

\$~3

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

+ **BAIL APPLN. 2238/2016**

ASHOK KUMAR YADAV

..... Petitioner

Represented by: Mr. Devvrat, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Suresh Chand PS Rajouri
Garden.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.12.2016

%

By the present petition the petitioner seeks bail in case FIR No.1525/2014 under Sections 326A/392/394/397/120-B/411/34 registered at PS Rajouri Garden.

The investigation in the above-noted FIR was initiated on receipt of a PCR call at 9.50 AM on 23rd December, 2014 recorded vide DD No.30B at PS Rajouri Garden informing about acid being thrown on a girl in Main market near Chawla Jewellers. When SI Suresh Chand reached the spot he found one Scooty Activa, white colour parked there with some unknown chemical on the front head light and handle of the scooty. The injured was taken to the hospital for which an information was received at 10.50 AM recorded vide DD No.33B on the same day. The MLC was collected which noted alleged history of acid burn at around 9.30 AM at Rajouri Garden as

BAIL APPLN. 2238/2016

page 1 of 3

stated by the patient and the injuries were kept under observation. The MLC also noted that the patient had been brought by Dr. Ashok Yadav.

The injured stated that she was a tenant residing in Rajouri Garden and was a permanent resident of Hoshiyar Pur, Punjab working as a Senior Resident at ESI Hospital, Basai Darapur, Delhi. On 23rd December, 2014 while she was going for her duty on her Scooty Activa at about 9.20 AM, when she reached in front of Chawla Jewellers, Main Market Rajouri Garden, two boys came on motorcycle from back side and the rider of the motorcycle lifted her orange-brown colour bag placed between her legs and the pillion rider threw some chemical substance on her face due to which she sustained burn marks on her right eye, face and right hand. She claimed that the bag contained a pink colour purse, five debit cards, PAN card, Driving License, mobile phone I-phone 4S, cash of ₹5000/- and she could identify the bikers.

After some surveillance Vaibhav a co-accused was arrested who disclosed that the above-noted offence was committed along with his two friends who were juveniles at the instance of Dr. Ashok Yadav, the petitioner herein. After the arrest of the petitioner the mobile phone of the injured was recovered at his instance. The CDRs of the mobile phones and the whatsapp messages of the petitioner and co-accused showed that the petitioner had master-minded the said offence. Further one of the juveniles involved in the present case tried to commit suicide who also left a note that the offence was committed at the instance of the petitioner. It was also revealed that the syringe from which acid was thrown was also arranged by the petitioner and he had shown the victim to the two juveniles and made

them practice several times. The FSL report of the voice sample when tallied with the conversation recorded between Vaibhav and petitioner confirms the voice to be that of the petitioner.

The main contention of learned counsel for the petitioner is that the petitioner is a doctor and as the trial is likely to take some time no useful purpose will be served in keeping the petitioner in custody.

Considering the seriousness of the offence involved even though during the course of trial the statement of the injured has been recorded, this Court finds no ground to grant bail to the petitioner. Petition is dismissed.

MUKTA GUPTA, J.

DECEMBER 14, 2016
‘ga’