FIR No. 530/2021 PS Paschim Vihar West State Vs. Boby @ Gollu & Anr. U/s 392/34 IPC

20.07.2021

Today undersigned is also deputed as Duty MM (West District), Tis Hazari Courts, Delhi.

Present:

Ld. APP for the State joined through VC.

IO SI Mahender Prakash in person.

Accused persons Boby @ Gollu and Krishan @ Kishan

produced from JC through VC.

Remand Advocate Sh. Rupesh Mishra joined through VC.

An application for 14 days JC of accused persons Boby @ Gollu S/o Brahm Prakash and Krishan @ Kishan S/o Banwari Lal is filed by IO.

Application perused. Submissions of IO heard. Case diary also perused.

IO submitted that both above accused persons were formally arrested in jail in above case FIR No. 530/2021 on 19.07.2021 as robbed mobile phone was recovered from above accused persons. IO further submitted that accused persons were previously involved in other cases and accused if released may commit further offence. Therefore, to prevent to commit further offence, accused persons be sent to JC.

After perusing case diary as well as application, Court is satisfied regarding ground of arrest. IO further submitted that JC of above accused persons is required for proper investigation of case besides ground that accused persons were previously involved in other cases. Considering the fact that investigation is in progress and previous involvements of accused persons,



Court is satisfied regarding ground of arrest and JC. Both above accused persons be sent to JC for 14 days. Both accused be produced before concerned Court on <u>03.08.2021</u>.

Copy of this order be sent to concerned Jail Superintendent. Concerned Jail Superintendent is directed to make entry in the custody warrants of both above accused persons regarding date of arrest as 19.07.2021 and date of first judicial custody as 20.07.2021 alongwith other particulars of accused persons.

Copy of this order be also given to IO.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM(West)/THC/Delhi/20.07.2021

(SI mahander Parkast)

FIR No. 00363/2020 PS Mundka State Vs. Tirlangi Shankar Rao and Girish D.K. U/s 379/411/34 IPC

20.07.2021

Today undersigned is also deputed as Duty MM (West District), Tis Hazari Courts, Delhi.

Present:

Ld. APP for the State joined through VC.

Accused Tirlangi Shankar Rao S/o Sh. Appadu and Girish D.K. S/o Sh. Krishanappa produced from JC through VC.

Ld. Counsel Sh. Abhinav Garg for both accused persons.

IO HC Thakur Dass in person.

An application for 14 days JC of accused persons Tirlangi Shankar Rao and Girish D.K. is filed by the IO.

Application perused. Submissions of IO heard. Case diary also perused.

IO submitted that both above accused persons were formally arrested from Tihar Jail in above case FIR No. 00363/2020 on 19.07.2021 as stolen articles i.e. equipments used in mobile tower were recovered from above accused persons. IO further submitted that above accused persons are also involved in other cases of theft. IO further submitted that JC is required to prevent accused persons from committing any further offence.

Per contra, Ld. Counsel for both accused persons submitted that false FIR in 19 cases were lodged against above accused persons which are basically connected to one transaction. He further submitted that both accused persons were bonafide purchaser of mobile scrap material and they have not committed any theft. He further submitted that all FIRs were lodged during the period of lockdown. He further submitted that above accused persons were employee of Bharti Tele Network and came for the inspection of scrap material



purchased by their company. They were falsely apprehended by police officials in above case. Ld. Counsel submitted that both accused persons were granted bail in other FIRs and there is no requirement for keeping accused persons in JC in this case.

On inquiry from Court, IO submitted that investigation has been completed. However, IO submitted that there are several cases against accused persons. After perusing case diary as well as application, Court is satisfied regarding ground of arrest. Considering the fact of involvements of accused persons in other cases, Court is satisfied regarding ground of arrest and JC. Both above accused persons be sent to JC for 14 days. Both accused be produced before concerned Court on <u>03.08.2021</u>.

Copy of this order be sent to concerned Jail Superintendent. Concerned Jail Superintendent is directed to make entry in the custody warrants of both above accused persons regarding date of arrest as 19.07.2021 and date of first judicial custody as 20.07.2021 alongwith other particulars of accused persons.

