

AFR

Neutral Citation No. - 2023:AHC:213038

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 42050 of 2023

Applicant :- Angad Rai Alias Jhullan Rai

Opposite Party :- State of U.P.

Counsel for Applicant :- Shashi Bhushan Kunwar, Pradeep Kumar Rai

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard Sri Kamal Kishore, Senior Advocate assisted by Sri Shashi Bhushan Kumar and Pradeep Kumar Rai, the counsel for the applicant and Sri P. C. Srivastava, Additional Advocate General assisted by Sri Arvind Kumar, Additional Government Advocate.
2. The present bail application has been filed seeking enlargement of bail of the applicant in FIR No.0314 of 2023 instituted against the applicant under section 3(1) of the U.P. Gangsters and Antisocial Activities (Prevention) Act, 1986 Police Station Kotwali, District Ghazipur hereinafter referred to as 'Gangster Act'.
3. The averments, in brief, are that the applicant was being tried for an offence under section 386 IPC vide case crime no.111 of 2023, P.S. Kotwali, District Ghazipur. The applicant applied for bail in the said case and was enlarged on bail vide order dated 26.05.2023, contained in Annexure no.3. Subsequently, according to the counsel for the applicant, with a view to frustrate the enlargement on bail, the offence under section 3(1) of the Gangster Act was imposed against the applicant vide case crime no.314 of 2023.
4. The contention of the counsel for the applicant is that in the Gang Chart prepared and filed on record as Annexure no.2, it was stated that the applicant being the gang member of the Gang Leader

Mukhtar Ansari was involved in criminal offences, which has led to fear in general public and because of the applicant causing such criminal acts, the 'public order' was adversely affected and there was a fear amongst the people. It was also recorded that on account of the said fear, no one was ready and willing to give evidence. In the gang chart which was prepared in pursuance to the rules framed under the Act, it was stated that on 03.03.2023, an information was received that in a case being tried against the applicant as Case No.2 of 2020 arising out of crime no.1202 of 2009, date 14.03.2023 was fixed for evidence and on account of trying to influence the witnesses in the said case, on 28.02.2023 at about 3:30 pm, the elder brother of the applicant along with certain other persons threatened the witnesses not to give any evidence and a demand of Rs.5,00,000/- (Five Lacs) was also made from the said witness, failing which it was threatened that the children of the witness shall be eliminated. Based upon the said incident, a view was formed that the entire gang indulged in threatening the people. Based upon the said view, the Gang Chart was prepared on 26.06.2023 in terms of the Rule 18 of the Rules framed under the Gangsters Act and the FIR in question was registered against the applicant and two other persons for trying the applicant for an offence under section 3(1) of the U.P. Gangster Act.

5. The contention of counsel for the applicant is that with regard to alleged threat issued to the alleged witnesses for not deposing in the case against the applicant, the applicant had applied for bail and was granted bail by the Trial Court vide order dated 26.05.2023 which bail order has not been challenged by the State and no application has been moved for cancellation of the bail. If

the material as indicated in the Gang Chart was present, it was incumbent upon the State to have taken the steps for cancellation of the bail, which were not taken for the reasons best known to the State. He argues that despite not filing any bail cancellation application, the State chose to avoid release of the applicant in the said case, which is primarily a misuse of the power conferred upon the State. He argues that subsequent to the lodging of the FIR in question, the said witness to whom allegedly threats were issued has also deposed and the said case has reached the stage of Section 313 Cr.P.C. In the light of the said, he argues that the applicant should be enlarged on bail.

6. Learned Additional Advocate General, on the other hand, has strongly opposed the bail application by arguing that in terms of the provisions contained in the U.P. Gangster Act, the State is duly empowered to take steps for punishing a Gangster in terms of Section 3 of the Gangster Act. He argues that the word 'Gangster' has been defined under section 2(c) of the said Act, which is as under :

Section 2(c) : "gangster" means a member or leader, or organizer of a gang and includes any person who abets or assists in the activities of a gang enumerated in clause (b), whether before or after the commission of such activities or harbours any person who has indulged in such activities."

