

Abhishek Nanda vs.state

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Court : Delhi

Decided On : Feb-01-2019

Appellant : Abhishek Nanda

Respondent : State

Judgement :

\$~7 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + BAIL APPLN.
2905/2018 Judgment delivered on:

01. 02.2019 ABHISHEK NANDA STATE versus

... Petitioner

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

... Petitioner

: Mr. Anil Sharma with Mr. Arun Baali, Advocates. For the Respondent : Mr. Hirein Sharma, APP for the State. SI Yogesh Sharma, PS Ashok Vihar. Mr. K.C. Jain with Ms. Sujata Kumari, Advocates for the complainant. CORAM:-

"HONBLE MR JUSTICE SANJEEV SACHDEVA JUDGMENT SANJEEV SACHDEVA, J.

(ORAL) 1.

... Petitioner

seeks anticipatory bail in FIR No.167/2018 under Sections 406/498-A IPC, Police Station Ashok Vihar.

2. 3. Subject dispute emanates out of a matrimonial dispute. Parties were referred to mediation by order dated 07.12.2018. Parties have settled their disputes through the process of mediation. Settlement Agreement dated 24.01.2019 has been executed and the same is placed on record. BAIL APPLN.2905/2018 Page 1 of 3 4. Parties, who are present in Court in person undertake that they shall abide by the settlement terms.

5. It is a term of settlement that the articles seized by the Police and presently lying in the Malkhana of Police Station, Ashok Vihar in the subject FIR are to be released to the complainant.

6. Learned counsel for the petitioner submits that he has no objection to the articles being returned to the complainant.

7. It is also a term agreed that the passport of the petitioner, which has been seized and deposited with the Investigation Officer, be released to the petitioner.

8. Learned counsel for the respondent, under instructions, submits that he has no objection to the passport being released.

9. In view of the above, the items of the complainant lying in the Malkhana of Police Station Ashok Vihar be released to the complainant and the Investigation Officer shall release the passport to the petitioner after complying the requisite formalities.

10. It has also been agreed between the parties that in case the petitioner failed to abide by the settlement terms, the respondent shall be entitled to seek cancellation of bail being granted to the petitioner.

11. Respondent, who is present in Court in person, also submits that in case there is any requirement of the respondent to appear BAIL APPLN.2905/2018 Page 2 of 3 before the ICICI Bank for defreezing of the joint locker, she shall appear before the concerned Officer of the Bank.

12. Without commenting on the merits of the case and keeping in view of the fact that the parties have settled their disputes, I am of the view that the petitioner has made out a case for grant of anticipatory bail.

13. 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. 10,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned.

14. The petition is allowed in the above terms.

15. Order Dasti under signatures of the Court Master. FEBRUARY01 2019 st
SANJEEV SACHDEVA, J BAIL APPLN.2905/2018 Page 3 of 3

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