioner has been in custody for the last over nine months and the nature of injury sustained is simple, I am satisfied that petitioner has made out a case for grant of regular bail.

5. Accordingly, on petitioner furnishing a bail bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the Trial Court, petitioner shall be released on bail, if not required in any other case. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. Petitioner shall not make any endeavour to contact the prosecutrix or her family members.

6. Petition is allowed in the above terms.

7. Order Dasti under signatures of the Court Master.