7. He further argues that the word 'gang' has further been defined under section 2(b) of the said Act which is as under :

Section 2(b) "Gang" means a group of persons, who acting either singly or collectively, by violence, or threat or show of violence, or intimidation, or coercion or otherwise with the object of disturbing public order or of gaining any undue temporal, pecuniary, material

or other advantage for himself or any other person, indulge in anti-social activities, namely-

(i) offences punishable under Chapter XVI or Chapter XVII or Chapter XXII of the Indian Penal Code (Act No. 45 of 1860), or

(ii) distilling or manufacturing or storing or transporting or importing or exporting or selling or distributing any liquor, or intoxicating or dangerous drugs, or other intoxicants or narcotics or cultivating any plant, in contravention of any of the provisions of the U.P. Excise Act, 1910 (U.P. Act No. 4 of 1910), or the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act No. 61 of 1985), or any other law for the time being in force, or

(iii) occupying or taking possession of immovable property otherwise than in accordance with law, or setting-up false claims for title or possession of immovable property whether in himself or any other person, or

(iv) preventing or attempting to prevent any public servant or any witness from discharging his lawful duties, or

(v) offences punishable under the Suppression of Immoral Traffic in Women and Girls Act, 1956 (Act No. 104 of 1956), or

(vi) offences punishable under Section 3 of the Public Gambling Act, 1867 (Act No. 3 of 1867), or

(vii) preventing any person from offering bids in auction lawfully conducted, or tender, lawfully invited, by or on behalf of any Government department, local body or public or private undertaking, for any lease or rights or supply of goods or work to be done, or

(viii) preventing or disturbing the smooth running by any person of his lawful business, profession, trade or employment or any other lawful activity connected therewith, or

(ix) offences punishable under Section 171-E of the Indian Penal Code (Act No. 45 of 1860), or in preventing or obstructing any public election being

lawfully held, by physically preventing the voter from exercising his electoral rights, or

(x) inciting others to resort to violence to disturb communal harmony, or

(xi) creating panic, alarm or terror in public, or

(xii) terrorising or assaulting employees or owners or occupiers of public or private undertakings or factories and causing mischief in respect of their properties, or

(xiii) inducing or attempting to induce any person to go to foreign countries on false representation that any employment, trade or profession shall be provided to him in such foreign country, or

(xiv) kidnapping or abducting any person with intent to extort ransom, or

(xv) diverting or otherwise preventing any aircraft or public transport vehicle from following its scheduled course;

(xvi) offences punishable under the Regulation of Money Lending Act, 1976;

(xvii) illegally transporting and/or smuggling of cattle and indulging in acts in contravention of the provisions in the Prevention of Cow Slaughter Act, 1955 and the Prevention of Cruelty to Animals Act, 1960;

(xviii) human trafficking for purposes of commercial exploitation, bonded labour, child labour, sexual exploitation, organ removing and trafficking, beggary and the like activities.

(xix) offences punishable under the Unlawful Activities (Prevention) Act, 1966:

(xx) printing, transporting and circulating of fake Indian currency notes;

(xxi) involving in production, sale and distribution of spurious drugs;

(xxii) involving in manufacture, sale and transportation of arms and ammunition in

contravention of Sections 5, 7 and 12 of the Arms Act, 1959;

(xxiii) felling or killing for economic gains, smuggling of products in contravention of the Indian Forest Act, 1927 and Wildlife Protection Act, 1972;

(xxiv) offences punishable under the Entertainment and Betting Tax Act, 1979;

(xv) indulging in crimes that impact security of State, public order and even tempo of life.”

8. He, thus, argues that in terms of definition of ‘gang’ as contained under section 2(b)(iv), the activities as done by the applicant would fall within the definition of ‘gang’ and thus the applicant was rightly being tried under the offence in question. He further argues and draws my attention to the mandate of section 19(4) of the U.P. Gangsters Act to argue that in addition to the general provisions of grant of bail as specified under the Cr.P.C. the mandate cast by Section 19(4) are to be followed and the power of grant of bail stands circumscribed to the extent as indicated in sub-section (4) of section 19 of the Act. Section 19(4) is quoted hereinbelow :

19. Modified application of certain provisions of the Code. -

(1)

(2).

