
(2019) 01 DEL CK 0146

In the Delhi High Court

Case No : Bail Application No. 960, 1204, 1208, 1229 Of 2018

Jitender & Anr

APPELLANT

Vs

State Of Nct Of Delhi

RESPONDENT

Date of Decision : 15-01-2019

Acts Referred:

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

Citation : (2019) 01 DEL CK 0146

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Ashwini Kumar, Pawan Kumar, Garima Verma, Kusum Dhalla

Final Decision : Disposed Off

Judgement

Sanjeev Sachdeva, J

1. Petitioners seek anticipatory bail in FIR No. 93/2018 under Sections 354/354-B/323/506/509/34 of the Indian Penal Code, 1860 registered at Police Station Okhla Indl. Area.

2. Allegations in the FIR are that when the prosecutrix was in her house, she heard some people making noise outside her house and when she went out she saw that her nephew who had come to their house for celebrating Holi was being beaten by the petitioners. When she intervened, they misbehaved with her and are alleged to have torn her clothes and paraded her naked on the street.

3. Learned counsel for the petitioners submits that petitioners have been falsely implicated as there was enmity between the parties. He further submits that there is no evidence to substantiate the commission of the offence.

4. By order dated 08.05.2018 in Bail Application No. 960/2018, order dated 23.05.2018 in Bail Application No. 1204/2018 and 1208/2018 and order dated 24.05.2018 in Bail Application No. 1229/2018, the petitioners were respectively granted interim protection subject to their joining investigation.

5. Learned Addl. PP for the State submits that the petitioners did join the investigation and the investigation is now nearly complete and there is no further necessity of the petitioners to join further investigation.
6. Keeping in view the facts and circumstances of the case and without commenting on the merits of the case and also the fact that there is no requirement of the custodial interrogation of the petitioners, I am satisfied that the petitioners have made out a case for grant of anticipatory bail.
7. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioners on bail on their furnishing a bail bond in the sum of Rs. 15,000/- each with one surety each of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned.
8. It is directed that the petitioners shall not do anything that may prejudice either the trial or the prosecution witnesses. The petitioners shall not contact the prosecutrix or her family members.
9. The petitions are disposed of in the above terms.
10. Order Dasti under signatures of the Court Master.