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

+ **W.P.(CRL) 224/2022 & CRL.M.A. 2069/2022**

MOHAR SINGHPetitioner
Through: Mr. Amit Kumar,
Advocate.

versus

THE STATE GOVT. OF NCT OF DELHI
AND ORS.Respondents
Through: Mr. Sanjeev Bhandari,
ASC for the State with SI
Chandar Pal Singh, PS
Tigri.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **13.10.2025**

1. By the present petition, the petitioner essentially seeks quashing of history sheet whereby the petitioner was declared as a bad character of 'Bundle A' of Police Station Tigri by the respondent authorities and his name was entered in Register No. 10 Part – II Bundle A.
2. Briefly stated, the petitioner worked as a scrap dealer and purchased junk items. It is alleged that the petitioner started committing petty offences around the year 2007. Thereafter, 5 more FIRs were registered against the petitioner till the year 2019. The details of the FIRs are set out as under:



Sl. No.	FIR Details	Date	Offences	Police Station	Present Status
1	1019/2007	26.10.2007	323/341/34 IPC	Sangham Vihar	Matter Settled in mediation on 10.04.2017
2	37/2011	09.02.2011	452/380/323/34 IPC	Sangham Vihar	Pending Trial
3	361/2013	14.08.2013	354/506 IPC	Neb Sarai	Acquitted on 05.09.2016
4	58/2018	07.02.2018	354/354A/354B/36/506 IPC	Neb Sarai	Pending Trial
5	89/2019	17.03.2019	195A/34 IPC	Tigri	Pending Trial
6	213/2019	04.08.2019	411/482 IPC	Tigri	Pending Trial

3. Considering the involvements of the petitioner, the proceedings for opening the history sheet and entering of the name of the petitioner in Register No. 10 Part – II Bundle A were initiated as 11.12.2019. Thereafter, considering the antecedents of the petitioner, the DCP/South District passed an order whereby the petitioner was declared as a Bad Character of Bundle A of Police Station Tigri on 23.01.2020 as per Chapter XXIII of Punjab Police Rules, 1934.



4. Thereafter FIR No. 221/2021 dated 08.06.2021 was registered at Police Station Tigri for offences under Sections 323/341/354/354A/506/34 of the IPC and the same is pending trial.

5. During the pendency of the present petition, two more cases were registered against the petitioner. The details of the same are as follows:

Sl. No.	FIR No.	Offences	Police Station	Present Status
1.	119/2023	308/34 IPC	Tigri	Pending Trial
2.	190/2023	195A IPC	Tigri	Pending Investigation

6. The learned counsel for the petitioner submits that the history sheet whereby the petitioner was declared as a bad character of 'Bundle A' of Police Station Tigri by the respondent authorities and his name was entered in Register No. 10 Part – II Bundle A is liable to be quashed. He submits that the learned DCP has erroneously declared the petitioner as Bad Character in the year 2020 when only four FIRs were pending against the petitioner.

7. He relies upon the judgment passed by the Division Bench of this Court in ***Peter Samuel Wallace v. Inspector General of Police New Delhi : 1981 SCC OnLine Del 130*** to contend that this Court had struck off the name of the petitioner therein from the surveillance register and the history sheet when the order passed by the learned DCP did not satisfy the Court that the



petitioner therein could be reasonably believed to be a habitual offender. He consequently submits that the declaration dated 23.01.2020 is liable to be quashed.

8. Alternatively, he submits that since no FIR has been registered against the petitioner after the year 2023, a proposal be made to upgrade the petitioner to Bundle 'B'.

9. *Per contra*, the learned Additional Standing Counsel for State submits that no ground for removal of name of the petitioner from the history sheet or surveillance register is made out. He submits that the same is further evidenced from the conduct of the petitioner, who after the filing of the present case, was also named as an accused in two other FIRs. He submits that the intent of such a declaration is to keep a close watch on individuals who are habitually related to a crime. He submits that a periodic review of the same is carried out and the last review was made on 29.09.2025.

