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

+ **BAIL APPLN. 2823/2018**

KIRAN SINGH

..... Petitioner

Represented by: Mr. Puneet Mittal, Sr. Adv. with Mr.
Pawan Sharma, Mr. Rupendra Pratap
Singh, Advs.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Amrender PS Fatehpur Beri.
Mr. Rakesh Malviya, Mr. Shubhank
Chaudhary, Advs. for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.12.2018

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CrI.M.A. 48434/2018

Exemption allowed subject to just exceptions.

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1. By this petition the petitioner seeks anticipatory bail in case FIR No. 13/2018 under Sections 447/511/506/392/34 IPC registered at PS Fatehpur Beri.
2. This is the second anticipatory bail application and the earlier anticipatory bail application filed by the petitioner being BAIL APPLN. 313/2018 was considered by this Court along with the co-accused and the reasons for rejection of the anticipatory bail in the above-noted FIR by this Court in the order dated 12th February, 2018 are as under:

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“As regards the applicant Kiran Singh appellant of the Bail Appln. 313/2018, the status report on record filed by the State indicates registration of the 27 FIRs against him in relation to the alleged commission of the offences with the allegations in the present FIR No. 13/18 also to the effect that he was the one who had taken out revolver fire at the complainant in relation to which it has been submitted on behalf of the State that the said revolver is to be recovered, taking the same into account and the alleged previous antecedents against the applicant Kiran Singh, there is no ground of grant of any anticipatory bail. The Bail Appln. 313/2018 is declined.”

3. One of the two new circumstances which learned senior counsel for the petitioner urges to press the present anticipatory bail application is that after the rejection of the first anticipatory bail application one of the witness namely Vikas has filed an affidavit in a Criminal Revision stating that the petitioner was not involved in the incident. It is thus evident that the petitioner is indulging in influencing the witness which is uncalled for and cannot be a ground for grant of anticipatory bail. The second ground urged by the learned counsel for the petitioner is that while dismissing the earlier anticipatory bail application the fact that the petitioner has 27 cases registered against him weighed in the mind of this Court and he has placed on record details that out of 27 at least in 17 cases the FIRs have been quashed on the basis of compromise. The manner in which the petitioner is influencing the witness is already writ large as one of the witness has already submitted an affidavit in a criminal revision and thus quashing of 17 FIRs inter alia on the basis of compromise would not inure to the benefit of the petitioner.

4. This Court finds no change in the circumstance or ground to grant anticipatory bail. Hence, the anticipatory bail application is dismissed.

MUKTA GUPTA, J.

DECEMBER 05, 2018
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