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

+ **W.P.(CRL) 149/2015**

JAGMOHAN @ MOHAR SINGH

..... Petitioner

Through: Mr.Rajesh Anand, Mr.Aman Gaur
and Mr.Pawan Yadav, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, A.S.C. for the State
with Mr.Siddarth Sindhu, Advocate
with SI Ajay Singh, PS Darya Ganj.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.05.2016

1. The petitioner has invoked the writ jurisdiction of this Court with the following Prayer:-

“Delete the name of the petitioner from the list of bad characters as well as from the surveillance register of P.S. Daryaganj and also remove the name from the history sheet.”

2. Learned counsel for the petitioner submits that the act of keeping his name in the surveillance register and the list of bad characters of PS Daryaganj violates the fundamental rights of the petitioner. He submits that the petitioner has devoted his life for the upliftment and betterment of the Dalit community in Delhi but has attracted the unsavoury attention of some elements to thwart his noble endeavours. He has been implicated in numerous criminal cases one after the other and he has spent over two

decades defending himself and clearing his name. He has spent a decade behind bars due to false and vexatious cases against him.

3. Learned counsel for the petitioner prays that his name be deleted from the list of bad characters as well as from the surveillance register of PS Daryaganj and also remove his name from the history sheet.

4. Status report has been filed by the State to the effect that the name of the petitioner Jagmohan @ Mohar Singh was entered in Part-II of Register No. 10 and he was made BC of Bundle A of the Police Station Darya Ganj and since then his activities have been kept under surveillance. He was involved in following 20 criminal cases during the period 1994 to 2014:-

S.No.	FIR No.	Under Section	Police Station
1.	64/1994	452/506/323/34 IPC	Darya Ganj
2.	215/1995	506/34 IPC	Darya Ganj
3.	435/1995	324/34 IPC	Darya Ganj
4.	350/1996	506 ICP	Shakar Pur
5.	853/1996	307/302 IPC	Kotwali
6.	417/1996	392 PC	Vasant Kunj
7.	366/1998	302/120B IPC	Darya Ganj
8.	30/1998	506/323/34 IPC	Subzi Mandi
9.	DD No. 26A dtd. 27.01.2000	110(G) Cr.P.C	Darya Ganj
10.	DD No. 16A Dt. 28.01.2000	107/150 Cr.P.C.	Darya Ganj
11.	Dd No. 32A Dt 05.08.2000	110(G) Cr.P.C.	Darya Ganj
12.	428/2000	491(7)-51, 50,(1) Wild Life Act 1972	Darya Ganj
13.	539/2001	25 Arms Act	IP Estate
14.	DD No. 32A Dt. 23.04.2003	107/151 Cr.P.C.	Darya Ganj
15.	Dd No. 31A Dt. 25.10.2004	107/151 Cr.P.C.	Darya Ganj

16.	521/2005	186/353/411 IPC and 25 Arms Act and 3(2)/ 23(4) MOCACA Act.	Connaught Place
17.	335/2014	3 DPDP Act	Darya Ganj
18.	336/2014	186/332/353/34 IPC	Darya Ganj
19.	1059/2014	448/453/380/34 IPC	Shakarpur
20.	1064/2014	341/448/453/506/34 IPC	Shakarpur

5. Out of the above mentioned 20 criminal cases, in which the petitioner was involved, following four cases are pending trial/investigation:-

S.No.	Case No.	Under Section	Status
1.	FIR No. 335/2014, PS Darya Gang	3 DPDP Act	Pending trial
2.	FIR No. 336/2014, PS Darya Ganj	186/332/353/34 IPC	Pending investigation.
3.	FIR No. 1059/2014, PS Shakur Pur	448/453/380/34 IPC	Pending investigation.
4.	FIR No. 1064/2014, PS Shakur Pur	341/448/453/506/34 IPC	Pending investigation.

6. In the status report, it is also mentioned that activities of the petitioner are being kept under surveillance as the applicant has been continuously involved in criminal cases. Even four brothers of the petitioner namely Brij Mohan, Khoob Singh, Sher Singh and Jai Chand are also active BCs of Bundle-A of PS Darya Ganj. As per the status report, the petitioner is involved in many criminal cases. Three criminal cases out of 20 cases are pending investigation and one case is under trial. Hence keeping in view the cases pending trial, it is not possible to remove his name from the surveillance register. However, only movement/activities of the petitioner are being kept under surveillance without any personal interference.

7. Keeping in view the list of the cases in which petitioner had been

involved which includes the cases in which he has been acquitted as well pending trial/investigation shows that he is a habitual offender. In such circumstances merely because in some cases he has been acquitted cannot be made a ground to grant the prayer made in the writ petition, especially when FIRs have been registered against the present petitioner in the year 2014.

8. The writ petition stands dismissed.

PRATIBHA RANI, J.

MAY 09, 2016
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