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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5302/2023 and CRL.M.A. 20166/2023

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.....Petitioner

Through: Mr. Gaurav Bharadwaj, Advocate

versus

STATE GNCT OF DELHI THROUGH SHO PS MOHAN

GARDEN & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for State
with Ms.Nikita Tiwari, Advocate with SI Rachana
and SI Ritu

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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30.07.2024

1. By way of the present petition, the petitioner seeks cancellation of bail granted to respondent No.2 vide order dated 18.01.2023.
2. The only premise to file the present petition is that the complainant, father of the victim, has alleged that the respondent No.2 indirectly has been threatening the complainant to withdraw the present case.
3. During the pendency of the present proceedings, the petitioner has handed over 6 complaints which were given on the aforesaid aspect. On notice being issued, a status report has been filed. A copy of the same has been handed over which is taken on record. The relevant extract reads as under:-

<i>Sr. No.</i>	<i>Complaint/ICMS No.</i>	<i>Enquiry Officer</i>	<i>Current Status</i>	<i>Gist of complaint and Action taken</i>
<i>1.</i>	<i>81760122101743</i> <i>Date 17/09/2021</i>	<i>HC Rattan</i> <i>Lal Meena</i>	<i>Filed</i>	<i>Complainant</i> <i>alleged that on 16th</i> <i>Nov. 2020 a</i>



				<i>unknown car driver hit his standing scooty while he was purchasing some goods near Dwarka Mor Metro Station and on 27/08/2021 an unknown e-rickshaw driver hit his scooty from back while he was standing on red light.</i> <i>Action Taken:- As per the contents of the complaint no cognizable offence is made out therefore concerned EO filed the complaint.</i>
2.	50000046762302 525 Date 14/02/2023	SI Ranjana	Filed	<i>Complainant alleged that some police officials visited his house and asking about the CCTV as one person's bag was snatched by some unknown vehicle. He has fear that why they asked about CCTV camera.</i> <i>Action Taken :- As</i>



				<i>per the enquiry report the police officials were went there following a natural process of investigation and search of CCTV Camera in any snatching case. As no cognizable offence was made out therefore complaint was filed.</i>
3.	81760122200474 Date 13/04/2022	SI Ritu Dangi	Filed	<i>Complainant alleged that on 06.04.2022 a case FIR No. 236/2022 was registered against his son Anurag Gautam and on the same day when he was present in Police Station, an unknown person ask him to settle the case. Complainant provided a vehicle number of suspicious Scorpio Car and one suspicious mobile number also.</i> <i>Action Taken :- Details of Scorpio</i>



				<i>Car were taken and it was found that it was victim's uncle Car (victim of case FIR No. 236/2022) and further no connection was found between the suspicious mobile number (It was Victim's uncle's No.) and mobile number of accused Chaitanya Yadav. Therefore complaint was filed as no offence was made out.</i>
4.	81760122301865 Date 17/10/2023	HD Hetram	Filed	<i>In the complaint, complainant alleged that on 12/10/2023 in the morning at 04'O Clock, 3 unknown persons came on scooty and lighten the matchstick for cigarette and then burnt his scooty cover.</i> <i>Action Taken : After receiving the complaint, CCTV footage was analysed and on analysis it was</i>



				<i>found that one of the boy lightened his cigarette and put the same burning matchstick on scooty cover and then another boy come and put out the fire. Further scooty number was not seen property in CCTV footage. As per the enquiry report, there was no damage to scooty and cover of scooty was also not burnt. As no cognizable offence was made out therefore complaint was filed.</i>
5.	801012347169 Date 16.10.2023	HC Sunil	Filed	Same complaint as mentioned on serial no. 04
6.	50000046762314 188	HC Sunil	Filed	Same complaint as mentioned on serial no. 04

4. Learned counsel for the petitioner submits that insofar as complaint No.3 is concerned, in the chargesheet filed, the concerned I.O. has also filed CDRs of the complainant and a reading of that would show that the complainant in that case and respondent No.2 were in touch with each other. A copy of complaint No.3 dated 13.04.2022 has been placed on record. A



reading of the same would show that the same was made after the FIR was already registered. The visit by the police officials was in consequence of the complaint. The victim in the present case has already been examined and discharged.

5. In view of the Status Report placed on record, I find no merit in the petition. Accordingly, the same is dismissed alongwith the pending application.

6. Needless to state that in case the complainant/victim makes any other complaint, the same would be examined on its own merits.

MANOJ KUMAR OHRI, J

JULY 30, 2024

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