

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

+ BAIL APPLN. 2093/2008

SUNIL GULIA & ANR. Petitioner
Through Mr. M.K. Vashisht, Adv.

versus

STATE Respondent
Through Mr. Lovkesh Sawhney, APP
Mr. S.S. Lingwal, Adv. for
complainant.
Complainant in person
SI D.K. Singh

CORAM:
HON'BLE MS. JUSTICE ARUNA SURESH

% **ORDER**
23.10.2008

Petitioners are involved for having committed offences 308/352/34 IPC. Petitioner Sunil Gulia is an outsider whereas petitioner Deepak Dahiya is a student of B.A. (Hindi) (Hons.) II Year in Ramjas College, University Enclave, Delhi. On 21.8.2008 both the petitioners allegedly entered into the room of the complainant Sh. Anupam Aditya, another student of the college, Deepak Dahiya caught hold of him whereas Sunil Gulia assaulted the complainant on the back side of his head with a rod. After assaulting the complainant both of them fled away on raising an alarm by Om Prakash. Both the accused persons were arrested and the rod used in assaulting the complainant has also been recovered at the instance of Deepak

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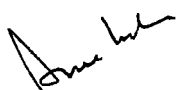
Dahiya. This was not the first incident of its kind. Accused Sunil Gulia whose entry is banned in the college since 2007 has been forcibly entering in the college. He and Deepak Dahiya have been found drinking in the college premises at 4.00 PM on 17.7.2008. Besides these two persons other students were also found indulging into the same activities whose names appear in the letter written by the Principal, Ramjas College to SHO, Maurice Nagar.

Both the petitioners were previously involved in FIR No. 3/2008 for offences under Sections 323/341/34 IPC, Police Station Kharkhoda, District Sonapat. Both of them are also involved in D.D. No. 21 B dated 9.1.2008 for breach of public peace and tranquility under Sections 107/150 Cr.P.C. On 17.7.2008 both the petitioners were booked under Section 68 of the Excise Act vide FIR No. 101/2008. Petitioner Sunil Gulia is also involved for offence under Sections 107/150 Cr.P.C. vide D.D. No. 52 B dated 20.2.2007 and both of them were arrested in the present case. Past history of the petitioners clearly indicate that they are in the habit of picking up quarrels with the other students. They disobey the orders issued by the principal of the college and are indulged into drinking and may be selling liquor. All these cases have been registered in a short span of eight months. They have misused the bail as and when they were released by the court in the other cases and therefore, there is likelihood of their misusing bail, if granted, and also there is every possibility of their

influencing the complainant and other witnesses which is evident from the fact that the complainant was also made to attend the proceedings today in the Court to support the bail application. Young students cannot be permitted to violate the disciplining norms of the college, force the students to indulge in the bad habits; threaten them or physically beat them if they do not act to their dictates.

Under the circumstances, I find no merits in the bail application and the same is accordingly dismissed.

OCTOBER 23, 2008
jk


ARUNA SURESH, J.