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IN THE HIGH COURT OF DELHI AT NEW DELHI

Decided on : 02nd August, 2018

+ BAIL APPLN. 317/2018

RAMESHWAR

..... Petitioner

Through: Mr. Mohit Mathur, Sr. Advocate
with Mr. D.K. Devesh and Mr. Hitesh Vats,
Advocates

versus

THE STATE GOVT OF NCT OF DELHI Respondent

Through: Mr. Ashish Dutta, APP

Mr. Rakesh Malviya, Mr. Karanveer
Chaudhary and Mr. Prashant Shivrajan,
Advocates

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER (ORAL)

1. Allegations have been made against the petitioner in the First Information Report (FIR) no.13/2018 of police station Fateh Pur Beri involving offences punishable under Sections 447, 511, 379, 392, 451, 506, 34 IPC. Apprehending arrest, he has approached this court seeking anticipatory bail by the petition at hand.

2. The FIR was registered on 14.01.2018 on the basis of statement of Jai Prakash describing himself as caretaker of M/s. K.W. Traders. He would allege that at about 1.00 p.m. when he was present on the plot of land belonging to the company at C-2/309, Aya Nagar, a number of persons including the petitioner, one, Kiran Tanwar and one, Archana Yadav had come to the place and had told him that they

wanted to grab the said piece of land and that he should not come in the way. He alleged that the person Kiran Tanwar had whipped out a revolver and extended threat that anyone coming in his way would be killed. Archana Yadav, another associate of the petitioner, statedly threatened to get him falsely implicated in the same case. It is also alleged that Jai Prakash was caught hold of by the said persons, he somehow escaping from their clutches and later making a phone call to the police on phone no.100. According to the FIR, the petitioner had snatched the mobile phone instrument of Vikas, who was present there and had captured the incident by videography with the said phone.

3. The petitioner alleges false implication. He refers to the cross FIR no.15/2018 that had been registered on 14.01.2018 on the complaint of Archana Yadav alleging an incident to have happened at about 12.00 p.m. noon time in the said area. The copy of the cross FIR of Archana Yadav would show that according to her version, she was present in the C-2 block, area of Aya Nagar, showing a house to her friend Dharamwati, when a number of persons they including Karan Luthra, Sultan and 4-5 others came in a vehicle, they firing with the intention to kill her, also assaulting her with the intent to outrage her modesty.

4. The FIR in both the cases refers to DD no.29A which had been earlier recorded in the police station on the basis of input through police control room about a quarrel having taken place in the area. It has been submitted by the Additional Public Prosecutor that input to

the PCR was by telephonic information received from Jai Prakash, the complainant of the FIR no.13/2018.

5. The status report and the verification reports which have been submitted from time to time by the police, pursuant to the directions of this court would show that the petitioner has a history of being involved in criminal cases. While it does appear that in FIR 311/2011 of police station Nagina Mewat, a cancellation report was submitted, his involvement is alleged in several other cases of serious crimes they including FIR no.190/18 under Sections 406, 420, 468, 471, 120B IPC PS Fatehpur Beri; 191/18 under Sections 406, 420, 468, 471, 120B IPC, PS Fatehpur Beri; 192/18 under Sections 406, 420, 468, 471, 120B IPC PS Fatehpur Beri; 193/18 under Sections 406, 420, 468, 471, 120B IPC PS Fatehpur Beri; 246/18 under Sections 406, 420, 468, 471, 120B IPC PS Fatehpur Beri, 174/18 under Sections 323, 341, 354, 354B, 427, 506, 509, 34 IPC and 10 POCSO, PS Fatehpuri Beri; 205/18 under Sections 323, 341, 427, 354, 392, 509, 506, 34 IPC PS Fatehpur Beri; and 139/18, under Sections 323, 341, 354, 354B, 427, 506, 509, 34 IPC and 10 POCSO, PS Fatehpuri Beri.

6. Having regard to his involvement in numerous other cases of serious nature and the nature of allegations in the present FIR, this court finds it not a case where it should exercise the jurisdiction in favour of grant of anticipatory bail.

7. The petition is dismissed.

R.K.GAUBA, J.

AUGUST 02, 2018/yg