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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4545/2024**

RAJ KUMAR MEENAPetitioner
Through: Counsel (appearance not given).

versus

THE STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Tarang Srivastava, APP for the
State with Insp. Vipin Kumar P.S.:
Vasant Kunj, South.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **10.12.2024**

CRL.M.A. 37112/2024

Exemption allowed, subject to just exceptions.

The application stands disposed-of.

BAIL APPLN. 4545/2024

By way of the present petition filed under section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, the petitioner seeks anticipatory bail in case FIR No.476/2024 dated 17.10.2024 registered under sections 308(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at P.S.: Vasant Kunj South, Delhi.

2. The petitioner is a constable with the Delhi Police.
3. Learned counsel appearing for the petitioner submits, that no culpability can be attached to the petitioner based on the allegation against him in the subject FIR. She states that the allegation against the



petitioner is that the petitioner flagged down a person who was riding a Scooty and was carrying illicit liquor, whereupon the petitioner sat pillion with the person who was riding the Scooty and asked him to drive to a certain spot near the Mahipalpur Flyover. It is further alleged that thereafter, the petitioner alongwith another co-accused, who (latter) arrived in a Wagon-R car, demanded a bribe for not booking the person on the Scooty for an offence under the Delhi Excise Act, 2009.

4. Counsel submits that a reading of the FIR would show, that it is not the allegation that the petitioner was wearing a police uniform; and the FIR narrates that it was the co-accused person who was in police uniform; and that therefore, the petitioner could not have demanded a bribe.
5. A perusal of the subject FIR shows, that whether or not the petitioner was in police uniform, he is alleged to have introduced himself to the person riding the Scooty as being from the 'staff', namely staff of the Delhi Police; and thereafter the petitioner was party to the offence of demanding a bribe to let-off the person on the Scooty and to not book him for carrying liquor illicitly.
6. Mr. Tarang Srivastva, learned APP appears on behalf of the State on advance copy; and submits that the petitioner is in fact the progenitor of the entire incident; that he is also implicated in another FIR bearing No.282/2024 dated 28.05.2024 registered under sections 384/323/34 of the Indian Penal Code, 1860 at P.S.: Vasant Kunj South, Delhi for a similar incident; and that he is also presently under suspension and is facing a departmental enquiry.
7. In the circumstances obtaining in the matter, and especially considering that the petitioner is a police officer who is accused of the offences that



are subject matter of the FIR, and the fact that he is also implicated in another FIR of a similar nature and is presently under suspension, this court is not inclined to entertain the present petition seeking anticipatory bail.

8. The petition is accordingly dismissed at the stage of issuance of notice itself.
9. Pending applications, if any, stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

DECEMBER 10, 2024
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