Copy of this order be also given to IO as well as Ld. Counsel.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II] MM-05(West)/THC/Delhi/20.07.2021

Recumit Appoint Sont

FIR No. 6816/2021 PS Hari Nagar State Vs. Raja U/s 379/411 IPC

20.07.2021

Today undersigned is also deputed as Duty MM (West District), Tis Hazari Courts, Delhi.

Present:

Ld. APP for the State joined through VC.

Sh. Sushil Babu, Head Warden, 791 in person.

Report regarding address verification of accused Raja produced by Head Warden Sushil Babu who is authorized by Deputy Superintendent, Central Jail No. 4, Tihar. Sh. Sushil Babu submitted that clarification is required regarding release of accused on furnishing of Personal Bond on furnishing of permanent address.

Report regarding address verification perused. Interim bail order dated 27.05.2021 passed by Ld. Duty MM, West, Tis Hazari also perused.

Submissions heard.

It is mentioned in the report that accused Raja S/o Sh. Zeenat Ali was granted interim bail for a period of 90 days on furnishing of Personal Bail Bond in the sum of Rs.10,000/- to the satisfaction of Jail Superintendent subject to his address verification. It is further mentioned in the report that as per custody warrant of accused the address of accused is House No. B-180, 2nd Floor, Fateh Nagar, Tilak Nagar, Delhi and IO / SHO of concerned police station was requested to verify the given address to which report was received from above police station stating that address of accused is not verified.

It is further submitted that accused had provided his permanent



address i.e. Mohalla Jail Road, Pakki Sarai Chowk, Thana Nagar, District Mujaffarpur, Bihar which was verified by Senior Superintendent of Police, Mujaffarpur, Bihar vide letter No. 256/DCRB dated 07.07.2021. Copy of verification report of SP, Mujaffarpur, Bihar is annexed with the report. Clarification was sought on behalf of Jail Authorities whether accused can be released on the basis of verification of permanent address as above mentioned.

Submissions heard.

Perusal of interim bail order passed by concerned Duty MM-I dated 27.05.2021 shows that accused was directed to be released on interim bail for a period of 90 days on furnishing of Personal Bond in the sum of Rs.10,000/- to the satisfaction of Jail Superintendent after verification of address of accused from concerned police station. Whether accused should be released on the verification of local address or permanent is not mentioned in the bail order. As discussed above, permanent address of the accused has been verified, therefore, in the view of the Court, there is no bar in releasing accused on furnishing of Personal Bond as directed aforesaid by Court on his permanent address. Jail Superintendent may act accordingly as per direction on interim bail passed by concerned Duty MM-I (West), Tis Hazari on 27.05.2021.

Proceedings be sent to concerned Court.

Copy of this order be given dasti to Sh. Sushil Babu, Head

Warden.

[RAKESH/KUMAR-II] MM-05(West)/THC/Delhi/20.07.2021

PCOPY.

In The Coust of M.S. Neha Pandey Ld. M.M. T. H.C Delhi. E-FIRNO- 013071/21 Date 18/05/21 UIS. 374/411/34 IPC PS. Mayapani. SIT - Dalleet Singh Slo Shi Jaswant Sirgh. SIV- RaJiv @ Bally Sio Saway a Santash Sio Ballusing SUB: Formal Arrest 9 Introgetton of Permission contra! Statistist, processor some estate for promount constant se sio 3 mind 420 mid at EFIR No. 13071/21 Date-18/11/1 UT-379 IPC Aart ch b Date- 19/07/209 on DDNO-20A Date. 19/07/n 015- 41.1 (D) /10200PC PS Narainer & month or wife a रंतार के जिस्मार किया का किया पूर्व बहाय डिस्मी न डिस्मी इन्हांक किलाही की किलाहाल उट केही दोना अन्तीन जी Drani Burion & Formed Arrest tran & his month Training & stating of Gian mouthing in Formal Arrest of Dote to Hames in house and of winds of winds of winds of our family of and of winds of our our of ou 2013/W P8850188-01884 P.S. Mayorin (Dolin). Date-20/07/2024

