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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1882/2019**

SH. BHAGAT SINGH

..... Petitioner

Through Ms Sunita Yadav, Advocate Ms Anamika
Kushwaha, Mr Abhigya, Advocates.

Versus

STATE (NCT OF DELHI)&ORS.

..... Respondents

Through Mr Sanjay Lao, ASC with Mr Karanjeet
Sharma, Advocate with SI Vineet, P.S. Vijay
Vihar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.03.2020

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“a. Direct the respondent No. 3 & 4 to cancel the BC declared by them against the petitioner vide H.S No. 94A Bundle "A" DIV no. 01 Beat No. 01 P.S. Vijay Vihar.

b. Direct the respondent 2 to 5 not to harass and torture the petitioner as he has not committed any offence and also there is no any case pending against him in any court of law/ police station.”

2. A status report has been filed, however, the same is not on record.

3. Mr Sanjay Lao, learned ASC, submits that the petitioner has been

placed in Bundle 'B' and therefore the petitioner's grievance does not survive. He further states that the petitioner is not required to be placed on surveillance and there would be no occasion for the police staff to interrogate or search him unless an FIR is filed.

4. The petitioner was placed in Bundle 'A' for the reason that four FIRs were registered against him.

5. Ms Yadav, the learned counsel appearing for the petitioner has drawn the attention of this Court to an order dated 23.11.2013 passed by the National Lok Adalat in FIR No. 439/2011, under Sections 379/511 of the IPC, registered with P.S. Prashant Vihar. The said order indicates that the said matter was compromised between the parties. In view of the statements, the alleged offence was compounded and the petitioner was acquitted.

6. She has also drawn the attention of this Court to a status report signed by Head Constable of P.S. Prashant Vihar. The same indicates that the petitioner was called for interrogation in FIR No. 0113/2011, under Section 379 of the IPC; FIR No. 306/2011 under Section 379 of the IPC and FIR No. 330/2011 under Section 379 of the IPC and after interrogation, he was released. The report indicates that the petitioner is not required for the purposes of investigation and the investigation of the cases has been concluded and sent as untraced.

7. Mr Sanjay Lao, learned ASC, confirms that the petitioner was released in all three FIRs. He states that process is underway to shift the names of the petitioner from Bundle 'B' to a personal file.

8. In view of the above, it appears that there is no pending FIR against the petitioner. Considering the above, the respondents are bound down to

their statements that the petitioner is not under surveillance and further, he will not be troubled in any manner unless an FIR is filed.

9. The petition is disposed of with the aforesaid observations.

MARCH 04, 2020
pkv

VIBHU BAKHRU, J