

CNR No. DLNE01-003534-2021
Bail Matter-1821/2021
Vipin Kumar Vs State

In re:-
FIR No. Not Known
PS: Khajuri Khas
U/s. Not Known

21.10.2021

Present: Sh. Sandeep Chauhan, Ld. Counsel for applicant.
Sh. Masood Ahmad, Ld. Addl. PP for the State along
with IO HC Sunil Dutt.

Reply to the application is filed.

Presence of SHO/ Inspector Investigation is
required. He has not appeared so far.

Be awaited for appearance of SHO/ Inspector
Investigation.

Hearing is resumed at 11:15 am

Present: Sh. Sandeep Chauhan, Ld. Counsel for applicant.
Sh. Masood Ahmad, Ld. Addl. PP for the State along
Inspector Investigation Devi Lal with IO HC
Sunil Dutt.

Further reply is filed by IO HC Sunil Dutt.

Submissions on the application are heard.

By way of present application, the applicant is
seeking pre-arrest bail as he is having apprehension of arrest by
the officials of PS Khajuri Khas with the submissions that in the
month of September 2021, he and his family members received
several phone calls from PS Khajuri Khas called by Mr. Sunil

Sharma, Head Constable who stated that Mr. Anindra Kumar has made a complaint against him and his family members and threatened to arrest them. It is further submitted that on 07.10.2021, said HC Sunil Sharma visited the house of applicant and again threatened to arrest the applicant and his family members and on asking for complaint, he did not give any complaint to the applicant.

On the other hand, as per reply given by the HC Sunil Dutt, he had gone to Pilkua to verify the bail bonds in one other case and he was directed by SHO, Khajuri Khas to inquire about the complaint received from Anindra Kumar. It is further replied that Smt. Krishna Devi, mother of Anuradha whose marriage was fixed with the son of complainant Anindra Kumar, met him and she told after having conversation with her sons that they will tell him about the facts. It is replied that no FIR has been registered against the applicant so far.

This Court has already brought into the notice of DCP, North-East about the visits by the police officials and non supply of documents of the cases for which the premises is visited by them. The Court was apprised about issuance of orders by the Office of DCP, North-East directing SHOs and ACPs to ensure the supply of documents/notice about the purpose of visits of house of any public person.

In the reply given today, there is no mention about the telephone calls made by HC Sunil Kumar to the applicant in the month of September 2021. It is also not mentioned what documents were supplied to the mother of applicant who, as per reply, met HC Sunil Kumar during his visit to her house. The IO showed the copy of complaint given by said Anindra Kumar to

the police and stated that the same is being inquired by SI Vipin as per directions of SHO, Khajuri Khas dated 20.09.2021. The endorsement is about taking N/A which means necessary action. There is no report placed before the Court about non registration of the case, if the contents of the complaint were disclosing a cognizable offence giving power to police to investigate the case without orders of the Court.

The facts are brought into the DCP, North-East for intimation and for appropriate action for non compliance of order/circular issued by his office and meanwhile, the Court is issuing Show Cause Notice to the police, as to why proceedings be not initiated for directing to pay the compensation to the applicant Vipin Kumar who has been forced to approach the Court to move the present application when no FIR has been registered against him in the PS Khajuri Khas. The reply be filed forwarded by Ld. DCP, North-East for **26.10.2021**.

(SUNIL CHAUDHARY)
Special Judge (NDPS)/ASJ
North East/ Delhi 21.10.2021