In the Court of Sn. Duty mm Tis hogin and Delw it. RAICHEN KUMBE (MM) THC-DEUM Care fine 17453)21 et 1/7/21 yoszalun/zu sa Pukhyale 1) Samin so sahid yo Near Anshar Masjid Khushalanl Gendan Poops Colony Loni Gazia bad UP. Bye 307110 2 Sahnawaz s/o Parvetto Ryo Nean Anshenmarkiel Khushal Gardan Pooja Colony Loni Gardabad UP Ay. 23 115 Subject! - YEONER & Formed Arrest Uningen Es mondeli Jail Mora ut मिन्ट में एका ही है जिस्सा हात है। अहा कि नोर्थ अहा Car DL-9(AS 4918 SWIJA COL & HIM AATS/SHD DUT WAS & 310Ah 3447 4 941 By 18 1812 con fin No 160/2) 4, 411, 482, 34 De Ps Angel When It JC38 मेता भागिया अहामा के निवड़ा है कि छेला है WIST SIN MANT TO YEERILY & FORMEN ATVEST BE SIGNIF नार ही लाए Pale- 20/7/4 Penson. In Submission of To heard.
Application Perused. AC Rajerh Kromal 2971/10 considéring avenuent mentioned din application Ps Drydle dt 20/7/2 Yeurissiso ter Interngation and arrest, it very as her law is granted

FIR No. 517/2021 PS Paschim Vihar West State Vs. Priyanka U/s 370 (4) IPC / 75/81 J.J. Act

20.07.2021

Present:

Ld. APP for the State joined through VC.

Ld. Remand Advocate Sh. Rupesh Mishra joined through VC.

Accused namely Priyanka produced from JC. Above accused was

arrested on 10.07.2021 and JC of above accused was taken on 10.07.2021.

IO SI Pradeep Kumar from Special Staff / OD with case file.

Application regarding 04 days PC remand of above accused taken today. Case diary as well as allegations mentioned in FIR perused.

It is submitted by the IO that above-mentioned accused has been arrested in abovesaid case FIR. It is further submitted that 04 days of PC remand of accused persons is necessary for tracing co-accused and for further investigation and custodial interrogation is also required. It is submitted that above accused persons was involved with other co-accused persons in trafficking of a minor who was 2-3 days old. It is further submitted that allegations against accused is that she has tried to sell the above minor and other co-accused persons are also involved in the case. Court is satisfied regarding ground of PC remand as in the view of Court police custody and further investigation may unearth *modus operandi* of above crime as well as in tracing other co-accused persons who were involved in the case in hand. Accordingly PC remand for 03 days is granted. Accused will be produced before the concerned Court on 23.07.2021.

Medical examination of accused persons be conducted as per rule. Application disposed of accordingly.

Copy of this order be given dasti to IO.

Original proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM (West)/THC/Delhi/20.07.2021

Sewal S Hardest b

e-FIR No. 016482/17 PS Nihal Vihar State Vs. Arif & Arsan U/s 379/411 IPC

20.07.2021

Present:

Ld. APP for the State joined through VC.

IO HC Durga Shankar in person.

Accused Arif S/o Liyakat and Arsan S/o Chand produced from

Muzaffar Nagar Jail, U.P. through VC.

Remand Advocate Sh. Rupesh Mishra joined through VC.

An application for 14 days JC of accused persons Arif S/o Liyakat and Arsan S/o Chand is filed by IO.

Application perused. Submissions of IO heard. Case diary also perused.

IO submitted that both above accused persons were formally arrested in Muzaffar Nagar Jail, U.P. in above case e-FIR No. 016482/17 PS Nihal Vihar on 19.07.2021 at 5:00 P.M. as stolen motorcycle of the above case was recovered from above accused persons by U.P. Police. IO further submitted that accused persons were previously involved in other cases and accused persons if released may commit further offence. IO further submitted that investigation is in progress and accused persons if not sent to JC, then they may flee away. Therefore, to prevent to commit further offence and for proper investigation and for ensuring presence of accused persons before the Court, both above accused persons be sent to JC.

After perusing case diary, arrest memo as well as application, Court is satisfied regarding ground of arrest. IO further submitted that JC of above accused persons is required for proper investigation of case besides ground that accused persons were previously involved in other cases.

