
(2014) 12 DEL CK 0368

In the Delhi High Court

Case No : Bail Application No. 2622 of 2014

Shiva

APPELLANT

Vs

State of NCT of Delhi

RESPONDENT

Date of Decision : 16-12-2014

Acts Referred:

Penal Code, 1860 (IPC) — Section 34, 354-B, 354-D, 452, 509

Citation : (2015) 1 JCC 212

Hon'ble Judges : Pratibha Rani, J

Bench : Single Bench

Advocate : Ramesh Gupta, Sr. Advocate and Bharat Sharma, Advocates for the Appellant; Rajdipa Behura, APP for Neeraj Kumar Singh, APP and SI, Vivek Sharma, Advocates for the Respondent

Judgement

Pratibha Rani, J.—By filing the present bail application, the Petitioner is seeking anticipatory bail in case FIR No. 995/2014 under Sections 354-B/354-D/452/509/34 IPC, PS Gokal Puri, Delhi. Heard. It is informed by learned APP for the State that the Petitioner has joined the investigation.

2. The contents of the FIR reveal that the Complainant lodged the FIR in question with the allegation that the Petitioner Shiva alongwith his co-accused passed indecent comments and threatened to see her. They also entered her house and abused her. Co-accused Ravi touched her breast and second person had torn her kurti. When she raised alarm, all of them ran away. She informed her husband who advised her to inform the PCR.

3. The Complainant called the PCR. When her husband came, all the three accused persons took her husband on the pretext of talking to him but gave beating to him and levelled false allegations of breaking the chain. Her husband was also locked inside the house. Thereafter, U.P. Police was informed as that house falls within the jurisdiction of Police Post Loni. She has prayed for action against all the persons involved in the occurrence.

4. Taking into consideration the nature of accusations against the present Petitioner and that he has already joined the investigation, I am of the view that it is a fit case to grant anticipatory bail to the Petitioner. Accordingly, it is directed that in the event of arrest, the Petitioner be released on bail on his furnishing personal bond in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of IO/SHO concerned. However, the Petitioner is directed to join the investigation as and when required by the IO/SHO concerned.

5. Application stands disposed of. Any observations made hereinabove for the purpose of dealing with the contentions raised during hearing of the bail application shall not be deemed to be an expression on merits of the case.