

\$~ 21 to 24 & 29 (common order)

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

+ BAIL APPLN. No. 2368/2018
+ BAIL APPLN. No. 2370/2018
+ BAIL APPLN. No. 2371/2018
+ BAIL APPLN. No. 2374/2018
+ BAIL APPLN. No. 2382/2018

CHINTU @ DURGESH KUMAR Petitioner
DEVENDER Petitioner
KINNA @ KRISHNA Petitioner
DEVENDER Petitioner
LOKESH Petitioner

Through: Mr. Vijay Kinger with Ms. Roopa
Nagpal, Advocates.

versus

STATE Respondent

Through: Mr. Ravi Nayak, APP for State with
Insp. Tanvir Ashraf, DIU/NE Distt.
Mr. Niraj Jha, Adv. for complainant.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **09.10.2018**

The status report has been filed which has been placed on the file on bail application No. 2368/2018 which may be read as part of the record of the other connected bail applications arising out of FIR no.301/2018, police station Gokulpuri involving offences punishable under Sections 365/304/34 IPC.

There is ample evidence showing that the petitioners had taken the deceased Rahul along presumably to go for a bath in the river Gang Nahar in

BAIL APPLN. No. 2368/2018 & connec. Matters

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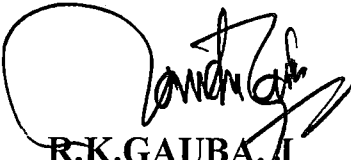
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the area of Murad Nagar, U.P., they having left the house of the deceased sometime around 11.30 am on 26.05.2018. It is stated that the petitioners returned on the same evening without Rahul, the deceased, his father (the first informant of the case) being called and informed some time in the evening that Rahul had gone missing. The father accompanied the petitioners to the area in question leaving Delhi around 7.30 P.M. on 26.05.2018. It is during the efforts made there that the dead body of the Rahul was found in the river on 28.05.2018. In the autopsy report ante mortem injuries have been noted including in the skull region, such injuries having been opined as the cause of death. It is against this backdrop that the first informant suspects the involvement of the petitioners in the offence of culpable homicide of his son. The petitioners, concededly, did not lodge any report with any authority after Rahul had gone missing. Their oral version that they had made all endeavour at Gang Nahar Murad Nagar to trace out Rahul and that they had returned only at 2.00 am on 27.05.2018 is in sharp contrast to the case of the first informant in the FIR.

Having regard to the facts and circumstances of the case, the submission of the learned Additional Public Prosecutor that custodial interrogation might be required cannot be brushed aside. No good grounds to admit the petitioners on anticipatory bail is made out.

The bail applications are dismissed.


R.K.GAUBA, J

OCTOBER 09, 2018
srb