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Considering the fact that investigation is in progress and previous involvements of accused persons, Court is satisfied regarding ground of arrest and JC. Both above accused persons be sent to JC for 14 days. Both accused be produced before concerned Court on <u>03.08.2021</u>.

Copy of this order alongwith custody warrants be sent to concerned Jail Superintendent through IO. Concerned Jail Superintendent is directed to make entry in the custody warrants of both above accused persons regarding date of arrest as 19.07.2021 and date of first judicial custody as 20.07.2021 alongwith other particulars of accused persons.

Copy of this order be also given to IO.

IO is directed to furnish copy of above remand order as well as custody warrants to concerned Jail Superintendent, Muzaffar Nagar, U.P. Concerned Jail Superintendent, Muzaffar Nagar, U.P. is directed to produce both above accused persons on <u>03.08.2021</u>.

Jail official who has produced both accused persons through VC had also furnished e-mail ID of jail which is jailmuzaffarnagar@gmail.com. Copy of above ordersheet be sent to concerned Jail Superintendent of Muzaffar Nagar Jail, U.P.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM(West)/THC/Delhi/20.07.2021

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S/V:- Jishan @ Zeesnan Sto mand Aslam RJo- Halo- 34/324. Trilak pyri, Delni

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FIR No. 160/19
PS Rajouri Garden
State Vs. Captain
U/s 307/341/506/174A/34 IPC & 25/27 Arms Act

20.07.2021

Present:

Ld. APP for the State joined through VC.

IO SI Sandeep Kumar in person.

Accused Captain produced from JC through VC.

Remand Advocate Sh. Rupesh Mishra joined through VC.

An application for 14 days JC of accused namely Captain S/o Sh. Shastri Singh is filed by IO in above case FIR No. 160/19 u/s 307/341/506/174A IPC.

Application perused. Submissions of IO heard. Case diary also perused.

IO submitted that accused was evading his arrest during investigation of above case and therefore, accused could not be interrogated at the stage of investigation. IO submitted that above accused was formally arrested in Tihar jail in above case FIR No. 160/19 on 19.07.2021 as he was declared PO vide order dated 28.09.2019. IO further submitted that TIP proceedings is to be done. IO further submitted that presence of accused could not be ensured unless he be sent to JC. Therefore, to secure the presence of accused before the Court, accused be sent to JC.

After perusing case diary as well as application, Court is satisfied regarding ground of arrest. IO further submitted that JC of above accused is required for proper investigation of case. Considering the fact

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that investigation is in progress, Court is satisfied regarding ground of arrest and JC. Above accused be sent to JC for 14 days. Accused be produced before concerned Court on 03.08.2021.

Copy of this order be sent to concerned Jail Superintendent. Concerned Jail Superintendent is directed to make entry in the custody warrants of above accused regarding date of arrest as 19.07.2021 and date of first judicial custody as 20.07.2021 alongwith other particulars of accused persons.

Copy of this order be also given to IO.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM (West)/THC/Delhi/20.07.2021

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FIR No. 334/2021 PS Patel Nagar State Vs. Shivani Verma U/s 363/364A IPC

20.07.2021

Present:

Ld. APP for the State joined through VC.

Accused Shivani Verma produced after fresh arrest.

IO SI Yogender in person.

Ld. Remand Advocate Sh. Rupesh Mishra joined through

VC.

As per arrest memo, arrest was effected on 20.07.2021. MLC also perused. There is no fresh external injuries as per MLC.

An application for 14 days JC of accused filed. IO submitted that allegations against accused is that she had kidnapped a minor of 03 years old for ransom and accused was demanding Rs.45,000/- as a ransom to release the minor. IO submitted that investigation is in progress and accused if released, may flee away.

Submissions heard. Case diary perused.

Considering the seriousness of allegations as well as fact that investigation is undergoing, Court is satisfied regarding ground of arrest and JC. Therefore, accused be sent to JC for 14 days. Accused be produced before concerned Court on <u>03.08.2021</u>.

