
(2019) 03 DEL CK 0119

In the Delhi High Court

Case No : Bail Application No. 1502 Of 2018

Varsha

APPELLANT

Vs

State (N.C.T. Of Delhi)

RESPONDENT

Date of Decision : 18-03-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 354, 354(A), 379, 506

Citation : (2019) 03 DEL CK 0119

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : M.K.Perwez, Hirein Sharma

Final Decision : Allowed

Judgement

sanjeev sachdeva, j

1. Petitioner seeks anticipatory bail in FIR No. 25/2018 under Sections 354/354(A)/379/506/323/34 of the IPC, Police Station Prashant Vihar, Delhi.

2. The allegations in the FIR are that the complainant who is an Advocate had appeared before the mediation centre, representing her client, who had brought his children for the purpose of mediation. It is alleged that at the time of the mediation proceedings, the wife of her client along with her associates including the petitioner tried to snatch the children and she when tried to prevent the same, was assaulted. It is also alleged that a gold chain was snatched from her possession by the wife of her client.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and there are no allegations in the FIR qua the petitioner and she has not even been named in the FIR. Further it is contended that the gold chain, as per the averments in the FIR, was snatched by the wife of the client of the complainant.

4. By order dated 03.07.2018, petitioner was granted protection subject to

petitioner joining investigation.

5. Learned APP under instructions submits that the petitioner did join investigation, investigation is nearly complete and charge sheet is in the process of being finalised for being filed in the Court. He submits that there is further requirement of the petitioner to join investigation.

6. Without commenting on the merits of the case and keeping in view the totality of facts and circumstances, I am satisfied that petitioner has made out a case for grant of anticipatory bail. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on his 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 which may prejudice either the investigation, trial or the prosecution witnesses.

7. Petition is allowed in the above terms.

8. Order Dasti under signatures of the Court Master.