(3)

(4) Notwithstanding anything contained in the Code, no person accused of an offence punishable under this Act or any rule made thereunder shall, if in custody, be released on bail or on his own bond unless :

(a) the Public Prosecutor has been given an opportunity to oppose the application for such release, and

*(b) where the Public Prosecutor opposes the application, **the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.***

9. In view of the submissions of the parties as recorded hereinabove, this Court is to decide as to whether on the basis of the materials produced, the applicant is entitled to be enlarged on bail or not?
10. To appreciate the arguments raised at the bar, it is essential to note that Section 3 of the 'Act' provides for penalty to a person who commits an offence as a gangster and the punishment prescribed is for a period of two years which can be extended up to ten years and also with a fine which shall not be less than rupees five thousand. As the 'Gangster Act' is a special Act which creates rigorous conditions, particularly in terms of grant of bail as specified in section 19(4) of the Act, is to be interpreted more strictly as it is fairly well settled that stricter the provisions contained in a penal statute, the stricter has to be interpretation.
11. Section 2(b) of the Act, which defines 'gang' upon a plain reading means that the 'gang' has to be a

group of person who act either singly or collectively and use violence, threat or show of violence, or intimidation or coercion or otherwise,

with

the object of disturbing public order

or of gaining any undue temporal, pecuniary, material or other advantage for himself or any other person.
12. Thus, to include a person within the definition of 'gang', it is incumbent that there should be material to demonstrate that a

group of persons are acting either singly or collectively; they are using violence or threat. The most essential aspect is that the object should be to disturb the public order or for gaining any undue temporal pecuniary material or advantage for himself.

13. In the scheme of the Act adequate safeguards are inbuilt and provide for certain tests to be cleared before launching prosecution under the Act. One of the safeguards provided is in the relevant rules providing for the manner of preparation of gang-chart, which, in the present case has been prepared and is on record as Annexure no.2.
14. To appreciate the scheme of Rules, it is essential to refer to the Rules 5, 6, 7, 8, 9, 10, 11 and 12 provide for the steps which are necessarily to be taken before initiating prosecution under the Act and have to include an abstract in terms of Rule 13 which prescribes as under :

13. Specific statement of offences committed for economic, material and temporal or similar other benefits - While writing the abstract below the gang-chart and particulars separately with the gang-chart, the particulars of those offences shall be specifically mentioned:

(i) which have been committed for pecuniary, materialistic and temporal or similar benefits; or

(ii) which disturb the public order, or

(iii). Which are a ground for detention under the National Security Act, 1980

Rule 15 specifically prohibits the arbitrary selection against any gang member, the same is reproduced as under :

15. Arbitrary selection of gang/member of gang prohibited.-

- (1) There should not be a situation of arbitrary selection against any gang under this Act.*
- (2) If action is not to be taken against any member of a gang who has committed a criminal act in association with the said gang, then in such a case clear and reasonable grounds for not mentioning his name in the gang and gang-chart shall be recorded with reasons and evidences.*
- (3).The final decision as to whether to include or not to include the name of member of a gang in the gang and gang-chart shall be at the discretion of the Commissioner of Police/District Magistrate.*

15. It is essential to also note the mandate of Rule 17 which prescribes that the competent authority is bound to exercise its own independent mind while forwarding the gang chart. The format of gang chart is prescribed in Rule 18.
16. In the present case, as per the gang chart, which led to the lodging of the first information report, it has been mentioned that because of the alleged acts committed by the applicant, there was a disturbance of public order (traceable to requirement prescribed under Rule 13(ii)). The chart was prepared on 26.06.2023, however, in the entire chart, there is no mention of the bail order passed in favour of the applicant on 26.05.2023, thus, the gang chart prepared prima facie suffers from non-application of mind as the same is without considering the material documents which was the bail order dated 26.05.2023.
17. In any event, the forming of the view that on account of alleged threat issued by the applicant to the witness, there was a fear and disturbance of 'public order', prima-facie is not justified, if the court is to interpret the meaning of the phrase 'public order' as used under section 2(b) of the U.P. Gangster Act. Although, the

word ‘public order’ has not been defined under the Act or the Rules framed thereunder, the use of word ‘public order’ has to be interpreted in the light of the mandate cast by Article 21 and Article 19 (2) of the Constitution of India.