Copy of this order be given dasti to IO.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM (West)/THC/Delhi/20.07.2021

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20/7/21/Note

e-FIR No. 34482/18 PS Nihal Vihar State Vs. Kunal @ Annu U/s 379/411 IPC

20.07.2021

Present:

Ld. APP for the State joined through VC.

IO HC Rishi Ram in person.

Accused Kunal @ Annu S/o Bhagat Singh produced from JC

through VC.

Remand Advocate Sh. Rupesh Mishra joined through VC.

An application for 14 days JC of accused Kunal @ Annu S/o Bhagat Singh is filed by IO.

Application perused. Submissions of IO heard. Case diary also perused.

IO submitted that both above accused was formally arrested in Tihar jail in above case e-FIR No. 34482/18 on 19.07.2021 as stolen motorcycle was recovered from above accused. IO further submitted that accused was previously involved in other cases and accused if released may commit further offence. IO further submitted that accused may threaten the complainant. Therefore, to prevent to commit further offence, accused persons be sent to JC.

After perusing case diary as well as application, Court is satisfied regarding ground of arrest. IO further submitted that JC of above accused is required for proper investigation of case. Considering the fact that investigation is in progress and previous involvements of accused persons, Court is satisfied regarding ground of arrest and JC. **Both above accused persons be sent to JC for 14 days. Both accused be produced before**

concerned Court on 03.08.2021.

Copy of this order be sent to concerned Jail Superintendent. Concerned Jail Superintendent is directed to make entry in the custody warrants of both above accused persons regarding date of arrest as 19.07.2021 and date of first judicial custody as 20.07.2021 alongwith other particulars of accused persons.

Copy of this order be also given to IO.

Proceedings be sent to concerned Court.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi/20.07.2021

FIR No. 440/2021 PS Ranhola State Vs. Singh Raj @ Amit U/s 33 Delhi Excise Act

20.07.2021

Present:

Ld. APP for the State joined through VC.

Accused namely Singh Raj @ Amit produced from police custody after fresh arrest. Above accused was arrested on

19.07.2021.

Ld. Counsel Sh. J.K. Dhingra for accused.

10 HC Krishan with SI Anil Kumar with case file.

Application regarding 02 days PC remand of above accused taken today. Case diary as well as allegations mentioned in FIR perused.

It is submitted by the IO that above-mentioned accused has been arrested in abovesaid case FIR as allegations against him is that earlier 02 accused persons were arrested while unloading the liquor bottles and they had disclosed that they were working for accused Amit and Vishal. It is further submitted that 02 days of PC remand of accused is necessary for tracing co-accused Vishal as it is required for proper investigation of case.

Per contra, Ld. Counsel for accused submitted that earlier arrested persons namely Amit was granted bail on 10.07.2021. He further submitted that no purpose will be served by police custody as IO may ascertain the detail of co-accused without police custody.

Submissions heard. Case diary perused.

Court is satisfied regarding ground of PC remand as in the view of Court police custody is required for tracing co-accused which in turn necessary for the overall and proper investigation of case. Accordingly PC remand for 01 day is granted. Accused will be produced before the concerned Court on **21.07.2021**.

Medical examination of accused be conducted as per rule. Application disposed of accordingly.

Copy of this order be given dasti to IO.

Original proceedings be sent to concerned Court.

[RAKESH KUMAR-II] Duty MM (West)/THC/Delhi/20.07.2021

Parl recom 2017/2021

FIR No. 439/2021 PS Ranhola State Vs. Singh Raj @ Amit U/s 33 / 38 Delhi Excise Act

20.07.2021

Present:

Ld. APP for the State joined through VC.

HC Krishan Kumar on behalf of IO.

Accused Singh Raj @ Amit produced after fresh arrest.

Ld. Counsel Sh. J.K. Dhingra for accused.

An application for 14 days JC of accused filed.

