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

+ **BAIL APPLN. 1465/2020**

ARJUN @ PREM

..... Petitioner

Through: Mr Naveen Gaur, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr Amit Gupta, APP for State with
Insp. Tej Dutt Gaur, PS Nabi Karim.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.07.2020**

[Hearing held through video conferencing]

1. The petitioner has filed the present petition seeking bail in connection with FIR No.0348/2018 under Sections 307/336/120-B/34 of the Indian Penal Code, 1860 (IPC) and Sections 25/27 of the Arms Act, 1959 registered with PS Nabi Karim, Delhi.

2. The said FIR was registered in respect of an incident that is alleged to have occurred on 11.10.2018. On that date, a call was received by the police. The caller stated that 4-5 boys had fired ammunition rounds and had left. He had also stated that the fired rounds were with him. Three empty shells of cartridges were recovered. Thereafter, the statement of the complainant was recorded.

3. The status report indicates that the petitioner is also involved in nine other cases. However, Mr Gaur, learned counsel appearing for the petitioner states that in three of the said cases the petitioner has been acquitted and has been discharged in another case. He further states that in the remaining matters, the petitioner is under trial.

4. It is also alleged in the status report that the petitioner is an active member of a gang, which is involved in many criminal cases and firing incidents. Further, the complainant and witnesses of this case lives in the same locality where the house of the petitioner is situated.

5. It is also stated that the petitioner was released on bail in FIR No.401/2017 under Section 307 IPC and Sections 25/27 of the Arms Act, 1959 registered with PS Nabi Karim. However, the petitioner did not comply with the conditions of his release and he did not appear before the trial court on four hearings, that is, on 01.08.2018, 29.08.2018, 25.09.2018 and 11.10.2018. Consequently, non-bailable warrants were issued against the petitioner. It is also alleged that the petitioner did not comply with the other conditions of bail as well; inasmuch as, he entered the area of PS Nabi Karim and attempted to commit murder. It is stated that two FIRs in this regard including the present one was filed. Thereafter, on 01.12.2018, the petitioner was apprehended in the area of PS Model Town, along with a fire arm (pistol) and two live cartridges. An FIR (FIR No.470/2018 under Section 25/54/59 of the Arms Act, 1959 registered with PS Model Town) was also registered, in this regard.

6. In view of the above, this Court does not consider it apposite to grant

bail as the State's apprehension that the petitioner would evade the process of law, is not unjustified.

7. The petition is, accordingly, dismissed.

JULY 10, 2020
MK

VIBHU BAKHRU, J