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

+ BAIL APPLN. 1462/2018

RAMESHWAR

..... Petitioner

Through Mr. R.K. Sharma and Mr. Naresh
Kumar, Advs.

versus

THE GOVT OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Manjeet Kumar
Mr. Rishi Bhardwaj and Mr. K.D.
Pandey, Advs. for complainant

+ BAIL APPLN. 1463/2018

RAMESHWAR

..... Petitioner

Through Mr. R.K. Sharma and Mr. Naresh
Kumar, Advs.

versus

THE GOVT OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Manjeet Kumar
Mr. Rishi Bhardwaj and Mr. K.D.
Pandey, Advs. for complainant

+ BAIL APPLN. 1464/2018

RAMESHWAR

..... Petitioner

Through Mr. R.K. Sharma and Mr. Naresh
Kumar, Advs.

versus

THE STATE OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, Addl. PP for the

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Signing Date: 09.10.2024, 16:09:12
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the physical file and no page is missing.

BAIL APPLN. 1462/2018 & other connected matters

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State with SI Manjeet Kumar
Mr. Rishi Bhardwaj and Mr. K.D.
Pandey, Advs. for complainant

+ BAIL APPLN. 1465/2018

RAMESHWAR

..... Petitioner

Through Mr. R.K. Sharma and Mr. Naresh
Kumar, Advs.

versus

THE GOVT.OF NCT OF DELHI

..... Respondent

Through Ms. Neelam Sharma, Addl. PP for the
State with SI Manjeet Kumar
Mr. Rishi Bhardwaj and Mr. K.D.
Pandey, Advs. for complainant

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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16.10.2018

1. The petitioner seeks anticipatory bail in FIR Nos.190/20 18, 191/2018, 192/2018 and 193/2018 under Sections 406/420/468/471/120B IPC, Police Station-Fatehpur Beri.

2. The allegations against the petitioner are that the petitioner was Benami Owner of the subject land and the title was in favour of his servant/employee. It is alleged that he had transferred said piece of land in favour of the complainants in the year 2013 and received the sale consideration. It is alleged that subsequently in the year 2018 someone else has been found in possession of the subject land. Complaints were made and subject FIRs were registered.

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3. By order dated 11.07.2018, petitioner was granted interim protection subject to his joining investigation. Petitioner was directed to appear before the Investigating Officer on 12.07.2018 at 4.00 PM at Police Station Fateh Pur Beri.

4. Learned Addl. PP submits that the petitioner did not appear before the IO on 12.07.2018 at 4.00 PM. She further submits that two notices were issued to the petitioner to join investigation at Police Station Fateh Pur Beri on 30.08.2018 and 03.10.2018. Despite the same, petitioner did not join investigation.

5. IO submits that the notices were sought to be served on the petitioner at his address bearing H. No. 20, Baba Mohalla, Aaya Nagar, Delhi. However, the notices could not be served on him personally as the persons who were present in the house refused to accept the same and also stated that he was not available and did not disclose his whereabouts. Notices were thereafter pasted outside the gate and photograph was taken on the cell phone by the IO.

6. Learned Addl. PP submits that a complaint has been received that petitioner had been threatening the complainants. Audio recording of the telephonic conversation has been submitted to the SHO. IO who is present in Court submits that preliminary investigation had confirmed threats being meted out by the petitioner.

7. Learned counsel for the petitioner disputes that the petitioner has threatened the complainants. He submits that proper procedure for verification of the voice sample has not been followed. He further

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submits that the petitioner had attempted to join investigation and was not permitted to join investigation.

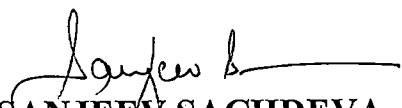
8. Matter was last listed on 10.10.2018 when the submissions of learned Addl. PP that petitioner had not joined the investigation, was noticed. Thereafter case was adjourned to today. Even between 10.10.2018 and today petitioner has not made any efforts to join investigation. Petitioner has further failed to produce any document or record to show that petitioner could not meet the IO on 12.07.2018 or that he sent any letter to the SHO volunteering to join investigation in terms of orders of this Court.

9. Keeping in view of the fact that petitioner has failed to comply the orders of this Court, I am inclined to vacate the interim protection granted to the petitioner. Accordingly, interim protection granted to the petitioner by order dated 11.07.2018 is vacated.

10. It is clarified that this Court has neither considered nor expressed any opinion on the allegations of the petitioner having threatened the complainants.

11. Petitions are accordingly dismissed.

12. Order *dasti* under the signature of the Court Master.


SANJEEV SACHDEVA, J

OCTOBER 16, 2018

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