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

+ BAIL APPLN. 928/2016 & CrI.M.A. No.7492/2016

KARAN @ DHARAMJEET

..... Petitioner

Through: Mr.Shree Nivas Sharma and Mr.S.K.
Tiwari, Advocates.

versus

THE STATE OF N.C.T OF DELHI

..... Respondent

Through: Ms.Alpana Pandey, APP for the State
with SI Kulbir Rana, PS Vivek Vihar

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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09.05.2016

1. The petitioner is seeking regular bail in case FIR No. 911/2015 under Sections 365/392/394/397/411/34 IPC, registered at PS Vivek Vihar.
2. Status report has been filed by the State.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and that no recovery has been effected from him. He further submits that investigation in the matter is already complete and charge-sheet has been filed. The petitioner is in judicial custody since 16.09.2015. He is no more required for further investigation, hence, he may be released on bail.
4. In the status report filed by the State the facts of the case are mentioned as under:-

“Brief facts are that the above said case was registered in PS Vivek Vihar on the complaint of Vikas S.o Ajeet. In which he alleged that on dated 15.09.15 at about 10 pm he along with his known person namely Prem Kumar was going towards Som

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Bazar Road Jhilmil Colony Delhi to eat something. When he reached Som Bazar road Jhilmil Colony where it was found that above said accused person along with his associates namely Manoj Mandal @ Sonu Bihari, Pintoo and Aman @ Pathe were already present on the spot. All the accused persons stopped his motorcycle in the way. All the accused persons searched the pillion rider namely Prem was beaten up by the accused persons. After that accused persons let him go but complaint with his motorcycle got kidnapped by the accused persons. They took him in Ramleela ground where he was kept on gun point and after that all accused persons gave beatings to him and also robbed his motorcycle, mobile phone and ₹400/-”.

5. On behalf of the State it has been submitted that the petitioner is involved in very heinous crime. After arrest of the accused persons, the mobile phone which was robbed and the *desi katta* used, have been recovered.

6. Perusal of the FIR shows that on the date of incident on 15.09.2015, the complainant Vikas, aged 19 years who is driver by profession was going along with his neighbour Prem on motorcycle DL7S AK 3524 for eating something. On the way he met four boys namely Sonu Bihari @ Manoj, Karan, Patahe & Pintu who are vagabond and were known to the complainant, they got his motorcycle, stopped and put one *desi katta* on his head and asked the neighbour to handover whatever he had. They also gave beating to him. While Prem was allowed to leave after he was searched, the complainant was made to sit on the motorcycle after showing *katta* to him and was taken to Ramlila Ground, Jhilmil where he was robbed of his mobile phone, ₹400/- and key of motorcycle. When he resisted he was again given beating with the butt of the *katta*. After committing robbery he was asked to run away on foot.

7. Taking into consideration the serious nature of the offence and the manner in which it has been committed, I do not find it to be a fit case to enlarge the petitioner on bail.
8. The application stands dismissed.

PRATIBHA RANI, J.

MAY 09, 2016
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