

\$~17

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

+ **BAIL APPLN. 1299/2018 & CrI. M.A. No.10829/2018**

MANJEET SINGH & ORS.

..... Petitioners

Through: Mr. Abhinav Singh, Mr. Amish Aggarwala,
Mr. Kuldeep Jauhari and Mr. Vinod Kr.
Goyal, Advocates.

Versus

STATE & ANR.

.....Respondents

Through: Mr. Tarang Srivastava, Additional Public
Prosecutor for State with Insp. Harjinder
Kaur, CAW Cell/NWD.
Mr. Jatan Singh and Mr. Pawan Madhukar,
Advocates for Respondent No.2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

%

15.11.2018

The petitioners No. 2 to 4 were granted interim protection from arrest by orders from this Court dated 30.05.2018. The petitioner No. 1 has been granted regular bail by a Coordinate Bench of this Court on 13.11.2018. He has been accused of offences under section 377 IPC. The allegations against the other petitioners No. 2, 3 and 4 are that they had caused miscarriage of the complainant, in particular, the role of petitioner No.4 is emphasised.

Be that as it may, the learned counsel for the State submits that the petitioners have misused the liberty granted to them by the Court insofar as they had a serious and objectionable altercation with the then Investigating Officer, a lady police official in the Police Station Model Town, when she

was about to leave the Police Station for the investigation/proceeding before a Court of law. There are allegations that the petitioners had caused injuries to the Investigating Officer, leading to contusion over her neck and upper back. He submits that this could not have happened unless there was manhandling and assault on the said police officer. He further submits that on a complaint that the investigation was not being carried out properly, the said Investigating Officer has since been replaced.

In the circumstances, he submits that interim protection may be vacated insofar as petitioners No. 2, 3 and 4 have misused the liberty so granted to them. Indeed, an FIR has been registered on the complaint of the injured police officer and an MLC Report recording the injury on her is also available in FIR No.220/2018 registered at Police Station Model Town.

The learned counsel for the petitioners submits that the video recording on record apropos the altercation with the police officer will reveal that she was not assaulted by the petitioners. The learned counsel for the State submits that the video recording of the incident, as relied upon by the petitioner is only of such portion of the incident which suits them.

In view of the above, insofar as there are grave allegations of the petitioners having misused the liberty earlier granted, the interim protection granted to them by order dated 30.05.2018 stands vacated.

The petition stands disposed-off in terms of the above.

NAJMI WAZIRI, J.

NOVEMBER 15, 2018

sb