

Satya Prakash vs.the State

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Court : Delhi

Decided On : Nov-14-2018

Appellant : Satya Prakash

Respondent : The State

Judgement :

\$~11 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:

14. 11.2018 BAIL APPLN. 2114/2018 SATYA PRAKASH versus THE STATE

... Petitioner

..... Respondent Advocates who appeared in this case: For the

... Petitioner

: For the Respondent : CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA Ms. Kusum Dhalla, APP for the State. SI Manoj Kumar, PS Neb Sarai. Mr. Rahul Malik with Mr. Rupendra Pratap Singh and Mr. Vinay Kumar, Advocates. JUDGMENT1411.2018 SANJEEV SACHDEVA, J.

(ORAL) BAIL APPLN. 2114/2018 & CrI.M.(Bail)1440/2018 (seeking interim anticipatory bail) 1.

... Petitioner

seeks anticipatory bail in FIR No.391/2018 under Sections 354/354-B/5 IPC, Police Station Neb Sarai.

2. The complainant as well as the petitioner are known to each other for the last several years. As per the allegations of the complainant, the petitioner owed money to the complainant and issued a cheque which got dishonoured. It is alleged that the petitioner had come to the shop of the brother of the complainant and started fighting BAIL APPLN. 2114/2018 Page 1 of 3 with regard to the bouncing of the cheque. Subsequent thereto, he is alleged to have misbehaved with the complainant.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that in fact the complainant along with her family had assaulted the petitioner which was captured by a CCTV camera.

4. By order dated 12.09.2018, the petitioner was directed to provide copy of the CCTV footage to the Investigating Officer and the petitioner was granted interim protection subject to joining investigation.

5. Learned APP for the State, under instructions, submits that the petitioner did join investigation. Further, it is stated in the status report that a CD of the footage was provided which shows that the petitioner was beaten and dragged by the complainant and the other persons, which, however, is a part of an entire incident.

6. Without commenting on the merits of the case and keeping in view of the nature of allegations and on perusal of the record, 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 his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of BAIL APPLN. 2114/2018 Page 2 of 3 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 or the prosecution witnesses. The Petition is disposed of in the above terms. Order Dasti

under signatures of the Court Master 8.

9. NOVEMBER14 2018 st SANJEEV SACHDEVA, J BAIL APPLN. 2114/2018
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