

(2018) 07 DEL CK 0531
In the Delhi High Court
Case No : BAIL APPLN. 229 OF 2018

Yash Rajput

APPELLANT

Vs

State (Govt.Of Nct Of Delhi)

RESPONDENT

Date of Decision : 30-07-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 186, 279, 323, 353
Motor Vehicles Act, 1988 — Section 185

Citation : (2018) 07 DEL CK 0531

Hon'ble Judges : SANJEEV SACHDEVA, J

Bench : Single Bench

Final Decision : Diposed Off

Judgement

SANJEEV SACHDEVA, J

1. Petitioner seeks regular bail in FIR No.717/2017 under Sections 186/353/332/279/34 IPC and Section 185 Motor Vehicles Act, Police Station

Prashant Vihar.Â Â

2. The allegations in the FIR are that the complainant, who is a constable in the Delhi Police, was on night patrolling duty.Â He found a car being

driven in a rash and negligent manner.Â He tried to stopped the vehicle, however, the driver did not stop. The vehicle was chased and thereafter was

stopped after about 100-150 meters.Â It is alleged that one of the co-accused was driving the vehicle.Â The other coaccused and the petitioner got

out of the vehicle and started abusing the constable.Â The constable was attacked with the keys of the car by a co-accused, because of which, the

constable sustained injuries.Â The only allegation against the petitioner is of having used abusive language against the constable. He is not alleged to

have been driving or attacked the constable.

3. Learned counsel for the petitioner submits that the co-accused, who is alleged to have been driving the vehicle and is alleged to have assaulted the constable, has already been admitted to the regular bail.Â

4. In this petition, by an interim order dated 29.01.2018, the petitioner was granted interim bail. The petitioner was directed to be released on interim bail, on his furnishing a bail bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial court.Â Â

5. The petitioner has already spent over 30 days of incarceration.

6. Without commenting upon the merits of the case, keeping in view the facts and circumstances of the case and on perusal of the record, I am of the view that the petitioner has made out a case for being admitted to regular bail.Â

7. Accordingly interim order dated 29.01.2018 is made absolute.Â

The petitioner is admitted to regular bail. The bail bond in the sum of Rs.25,000/- with one surety of the like amount already submitted in terms of order dated 29.01.2018, shall enure for the regular bail also. The petitioner shall not do anything, which may prejudice either the investigation or the prosecution witnesses.Â

8. The petition is disposed of in the above terms.

9. Order Dasti under the signatures of the Court Master. Â