18. The phrase ‘public order’ came up for consideration before the Supreme Court in the case of **Banka Sneha Sheela vs. State of Telangana and others; (2021) 9 SCC 415** wherein the Supreme Court had the occasion to consider the distinction between ‘law and order’ and ‘public order’ and ‘security of State’. Although the Supreme Court had rendered the judgment in the context of a law prescribed for preventive detention, the basis would equally apply to penal statutes like the cases under the Gangsters Act. The Supreme Court dealt with the difference in between the three, i.e. ‘law and order’, ‘public order’ and ‘security of State’. The relevant paragraph of the judgment are quoted as under :

“13. As is well-known, the expressions “law and order”, “public order”, and “security of State” are different from one another. In Ram Manohar Lohia v. State of Bihar [Ram Manohar Lohia v. State of Bihar, (1966) 1 SCR 709 : AIR 1966 SC 740 : 1966 Cri LJ 608] the question before this Court arose under a preventive detention order made under Rule 30 of the Defence of India Rules, which permits apprehension and detention of a person likely to act in a manner prejudicial to the maintenance of public order. This Court set out the distinction between a mere law and order disturbance and a public order disturbance as follows : (SCR pp. 738-39 & 745-46 : AIR pp. 755 & 758-59, paras 42 & 51-52)

“42. The Defence of India Act and the Rules speak of the conditions under which preventive detention under the Act can be ordered. In its long title and the preamble the Defence of India Act speaks of the necessity to provide for special measures to ensure public safety and interest, the defence of

India and civil defence. The expression “public safety” and interest between them indicate the range of action for maintaining security, peace and tranquillity of India whereas the expressions “defence of India” and “civil defence” connote defence of India and its people against aggression from outside and action of persons within the country. These generic terms were used because the Act seeks to provide for a congeries of action of which preventive detention is just a small part. In conferring power to make rules, Section 3 of the Defence of India Act enlarges upon the terms of the preamble by specification of details. It speaks of defence of India and civil defence and public safety without change but it expands the idea of public interest into maintenance of public order, the efficient conduct of military operations and maintaining of supplies and services essential to the life of the community. Then it mentions by way of illustration in clause (15) of the same section the power of apprehension and detention in custody of any person whom the authority empowered by the rules to apprehend or detain (the authority empowered to detain not being lower in rank than that of a District Magistrate), suspects, on grounds appearing to that authority to be reasonable—

- (a) of being of hostile origin; or*
- (b) of having acted, acting or being about to act or being likely to act in a manner prejudicial to—*
 - (i) the defence of India and civil defence;*
 - (ii) the security of the State;*
 - (iii) the public safety or interest;*
 - (iv) the maintenance of public order;*
 - (v) India's relations with foreign States;*
 - (vi) the maintenance of peaceful conditions in any part or area of India;*
 - or*
 - (vii) the efficient conduct of military operations.*

It will thus appear that security of the State, public safety or interest, maintenance of public order and the maintenance of peaceful conditions in any part or area of India may be viewed separately even though strictly one clause may have an effect or bearing on another. Then follows Rule 30, which repeats the above conditions and permits detention of any person with a view to preventing him from acting in any of the above ways. The argument of Dr Lohia that the conditions are to be cumulatively applied is clearly untenable. It is not necessary to analyse Rule 30 which we quoted earlier and which follows the scheme of Section 3(15). The question is whether by taking power to prevent Dr Lohia from acting to the prejudice of "law and order" as against "public order" the District Magistrate went outside his powers.