10. I have heard the counsel and perused the record.

11. It is pertinent to note that as per Rule 23.4 of the Punjab Police Rules, the following persons may be entered in Part – II of the register at the discretion of Deputy Commissioner of Police:

- “(a) persons who have been convicted twice, or more than twice, of offences mentioned in rule 27.29.*
- (b) persons who are reasonably believed to be habitual offenders or receivers of stolen property whether they have been convicted or not;*
- (c) persons under security under sections 109 or 11°, Code of Criminal Procedure;*
- (d) convicts released before the expiration of their sentences under the Prisons Act and Re-mission Rules without the imposition of any conditions.”*

12. It is pertinent to note that as per Rule 23.4(b) of the Punjab Police Rules, persons who are reasonably believed to be habitual



offenders may also be placed in the register. The learned counsel has argued that only 4 cases were pending against the petitioner prior to him being declared as a Bad Character in Bundle A. He consequently submits that the petitioner ought not to have been declared as a Bad Character in Bundle A. It is pertinent to note that Rule 23.4(b) does not specify a minimum threshold of the cases so as to qualify the name of the person to be entered in the register. The same is left to the discretion of the learned DCP. In the present cases, given the nature of the cases and the involvement of the petitioner in 6 cases, the petitioner was declared as a Bad Character in Bundle A.

13. The petitioner has relied upon the judgment passed by the Division Bench of this Court in the case of ***Peter Samuel Wallace v. Inspector General of Police New Delhi (supra)*** to contend that the history sheet and the name of the petitioner from the surveillance register ought to be struck off. It has been argued that in the said case as well when the learned DCP failed to record definite reasons for his reasonable belief that the petitioner therein was a habitual offender and merely approved the recommendation of the subordinate officers, the name of the petitioner therein had been struck off from Part II of the surveillance register and the history sheet was closed. It has consequently been argued that since no reason has been recorded by the learned DCP in the present case as well in support of his belief that the petitioner is a habitual offender, the name of the petitioner is liable to be struck off from Part II of the surveillance register. The said judgment, in the opinion of this Court, is not applicable to the facts of the present case.



14. In the said case, the considerations that weighed upon the Court in rendering the decision were different from the factual position in the present case. On that occasion, the Division Bench of this Court, upon a perusal of the history sheet of the petitioner therein, had noted that the last FIR was registered against the petitioner therein in August, 1972. The petition in the said case was filed in the year 1978 and the petitioner therein was not found to be involved in any present case for a long period of time. It was noted that the grievance of the police officers against the said petitioner was that he maintained a high standard of living and he was also in a habit of filing false complaints against the local police. This Court, on that occasion, had also considered the return affidavit filed by the respondents and the material on the history sheet to note that it was difficult to conclude that the petitioner therein was determined to lead a life of crime.

15. As opposed to the same, in the present case, the petitioner has been found to be involved in cases even during the pendency of the present petition. A perusal of the history sheet of the petitioner reveals that pursuant to the declaration of the petitioner as Bad Character of Bundle A of Police Station Tigri on 23.01.2020, three more FIRs were registered against him out of which two FIRs were registered in the year 2023. The decision of the Division Bench of this Court in ***Peter Samuel Wallace v. Inspector General of Police New Delhi (supra)***, therefore, is not applicable to the facts of the present case.

16. This Court has also considered the history sheet of the petitioner and the other material on record. From a perusal of the



same, it is apparent that periodic review over the activities of the petitioner is being done by the authorities. The same, in the opinion of this Court, does not warrant any interference by this Court at this stage.

17. This Court, however, deems it apposite to mention that no FIR was registered against the petitioner after the year 2023. If the conduct of the petitioner is found satisfactory and the petitioner is found to be living within ostensible means and there are no complaints, adequate steps for upgradation be taken in accordance with law.

18. The present petition along with the pending application are disposed of in the aforesaid terms.

AMIT MAHAJAN, J

OCTOBER 13, 2025

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