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

+ **BAIL APPLN. 2389/2020**

MOHSIN

..... Petitioner

Through: Mr Prakash P. Pandey, Advocate.

versus

STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr Ravi Nayak, APP for State with
SI Ankit PS Mayur Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

10.09.2020

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[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying for anticipatory bail in FIR No. 386/2020 under Sections 323/452/506/34 of the IPC registered with PS Mayur Vihar, Phase-I.
2. The said FIR was registered on the basis of a complaint made by one Vikrant S/o Rakesh. He had alleged that on 29.07.2020 at about 09:15 p.m., the petitioner along with his accomplices, namely, Rizwan @ Banda, Saadiq @ Chonchi, Naasir, Shanu, Gulzar, Sohail and other accused persons had entered his house carrying illegal arms and sticks/*danda*. He alleged that the petitioner and his associates had manhandled him. They had threatened him and demanded money.

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3. The status report indicates that the beat officer, HC Tez Singh reached the place of occurrence while he was on his patrolling duty and the accused fled from the spot after hearing the police siren. The beat officer chased the accused and caught one of them, namely, Saadiq @ Chonchi. It is alleged that Saadiq disclosed that he along with the petitioner, Mohsin, Shanu, Nasir, Gulzar, Sohail and Rizwan @ Banda were present at the Madina Masjid Block.

4. He disclosed that Rakesh was a bootlegger and since the festival of Eid was approaching, they had demanded money from him but he had refused to pay the money at that time. He disclosed that thereafter he reached the house of Rakesh where Vikrant and Vijay (sons of Rakesh) were present. He alleged that Rizwan had demanded money from Vikrant and Vijay. They had fled from the spot on hearing the siren of police vehicle. However, he was apprehended.

5. The status report also indicates that on the basis of secret information, the accused Rizwan @ Banda was also arrested and his disclosure is on the same lines as that of Saadiq @ Chonchi. In addition, he had also disclosed that Mohsin (the petitioner) had fired in the air (at some distance from the spot) in order to dissuade any person from pursuing him. The petitioner has joined the investigation and was interrogated. It is stated during his interrogation, he had accepted his presence on the spot.

6. The investigations is incomplete. The weapons allegedly used are yet to be recovered.

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

accede to the prayers made in the present petition.

8. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

SEPTEMBER 10, 2020
RK/MK

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