*51. We have here a case of detention under Rule 30 of the Defence of India Rules which permits apprehension and detention of a person likely to act in a manner prejudicial to the maintenance of public order. It follows that if such a person is not detained public disorder is the apprehended result. Disorder is no doubt prevented by the maintenance of law and order also but disorder is a broad spectrum which includes at one end small disturbances and at the other the most serious and cataclysmic happenings. **Does the expression "public order" take in every kind of disorders or only some of them? The answer to this serves to distinguish "public order" from "law and order" because the latter undoubtedly takes in all of them. Public order if disturbed, must lead to public disorder. Every breach of the peace does not lead to public disorder. When two drunkards quarrel and fight there is disorder but not public disorder. They can be dealt with under the powers to maintain law and order but cannot be detained on the ground that they were disturbing public order. Suppose that the two fighters were of rival communities and one of them tried to raise communal passions. The problem is still one of***

law and order but it raises the apprehension of public disorder. Other examples can be imagined. The contravention of law always affects order but before it can be said to affect public order, it must affect the community or the public at large. A mere disturbance of law and order leading to disorder is thus not necessarily sufficient for action under the Defence of India Act but disturbances which subvert the public order are. A District Magistrate is entitled to take action under Rule 30(1)(b) to prevent subversion of public order but not in aid of maintenance of law and order under ordinary circumstances.

52. It will thus appear that just as “public order” in the rulings of this Court (earlier cited) was said to comprehend disorders of less gravity than those affecting “security of State”, “law and order” also comprehends disorders of less gravity than those affecting “public order”. One has to imagine three concentric circles. Law and order represents the largest circle within which is the next circle representing public order and the smallest circle represents security of State. It is then easy to see that an act may affect law and order but not public order just as an act may affect public order but not security of the State. By using the expression “maintenance of law and order” the District Magistrate was widening his own field of action and was adding a clause to the Defence of India Rules.

14. There can be no doubt that for “public order” to be disturbed, there must in turn be public disorder. Mere contravention of law such as indulging in cheating or criminal breach of trust certainly affects “law and order” but before it can be said to affect “public order”, it must affect the community or the public at large.

15. There can be no doubt that what is alleged in the five FIRs pertain to the realm of “law and order” in that various acts of cheating are ascribed to the detenu

which are punishable under the three sections of the Penal Code set out in the five FIRs. A close reading of the detention order would make it clear that the reason for the said order is not any apprehension of widespread public harm, danger or alarm but is only because the detenu was successful in obtaining anticipatory bail/bail from the courts in each of the five FIRs. If a person is granted anticipatory bail/bail wrongly, there are well-known remedies in the ordinary law to take care of the situation. The State can always appeal against the bail order granted and/or apply for cancellation of bail. The mere successful obtaining of anticipatory bail/bail orders being the real ground for detaining the detenu, there can be no doubt that the harm, danger or alarm or feeling of insecurity among the general public spoken of in Section 2(a) of the Telangana Prevention of Dangerous Activities Act is make-believe and totally absent in the facts of the present case.

19. To tear these observations out of context would be fraught with great danger when it comes to the liberty of a citizen under Article 21 of the Constitution of India. The reason for not adopting a narrow meaning of “public order” in that case was because of the expression “in the interests of” which occurs in Articles 19(2) to 19(4) and which is pressed into service only when a law is challenged as being unconstitutional for being violative of Article 19 of the Constitution. When a person is preventively detained, it is Articles 21 and 22 that are attracted and not Article 19. Further, preventive detention must fall within the four corners of Article 21 read with Article 22 and the statute in question. To therefore argue that a liberal meaning must be given to the expression “public order” in the context of a preventive detention statute is wholly inapposite and incorrect. On the contrary, considering that preventive detention is a necessary evil only to prevent public disorder, the Court must ensure that the facts brought before it directly and inevitably lead to a harm, danger or alarm or feeling of insecurity among the general public or any section thereof at large.”

19. In the context of the said judgment, if the averments made in the gang chart as well as in the first information report are treated to be gospel truth for the sake of arguments, the same would at best fall within the definition of 'law and order problem' and not 'public disorder', thus, prima-facie, the allegations, the materials contained in the gang chart and the information recorded in the first information report, prima facie cannot include the offence to fall under section 2(b) of the Act.
20. To deal with the second argument of the learned AGA with regard to circumscription of the power of grant of bail, by virtue of Section 19(4) of the Act, the same places restriction on this court to grant bail unless the public prosecutor has been heard, which stands satisfied in the present case. The other two twin conditions prescribed in section 19(4) (b) of the Act has to be satisfied that there are 'reasonable ground' for believing that the applicant is not guilty of such offence and that he is not likely to commit any offence while on bail. A similar phrase containing a similar restriction with regard to manner in which, the reasonable belief has to be formed by the Court used similarly in the context of NDPS Act, came up for interpretation before the Hon'ble Apex Court in the case of *Mohd Muslim @ Hussain v. State (NCT of Delhi)*; 2023 LiveLaw (SC) 260 wherein the Supreme Court while interpreting the said phrase recorded as under :

