

(2023) 09 DEL CK 0021
In the Delhi High Court
Case No : Bail Application No. 398 Of 2023

Ashok Garg

APPELLANT

Vs

State Of Nct Delhi

RESPONDENT

Date of Decision : 04-09-2023

Acts Referred:

Indian Penal Code, 1860 — Section 323, 341

Citation : (2023) 09 DEL CK 0021

Hon'ble Judges : Dinesh Kumar Sharma, J

Bench : Single Bench

Advocate : Deepanshu Gola, Hemant Mehla

Final Decision : Disposed Of

Judgement

Dinesh Kumar Sharma, J

1. Vide order dated 07.02.2023, the applicant was admitted to interim anticipatory bail. The order dated 07.02.2023 reads as under:

" CRL.M.A. 3188/2023 (interim application)

This is an interim application seeking anticipatory bail on behalf of the petitioner till the disposal of the present anticipatory bail application in case FIR No. 553/2021 registered under sections 323/341 IPC at PS Keshav Puram. The alleged incident is of 29.03.2021 which was on the day of Holi and the said FIR was lodged on 25.08.2021. It is a matter of record that the petitioner himself had taken the injured to the hospital. Initially, the FIR was lodged only under Sections 323/341 IPC. However, later on further sections were added.

Learned counsel for the petitioner submits that the petitioner shall cooperate and is ready and willing to join the investigation as and when directed.

Let the status report be filed.

In the meantime, if an arrest is necessitated, the petitioner be released on

interim bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the IO/SHO subject to the following conditions:

- a) the applicant shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
- b) the applicant shall not directly or indirectly contact or make any inducement, threat or promise to the victim or her family members or to the any person acquainted with the facts of the case;
- c) the applicant shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;
- d) the applicant shall drop a PIN on the Google map to ensure that his location is available to the Investigating Officer; and
- e) in case of change of residential address and/or mobile number, the applicant shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.

With the above directions, the application stands disposed of.

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List on 19.04.2023.”

2. Learned APP for the state submits that the applicant has joined the investigation and after investigation the charge sheet has been filed.

3. In these circumstances, the order dated 07.02.2023 is made absolute and the applicant is admitted to Court bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount subject to the satisfaction of the IO/SHO and subject to the same following terms and conditions :-

- a) the applicant shall appear before the Ld. Trial court as and when required;
- b) the applicant shall under no circumstances leave India without prior permission of the Court concerned;
- c) the applicant shall not directly or indirectly contact or make any inducement, threat, or, promise to the victim or the victim's family members or to any person acquainted with the facts of the case;
- d) the applicant shall provide his mobile number(s) to the Investigating Officer/ SHO and keep it operational at all times;
- e) in case of change of residential address and/or mobile number, the applicant shall intimate the same to the Investigating Officer/ Court concerned by way of affidavit.

4. In view of the above, the present petition stands disposed of.