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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 901/2022**
KARAN LAKRA Applicant
Through: Mr.Robin Tyagi, Adv. (through
VC)

versus

STATE (NCT OF DELHI) Respondent
Through: Mr.Aman Usman, APP with SI
Mohit Kumar

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

% **ORDER**
14.05.2024

1. This application has been filed under Section 438 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.') praying for grant of Anticipatory Bail in FIR No. 324/2021 registered at Police Station: K.N. Katju Marg, Rohini District, Delhi under Sections 420/467/468/471/120B/34 of the Indian Penal Code, 1860 (in short, 'IPC').
2. At the outset, it is important to note here that the Applicant had been granted Anticipatory Bail by the learned Additional Sessions Judge (Special Judge-NDPS), North District, Rohini Courts, Delhi (hereinafter referred to as the 'ASJ') vide Order dated 01.11.2021. The said Bail was, however, cancelled by the learned ASJ vide its Order dated 08.03.2022, on the ground that another FIR, being FIR No.664/2021 was registered at Police Station: Patel Nagar, Dehradun, Uttarakhand against the Applicant post the grant of the Anticipatory



Bail, and that the Applicant has violated the condition nos.(ii) and (v) of the Order of the learned ASJ granting him Bail.

3. The Applicant, by way of the present application, challenged the said Order before this Court, while also praying for grant of Anticipatory Bail in the subject FIR.

4. This Court by its Order dated 23.03.2022 passed in the present application, had refused to grant any *interim* protection to the Applicant.

5. The learned counsel for the Applicant submits that the dispute has now been settled between the parties, that is the applicant and the complainant, and, in fact, FIR No.664/2021, on the basis whereof the Anticipatory bail granted to the applicant was cancelled, has been quashed by the High Court of Uttarakhand.

6. On the other hand, the learned APP, on instructions from the Investigating Officer, submits that the Applicant has been declared a '*Bad Character*' at the Police Station: Anand Vihar, Delhi. He further submits that the Applicant has not joined the investigation.

7. To a pointed query of this Court as to whether the Applicant was ever called to join the investigation and if any coercive steps were taken against him for his non-joining, the learned APP, on instructions, submits that though the Applicant was called for joining the investigation, no coercive step were taken against him.

8. On the other hand, the learned counsel for the Applicant submits that the Applicant has not received any such notice asking him to join the investigation. He submits that the Applicant undertakes to join the investigation as and when called. He further submits that



presently the Applicant is residing at C-149, Anand Vihar, Delhi.

9. He further submits that another FIR, being FIR No.274/2021 registered at Police Station: K.N. Katju Marg, Rohini District, Delhi against the Applicant has also been quashed by this Court vide its Order dated 01.05.2023 passed in CrI.M.C.3038/2023 titled **Karan Lakra & Anr. v. State Through SHO & Anr.** on the basis of settlement arrived at between the Applicant and the Complainant.

10. Keeping all the above facts of the present case in mind, it is directed that in the event of arrest in FIR No. 324/2021 registered at Police Station: K.N. Katju Marg, Rohini District, Delhi, the Applicant shall be released on Bail subject to furnishing a personal bond in the sum of Rs.50,000/- with one local surety of the like amount to the satisfaction of the IO/Arresting Officer/ SHO concerned, and further subject to the following conditions:

- (i) that the Applicant shall join the investigation as and when called by the IO/SHO concerned;
- (ii) that the Applicant shall not, directly or indirectly, try to contact/influence the complainant/victim or any other witness(s) or tamper with evidence of the case;
- (iii) that the Applicant shall furnish his mobile phone/landline number, which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the IO concerned;
- (iv) that the Applicant shall provide his residential address to the IO/SHO concerned, and in the event of any change of the same, will immediately inform the same to the IO/SHO; and,



- (v) that the Applicant shall not indulge in any criminal activity;
11. In case the Applicant does not cooperate in the investigation, the prosecution shall be at liberty to file an appropriate application seeking cancellation of his Bail.
12. Needless to state, any observation touching upon the merits of the case is purely for the purposes of deciding the question of grant of Anticipatory Bail and shall not be construed as an expression on the merits of the present case.
13. The Application is disposed of in the above terms.

NAVIN CHAWLA, J

MAY 14, 2024/ns/AS

Click here to check corrigendum, if any