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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 1672/2017
RAM KRIPAL SINGH Petitioner
Through Mr. Arun K. Chauhan, Adv.

versus

STATE (GOVT OF NCT OF DELHI) Respondent
Through Mr. Raghuvinder Varma, APP for
State with SI Ramesh PS Mundka

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **24.01.2018**

The applicant has already been released on bail vide order dated 12.12.2017. It was however in view of the proceedings dated 25.08.2017 where a submission was made on behalf of the State that the contention was made by the applicant that he had sold the vehicle to one Rakesh Kumar and that the said Rakesh had sold the scooter in question to one Sunil Kumar, who was found driving the said vehicle at the relevant time who was carrying 199 quarter bottles of illicit liquor in the scooter, with a submission made that an affidavit had been given allegedly under coercion.

A status report had been directed to be submitted by the State. The status report is on the record as submitted by the State dated 21.01.2018 as put forth by the ACP Vikash Kumar SHO PS Mundka to the effect that Pramod Kumar and Rakesh Kumar, who were both interrogated in relation to their previous statements had stated that due to fear of arrest, they had denied that they purchased the scooter bearing no. DL 6SK 0765 on 10.05.2003 from Sh. Ram Kripal and had sold it to Rakesh Kumar on

08.10.2014 and Rakesh Kumar again had sold to Sunil Vashist on 19.11.2014 and that both of them had apologized for their false statements and had submitted their affidavit in this regard. The status report indicates further that the applicant is still the registered owner of the said scooter till date.

Learned counsel for the petitioner undertakes to apprise his client to get the vehicle transferred in accordance with law.

The affidavits of Rakesh Kumar and of the Pramod Kumar have been put forth by the State dated 19.01.2018, which indicate to the effect that Rakesh Kumar had purchased the said scooter from Pramod Kumar and Pramod Kumar had purchased the said scooter on 10.05.2003 from the applicant. He has also categorically stated that out of fear he had not given the name of the person from whom he purchased the scooter. As per investigation conducted the sale purchase of the vehicle was only in good faith, and there was no documentary proof apart from the affidavits of purchase.

In the interest of justice, there is no further action called for against both these persons i.e. Rakesh Kumar and Pramod Kumar.

ANU MALHOTRA, J

JANUARY 24, 2018/MK