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

+ **BAIL APPLN. 276/2017**

**PURAN @ SUMIT**

..... Petitioner

Represented by: Mr. Dharendra Singh, Adv.

versus

**STATE (NCT OF DELHI)**

..... Respondent

Represented by: Mr. Hirein Sharma, APP with  
Insp. Nar Singh PS Mundka.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**29.03.2017**

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By the present petition, the petitioner seeks bail in case FIR No.30/13 under Sections 302/34 IPC. The above-noted FIR was registered after an information was recorded vide DD No.36A at 6.50 PM on 8<sup>th</sup> February, 2013 regarding firing on one Lalit Jha at Mandir Wali Gali, Baba Haridas Market near Chara Mandi, Tikri Border. At the spot blood stain was found on the wooden plank, besides two empty cartridge cases.

The above-noted FIR was registered on the statement of Sushil Jha, the brother of the injured who stated that he and his brother Lalit were working in Shail Pharma. On 17<sup>th</sup> December, 2012 some altercation took place between his brother and one Ankit Sharma, director of the company who threatened him of the dire consequences. He was not coming on duty for a week. On 8<sup>th</sup> February, 2013 when his brother was in his shop and the

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complainant was at his house, at 6.40 PM he heard noise of three gunshots. He came out of the house and saw Ankit Sharma and one other boy sitting on a motorcycle after firing on his brother and they fled away. The petitioner has been identified as the other boy with Ankit Sharma. On arrest the petitioner refused to participate in the TIP proceedings.

A report was sought from the learned Trial Court in respect for the reasons in delay of examination of the witnesses. As per the report, order on charge was passed on 31<sup>st</sup> October, 2013 and charge framed on 30<sup>th</sup> August, 2014 where after 7 witnesses have been examined out of 52 witnesses till 8<sup>th</sup> February, 2017. The learned Trial Court has stated that despite repeated summons the witnesses were not willing to come forward due to the threat perception from the accused. The wife of the deceased Sulekha even in Court expressed her apprehension and only after directions were issued for providing security to the witnesses that three witnesses have been examined.

Learned APP for the State informs that three more public witnesses are yet to be examined. Besides the petitioner is also involved in four other cases in two of which he claims to be discharged.

Considering the nature of allegations, that public witnesses are yet to be examined and that the petitioner is involved in at least two other heinous offences, this Court finds no reason to grant bail to the petitioner. Petition is dismissed.

**MUKTA GUPTA, J**

**MARCH 29, 2017**

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