

\$~33

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

+ **W.P.(CRL) 342/2018**

**DEEPAK @ DEEPU @ AJAY**

..... Petitioner

Represented by: Mr. Amit Rao, Advocate.

versus

**THE COMMISSIONER OF POLICE & ORS** ..... Respondent

Represented by: Mr. Sanjay Lao, ASC with Mr.  
Siddharth Sindhu with SI  
Nakul, PS Bhalaswa Dairy.

**CORAM:**

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

**ORDER**

%

**17.09.2018**

1. By this petition, the petitioner seeks direction from the hands of respondent Nos. 3 to 5 and not to involve in false cases.
2. Respondent Nos. 1 and 2 in the present case are the Commissioner of Police and Deputy Commissioner of Police, North West District, respectively whereas respondent No. 3 is the concerned SHO PS Bhalaswa Dairy. Respondent No. 4 is Head Constable, Mr. Vijay Rathi and Respondent No. 5 the earlier SHO posted at PS Bhalaswa Dairy.
3. A status report has been filed indicating that the petitioner was involved in FIR No. 665/2016 under Sections 307/34 IPC on 18<sup>th</sup> December, 2016 along with the co-accused Titu and Landi. As per the allegations the complainant, Shamim, was stop playing in the park, however, the complainant refused to pay heed to the threat of the petitioner thereafter

**W.P.(CRL) 342/2018**

***page 1 of 2***

there was scuffle between them and the petitioner fired, however, the complainant managed to escape by bending down.

4. It is alleged that again on 29<sup>th</sup> December, 2017, the petitioner along with his friends Rahul, Tikola and other came on motorcycles along with pistols in their hands and fled away from the spot after firing various rounds outside the house of Kailash, Shamim's friend. From the place of incident five empty cartridges and two live cartridges were recovered. On this allegation FIR No. 693/2016 under Sections 195A/506/336/34 IPC and Section 25/27 of Arms Act was registered.

5. Petitioner was arrested on 10<sup>th</sup> April, 2017 by police officials of crime branch with one pistol along with five live cartridges. Besides the three other cases noted above registered in the years 2016 and 2017 the petitioner is involved in nine other cases.

6. Learned ASC for the State on instructions submits that the petitioner is presently in judicial custody that is the petitioner has now been arrested around 1½ months ago by the police officials of Pune in involvement of other cases.

7. Considering the involvements of the petitioner and since the petitioner is presently in judicial custody, no directions are required to be passed to respondent Nos. 1 and 2.

8. Petition is dismissed.

**MUKTA GUPTA, J.**

**SEPTEMBER 17, 2018**  
**'yo'**

***W.P.(CRL) 342/2018***

***page 2 of 2***