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

+ **BAIL APPLN. 2425/2020**

GAURAV KOHLI

..... Petitioner

Through: Mr Kirti Uppal, Sr. Advocate with Mr
Moni Cinmoy, Advocate.

versus

THE STATE, GOVT. OF NCT OF DELHI Respondent

Through: Mr Amit Gupta, APP for State with
SI Manish, PS Delhi Cantt.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **09.09.2020**

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying for bail in connection with FIR No.0688/2014 under Sections 307/34 of the IPC registered with PS Delhi Cantt.
2. The said FIR was registered in respect of an incident that was reported on 19.11.2014. A PCR call was received on that date and the matter was entrusted to SI G. R. Meena. It is stated that he went to the spot (that is, H.No.170/B/158 Jharera Village, New Delhi), where he found blood lying on the road. His inquiries revealed that injured had been rushed to AIIMS Trauma Centre. Thereafter, he proceeded to AIIMS Trauma Centre and collected the MLC of the injured persons.
3. The status report indicates that there were four injured persons –

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Vinod, Rakesh @ Kalu, Vinod S/o Shri Bhagwan and Shivam. Two of the injured were declared to be unfit for statement. However, the statement of Shivam was recorded. He stated that at about 3:00 PM, he was at the shop along with his father. In the meantime, Gaurav (petitioner herein) came to the shop along with Rishi, Shaka and Sandeep in a vehicle (white Scorpio). He alleged that Gaurav (the petitioner) was carrying a pistol in his hand and his accomplices were carrying *lathis* and *dandas*. He stated that Gaurav was looking for an opportune time to take revenge on account of a prior quarrel. He alleged that on instructions of Gaurav, his associates and Gaurav charged over him and his father with *lathis* and *dandas*, with the motive to eliminate them. Due to this attack they sustained injuries. On the said statement, the FIR in question was registered.

4. During the course of investigations, other accused were arrested. However, the petitioner successfully evaded the arrest at the material time. In the meanwhile, one of the injured, Rakesh @ Kalu, expired and consequently Section 302 of the IPC was added. The petitioner was arrested on 24.12.2014 by the Special Cell, Rohini in connection with FIR No.61/2014 under Sections 25/54/59 of the Arms Act. He also allegedly disclosed his involvement in the present case and, therefore, was arrested in this case as well.

5. Considering the gravity of the offence, this Court does not consider it apposite to accede to the prayers made in the present petition.

6. Mr Uppal, learned senior counsel appearing for the petitioner contended that the petitioner's mother is seriously ill, therefore, the petitioner requires to attend to her for medical treatment. This said submission is insubstantial because the status report indicates that the

petitioner has two brothers and there is no reason to believe that they are not capable of attending to their mother.

7. The status report also indicates that the petitioner is involved in several other cases.

8. In view of the above, the present petition is dismissed.

VIBHU BAKHRU, J

SEPTEMBER 9, 2020
MK

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Signing Date: 09/09/2020
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