IO submitted that above accused was arrested on the basis of disclosure statement of accused namely Amit who was unloading the liquor bottles from a vehicle. Above person namely Amit was arrested and he disclosed that he is merely unloading as a daily wager and he is unloading above liquor on behalf of accused Singh Raj @ Amit and Vishal. IO further submitted that above accused Singh Raj @ Amit was arrested on the basis of disclosure statement of Amit. On inquiry from Court, IO submitted that arrest of co-accused Vishal is required, therefore, accused Singh Raj @ Amit be sent to JC. IO has filed remand application mentioning the ground stipulated in Section 41 (1) (b) of CrPC. However, on inquiry from Court, IO could not furnish any reason as to how grounds stipulated in Section 41 (1) (b) CrPC is attracted. On inquiry from Court, IO submitted that no grounds of arrest is mentioned in case diary.

Per contra, Ld. Counsel for accused vehemently opposed the

Description to immediate J. Section

Submissions heard.

IO has not humished any reason for arrest of accused except the ground mentioned in Section 41 (1) (b) CrPC, however, without mentioning any reason as to how the ground mentioned in Section 41 (1) (2000) is attracted. As per IO, accused was arrested on the basis of accused statement. On inquiry from Court, IO submitted that no accused on its required from accused in this case.

Considering abovesard facts and circumstances, Court is of the work are seen is unjustified and no purpose would be served by soming accused to IC as accused is not required for custodial accused to its investigation purpose. It is settled law that liberty of a resent cannot be curtailed mechanically. IO is duty bound to exercise the assertion of arrest in judicious manner. Arrest of accused is one thing and ground it arrest is another. Considering above discussion, Court does not see any reason to send accused for further detention. Therefore, remaind application filed on behalf of IO is dismissed and accused single Raij @ Armit is admirted to bail on furnishing of Bail Bonds in the sum of Rs.15.000 - alongwich one surrety in like amount. Bail Bonds not furnished.

Accused Singir Raj @ Amie be sent to JC for 14 days and be available on IB.18.2021

Copy of order be given dasti to IO as well as Ld. Counsel or accused.

[RAKESH KUMAR-II]
Dary MM (Wess)/TER/Delhi/20.07.2021

FIR No. 421/2021 PS Ranhola State Vs. Krishna U/s 498A/307/34 IPC

20.07.2021

Present:

Ld. APP for the State joined through VC.

IO SI Anil Kumar in person.

Accused Krishna produced after fresh arrest.

Ld. Counsel Sh. Ram Kishan for accused.

IO filed an application for 14 days JC of accused.

IO submitted that allegations against accused is that she had pushed the victim and victim fell down and suffered injuries. IO further submitted that allegation is that accused alongwith co-accused persons were torturing the victim for dowry.

Per contra, Ld. Counsel for accused submitted that accused is falsely implicated. He further submitted that name of accused is not mentioned in the FIR and it was subsequently mentioned in the statement given to the SDM. Therefore, it is an afterthought and accused was therefore, falsely implicated just to pressurize the accused family.

Submissions heard. FIR as well as statement given to SDM as well as case file perused.

Considering the nature of allegations and gravity of offence and further fact that investigation is at initial stage, Court is satisfied regarding grounds of arrest and JC. Accordingly, accused Krishna be sent to JC for 14 days and be produced before concerned Court on 03.08.2021.

Copy of order be given dasti to 10 as well as Ld. Counsel for

accused.

[RAKESH/K/UMAR-II] Duty MM (West)/THC/Delhi/20.07.2021

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In the Court : Sh	MM TIS HAZARI	Court Delhi
Case FIR No. 747/2021	Date Anda House U/s 77 A)
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SN <u>Sanil s la mulaj</u> Galj No 7, mundka In	R/o 69/13, flot No.5 distrial Area	Date of Arrest 20/07/21
Subject: Request for		
that the above said accused person may days Judicial Custody. In order to (a) To prevent the accused from control (b) Conduct proper investigation of (c) To prevent the accused from control (d) To prevent the accused from many control (d) To prevent the accused person may days Judicial Custody. In order to	ommitting any further offence; or f the offence; or ausing the evidence of the offence to be in any manner; or making any inducement, threat or process of the case so as to dissuade him out or to the police officer; or	o disappear
	Submitted Please.	
tresh went of or	P.S. <u>Mundker</u> Date 20/01/21	Delhi Newson Jerre When I was a ferre 1 8/21 1 8/21 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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