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

Judgment delivered on 06.12.2019

+ **BAIL APPLN. 2601/2019**

SALMAN

..... Petitioner

Through: Mr. A.Ali khan and
R.P.S.Bhati, Advocates.

versus

**THE STATE
(GOVT. OF NCT OF DELHI)**

..... Respondent

Through Mr. G.M.Farooqui, APP for
the State.
SI Suresh Bhatia: PS Karawal
Nagar.

**CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI**

J U D G M E N T

BRIJESH SETHI, J.(Oral)

1. Vide this order, I shall dispose of a bail application u/s 439 Cr.P.C. filed by the petitioner **Salman** in FIR No. 223/2019, u/s. 392/397/411/34 IPC, P.S. Karawal Nagar, Delhi.

2. Ld. Counsel for the petitioner has prayed for bail on the ground that petitioner is innocent and falsely implicated by the U.P. police as

well as by the police of PS Karawal Nagar, Delhi. Nothing has been recovered from the possession or at the instance of the petitioner. It is further submitted that ingredients of Section 397 IPC are not applicable in the present case. No TIP of the petitioner has been conducted and the disclosure statements of both the accused persons are contradictory to each other. It is further submitted that investigation is complete and charge sheet has been filed and therefore, petitioner be released on bail in the interest of justice.

3. Ld. APP for the state has opposed the bail application on the ground that allegations against the petitioner are serious in nature. Petitioner is a serial offender and a number of criminal cases are pending against him. He has, therefore prayed for dismissal of the bail application.

4. I have considered the rival submissions. As per prosecution version, the present FIR was registered on the complaint of complainant Sh. Satish Jain wherein he has stated that on 15.06.2019 when he was going to his home at Loni Road and had reached near Shiv Vihar Metro Station, two unknown boys looted his jewellery, mobile phone and cash of Rs. 25,000/-. During investigation, accused

Salman was arrested. Photograph of petitioner was shown to the complainant and he duly identified the petitioner in the present case. During investigation, other co-accused Imran @ Modal was also arrested at the instance of petitioner Salman and one Vivo mobile Phone and motor cycle used in the commission of the offence was recovered at the instance of accused Salman from the house of co-accused Imran @ Modal. Complainant has also identified case property i.e. neck chain during TIP proceedings. The petitioner is also stated to be previously involved in the following cases :-

Sl.no.	FIR no.	Under Section and Police Station
1	592/2019	393 IPC, PS Loni Ghaziabad, U.P.
2	434/20189	60/63 Excise Act, PS Loni Ghaziabad, U.P.
3	2337/2019	8/21 NDPS Act., PS Loni Ghaziabad, U.P.
4	620/19	3/25 Arms Act, PS Loni Ghaziabad, U.P.
5	223/19	392/397/411/34 IPC, PS Karawal Nagar
6	212/19	392/34 IPC, PS Karawal Nagar
7	174/19	392/34 IPC, PS Karawal Nagar
8	020232/19	379/411 IPC, PS Bhajan Pura
9	0120070/19	379/411 IPC, PS Seelampur

5. Keeping in view the fact that petitioner is involved in number of criminal cases not only in Delhi but also in U.P and also seeing the gravity of offence, no grounds for bail are made out. The bail application is, therefore, dismissed and stands disposed of accordingly.

BRIJESH SETHI, J

DECEMBER 6, 2019
(AK)

