

# Mohd. Arbaz Khan vs State (Nct Of Delhi) on 1 July, 2020

**Author: Manoj Kumar Ohri**

**Bench: Manoj Kumar Ohri**

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\*IN THE HIGH COURT OF DELHI AT NEW DELHI

+ BAIL APPLN. 1492/2020

MOHD. ARBAZ KHAN

Through:

..... Petitioner  
Mr.Vikas Arora and Ms.Radhika  
Arora, Advocates.

versus

STATE (NCT OF DELHI)

Through:

..... Respondent  
Mr.Saleem Ahmed, SPP with  
Ms.Radhika Kolluru, APP for State.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

% 01.07.2020 CRL.M.A.Nos.8493 - 8494/2020 (Exemption)

1. Exemption is allowed, subject to the condition that the petitioner will file the duly sworn/attested affidavit, requisite court fee and the certified copies of the annexures within 72 hours from the date of resumption of the regular functioning of this Court.

2. Applications stand disposed of.

1. The present bail application has been filed under Section 438 Cr.P.C. on behalf of the petitioner seeking anticipatory bail in FIR No.94/2020, registered under Sections 147/148/149/324/307 IPC at Police Station New Usmanpur, Delhi.

2. Learned counsel for the petitioner submits that the petitioner was a minor on the date of the incident being 17 years and 10 months old, his date of birth being 24.02.2002 whereas the date of the incident is 25.02.2020. He further submits that the petitioner is ready and willing to join the investigation as and when directed to do so by the Investigating Officer.

3. Issue notice. Mr.Saleem Ahmed, learned SPP alongwith Ms.Radhika Kolluru, learned APP for the State, accept notice and seek time to file a status report. It is submitted on behalf of the State that initially a notice under Section 160 Cr.P.C. was issued to the petitioner. Mr. Saleem Ahmed, on instructions, submits that the factum of the petitioner being a minor on the date of the incident, has been verified by the police.

4. Re-notify on 10.08.2020. In the meantime, the petitioner is directed to join investigation on 05.07.2020 at 4 p.m.
5. Subject to the petitioner's joining investigation on the aforesaid date and time, it is directed that no coercive steps be taken against him till the next date of hearing.
6. Status report, if any, be filed by the State before the next date of hearing.

MANOJ KUMAR OHRI, J JULY 01, 2020 'dc'