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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2820/2018**

SMT RAGINI

..... Petitioner

Through: Mr.Raj Kumar Singh, Adv.

versus

STATE

..... Respondent

Through: Mr.Amit Chadha, APP with ASI Amit
Maan, PS Burari.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.11.2018

1. Vide the present petition under Section 438 Cr.P.C. the petitioner seeks anticipatory bail.
2. Learned counsel for the petitioner submits that the petitioner's husband, namely Shri Jaswant is the lawful owner of the built up property bearing Khasra No.99/22 situated in Village Burari Abadi known as West Kamal Vihar, Delhi-110084. He submits that the said property has been rightfully purchased by the petitioner's husband after paying due consideration to the erstwhile owner. However, one Sachin Gupta wanted to grab the said property and therefore he along with his accomplices came to the property site which is located near the petitioner's house and entered into a scuffle with the petitioner's husband. A complaint was thereafter lodged at the behest of Mr.Sachin Gupta leading to registration of an FIR against the

petitioner and her husband besides one Shiv Kumar.

3. Learned counsel for the petitioner further submits that the petitioner's husband has already surrendered before the Court and has been in judicial custody for almost one month. He submits that the petitioner has three young children and there is no other family member to take care of them.

4. A perusal of the FIR shows that the petitioner is named along with her husband in the FIR and no specific role has been attributed to her except saying that she along with her husband and one Sunil gave injury with a pointed object.

5. On the other hand, Mr.Chadha, learned APP opposes the petition and contends that it is the petitioner who had given a screwdriver which is alleged to have caused injuries to the complainant and his associates. He submits that the said screwdriver has been used to cause injuries to one Shri Shiv Kumar who remained in hospital for a long time. He therefore, prays that the petitioner's application be rejected.

6. Having considered the submissions of the learned counsel for the parties and perused the record and without commenting on the merits of the case, I am of the view that the petitioner has made out a case for being granted anticipatory bail.

7. Accordingly, it is directed that in the event of arrest, the petitioner will be released on anticipatory bail, subject to her furnishing a personal bond in the sum of Rs.25,000/- with a surety of the like amount to the satisfaction of the Investigating Officer. The petitioner will not leave the NCR without the prior permission of this

Court and will not try to contact any of the witnesses or hamper the investigation in any manner.

8. Needless to state that the observations made herein above are only *prima facie* and will not have a bearing on the trial.

9. The application is disposed of.

REKHA PALLI, J

NOVEMBER 30, 2018

gm