"18. The conditions which courts have to be cognizant of are that there are reasonable grounds for believing that the accused is "not guilty of such offence" and that he is not likely to commit any offence while on bail. What is meant by "not guilty" when all the evidence is not before the court? It can only be a prima facie determination. That places the court's discretion within a very narrow margin.

*Given the mandate of the general law on bails (Sections 436, 437 and 439, CrPC) which classify offences based on their gravity, and instruct that certain serious crimes have to be dealt with differently while considering bail applications, the additional condition that the court should be satisfied that the accused (who is in law presumed to be innocent) is not guilty, has to be interpreted reasonably. Further the classification of offences under Special Acts (NDPS Act, etc.), which apply over and above the ordinary bail conditions required to be assessed by courts, require that the court records its satisfaction that the accused might not be guilty of the offence and that upon release, they are not likely to commit any offence. These two conditions have the effect of overshadowing other conditions. In cases where bail is sought, the court assesses the material on record such as the nature of the offence, likelihood of the accused co-operating with the investigation, not fleeing from justice: even in serious offences like murder, kidnapping, rape, etc. **On the other hand, the court in these cases under such special Acts, have to address itself principally on two facts: likely guilt of the accused and the likelihood of them not committing any offence upon release. This court has generally upheld such conditions on the ground that liberty of such citizens have to - in cases when accused of offences enacted under special laws – be balanced against the public interest.***

- 19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. **Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in***

complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20. The standard to be considered therefore, is one, where the court would look at the material in a broad manner, and reasonably see whether the accused's guilt may be proved. The judgments of this court have, therefore, emphasized that the satisfaction which courts are expected to record, i.e., that the accused may not be guilty, is only prima facie, based on a reasonable reading, which does not call for meticulous examination of the materials collected during investigation (as held in Union of India vs. Ratan Malik). Grant of bail on ground of undue delay in trial, cannot be said to be fettered by Section 37 of the Act, given the imperative of Section 436A which is applicable to offences under the NDPS Act too (ref. Satender Kumar Antil supra). Having 19 (2009) 2 SCC 624 regard to these factors the court is of the opinion that in the facts of this case, the appellant deserves to be enlarged on bail. "

21. In view of the law as explained and a provision which is similar to the one used in section 19(4)(b), the interpretation given by the Supreme Court in the case of ***Mohd Muslim @ Hussain (supra)*** would squarely apply to the cases emanating from the U.P. Gangsters Act. Thus, on the basis of the said interpretation, this court can form a view that the applicant may not be prosecuted for the offence on the basis of the material particularly when the material to form a view that there was a disturbance of 'public order' is missing. In view thereof, the first of the twin conditions stands satisfied.
22. As regards the second of the twin conditions, there is no material on record to suggest that the applicant is wanted in any case of a similar nature where he has threatened the accused, thus, in view of the law laid down in the case of ***Ranjitsingh Brahmajeetsing***

Sharma vs. State of Maharashtra, (2005) 5 SCC 294, this court can form a view that the accused, if enlarged on bail, would not indulge in a similar offence.

23. On the basis of the interpretation and the findings recorded above, the applicant is entitled for the bail. Thus, the bail application is allowed.
24. Let the applicant **Angad Rai Alias Jhullan Rai** be released on bail in aforesaid first information report number subject to his furnishing a personal bond and two reliable sureties each of the like amount to the satisfaction of the court concerned with the following conditions:
- (a) The applicant shall execute a bond to undertake to attend the hearings;
 - (b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and
 - (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Dated : 03.11.2023

VNP/-

[Pankaj Bhatia, J]