
(2019) 05 DEL CK 0044
In the Delhi High Court
Case No : Bail Application No. 514 Of 2019

Ram	Vs	APPELLANT
State Of Nct Of Delhi		RESPONDENT

Date of Decision : 10-05-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 326

Citation : (2019) 3 JCC 1829

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Ajit Nair, Kusum Dhalla

Final Decision : Allowed

Judgement

Sanjeev Sachdeva, J

BAIL APPLN. 514/2019 & Crl.M.(Bail) 384/2019 (seeking interim bail)

1. Petitioner seeks anticipatory bail in FIR No.165 of 2018 under Sections 326/34 Indian Penal Code, 1860, P.S.Inderpuri.

2. Allegations in the FIR are that the complainant had a dispute with one Rohit. On the day of the incident, it is alleged that, the complainant was standing outside his factory. Co-accused Mukesh along with his sons Rohit and Vinay came and thereafter started assaulting him. Subsequently it is alleged that petitioner and another accused came on the spot and also assaulted him. It is alleged that the petitioner gave a glass bottle to the main accused Rohit who broke it and hit the bottle on the complainant.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated. He submits that even the main accused Rohit had applied for anticipatory bail and contended that he was not present at the spot. He further submits that even petitioner was not present on the spot but was somewhere else.

4. By order dated 27.02.2019, petitioner was granted interim protection subject to joining investigation.
5. Learned APP for the State, under instructions, from the Investigating Officer submits that petitioner has joined investigation and investigation has been completed and charge sheet is in the process of being finalised for being filed in Court and there is no further requirement of the petitioner to join investigation.
6. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that the petitioner has 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 petitioner on bail, on petitioner furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything that may prejudice the investigation, trial or prosecution witnesses.
8. Petition is allowed in the above terms.
9. Order Dasti under signatures of the Court Master.