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

+ **W.P.(CRL) 1851/2019 and CRL. M.A. 13434/2019**

HARIKANT TRIPATHI Petitioner

Through: Counsel (appearance not given).

versus

THE STATE (NCT OF DELHI) Respondent

Through: Mr Rahul Mehra, Standing Counsel
with Mr Jamal Akhtar, Mr Chaitanya
Gosain and Mr Amanpreet Singh,
Advocates.

SHO Vijay Pal Dahiya and SI
Jagjeevan Ram, PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **26.09.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that his name be removed from the “Bad Character Bundle ‘A’” entered in the Delhi Police Register.
2. The status report has been filed, which indicates the petitioner’s name has been entered into the said register as there are multiple FIRs (eight in number) against the petitioner for offences alleged to have been committed between the years 2011 to 2015. In addition, there is one complaint which is pending investigation.
3. Mr Mehra, learned standing counsel appearing for the State has referred to Paragraph 23.4(3)(b) of the Punjab Police Rules, 1934 which expressly provides that the names of persons who are reasonably believed to be habitual offenders or receivers of stolen property whether convicted or

not, shall be entered into the register.

4. The petitioner states that out of the eight FIRs that have been taken into consideration, five of them have been filed by a single person (Dr. Pankaj Bajaj) as a counter blast to an FIR filed by the petitioner and one other FIR has been filed by one Dr A.P. Bhalla. The petitioner states that Mr A.K. Bhalla is an associate of Dr. Pankaj Bajaj.

5. A plain reading of Paragraph 23.4(3)(b) indicates that the names of repeat offenders are to be entered at the discretion of the Superintendent (in this case – the DCP, South-East District). In this view, it would not be apposite for this Court to supplant its opinion over that of the concerned authority. However, since it is pointed out that five FIRs against the petitioner have been filed by one person and yet another has been filed by his associate; this Court considers it apposite that this fact also be considered by the concerned DCP in exercise of his discretion.

6. In this view, this petition is disposed of by directing the concerned DCP to review the petitioner's case in the light of the averments made in the present petition and the observations made herein.

7. The pending application is also disposed of.

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

VIBHU BAKHRU, J

SEPTEMBER 26, 2019
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