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IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on: February 03, 2021

Pronounced on: February 16, 2021

+ **BAIL.APPLN.3550/2020**

MOHD. DANISH

..... Petitioner

Through: Mr. Salman Khurshid, Sr. Adv. with
Mr. Bilal Anwar Khan and Ms.
Anshu Kapoor, Advs.

Versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. S.V. Raju, ASG with Mr. Amit
Mahajan, SPP, Mr. Amit Prasad, SPP,
Mr. Rajat Nair, SPP, Mr. Shantanu
Sharma, Mr. Dhruv Pande, Ms.
Sairica Raju, Mr. A. Venkatesh, Mr.
Guntur Pramod Kumar, Mr. Shaurya
R. Rai, Ms. Zeal Shah, Ms. Aarushi
Singh and Mr. Anshuman Singh,
Advs.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T

The hearing of the case was conducted through video conferencing.

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail in case FIR No.60/2020, for the offences punishable under Sections 186/353/332/323/109/144/147/148/149/153A/188/333/336/

427/307/308/397/412/302/201/120-B/34 IPC read with Sections 3 & 4 PDPP Act and 25/27 Arms Act, registered at PS Dayal Pur, North East District, Delhi.

2. It is stated in the present petition that the petitioner is a Cab Driver by Profession and he is currently working with HCL Gurgaon on contractual basis. Petitioner used to be on night duty from evening till morning. He was attached with HCL through one vendor, namely, Ravi Tour and Travels for past six months.

3. Case of the petitioner is that one maternal aunt, one elder sister and maternal uncle of the petitioner reside in the Chandbagh area. The said maternal aunt is mother-in-law of the elder sister of the petitioner residing currently at C-89, Street No.1, Moonga Nagar, Karawal Nagar Road, Delhi-110094 while the maternal cousin named Ikram of the petitioner resides at Street No.3, Karawal Nagar Road, Chandbagh. On 23rd February, 2020, petitioner along with his cousin Ashu decided to leave for Chandbagh to pay a visit to the relatives. On said day, things were as usual calm and normal. It was only on 24th February that things started worsening up. Late mother (she was alive on that day) of the petitioner called and asked the petitioner to stay at maternal aunt's/elder sister's place till the things get normal and return

home at Loni thereafter. On 25th February around 6:00 am in the morning, petitioner returned to his residence where his parents were residing, i.e. H. No.110, Gali No.3, Rabbani Masjid, Prem Nagar, Loni Ghaziabad, UP. However, on 10.03.2020 that petitioner got a call from one lady customer asking for petitioner's cab on monthly basis. Accordingly, petitioner left his residence at Loni to reach at the customer's location on 10.03.2020 and while petitioner was en-route, that he was confronted by Nandnagri Police Personnel. He was brought to Nandnagri Police Station and thereafter, he was taken to Crime Branch, Lodhi Road. Petitioner was arrested while being at work.

4. Mr. Salman Khurshid, learned Senior Counsel appeared on behalf of petitioner and submitted that there is no recovery from the petitioner which could connect him with the alleged charges in the present FIR. Alleged statement by the petitioner herein is false, fabricated and illegal. It is factually incorrect that petitioner deposed any information to the Police officials. He is educated only till class X. He was made to sign some plain papers which later found out to be disclosure statements attributed to him.

5. Further submitted that as per Section 162(1) Cr.P.C., no statement that has been given to the police official be signed by the person making it.

“162. Statements to police not to be signed: Use of statements in evidence.

(1) No statement made by any person to a police officer in the course of an investigation under this Chapter, **shall**, if reduced to writing, be signed by the person making it; nor shall any such statement or any record thereof, whether in a police diary or otherwise, or any part of such statement or record, be used for any purpose.”

6. Therefore, the alleged disclosure statement suffers from gross illegality and it is in the teeth of Section 162(1) Cr.P.C. and cannot be relied upon at this juncture. Moreover, statement under Section 161 Cr.P.C. given to the police officials is not the substantive piece of evidence as held by Hon'ble Supreme Court speaking through Hon'ble Justice GP Mathur in case of ***Rajendra Singh vs State of UP*** (2007) 7 SCC 378:

“...7. ...A statement under Section 161 Cr.P.C. is not a substantive piece of evidence. In view of the proviso to sub-section (1) of section 162 Cr.P.C., the statement can be used only for the limited purpose of contradicting the maker thereof in the manner laid down in the said proviso.....

....11. Having considered the submissions made by learned counsel for the parties, we are of the opinion that the statements of the witnesses under Section 161 Cr.P.C. being wholly inadmissible in evidence could not at all be taken into consideration. The High Court relied upon wholly inadmissible evidence to set aside the order passed by the learned Sessions Judge. That apart, no finding on a plea of alibi can be recorded by the High Court for the first time in a petition under Section 482 Cr.P.C. As mentioned above, the burden to prove the plea

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of alibi lay upon the accused which he could do by leading evidence in the trial and not by filing some affidavits or statements purported to have been recorded under Section 161 Cr.P.C. The whole procedure adopted by the High Court is clearly illegal and cannot be sustained....”

7. Learned Senior Counsel submitted that the alleged statements given to the police personnel suffered from gross illegalities and patently in violation of Sections 161 and 162 of the Cr.P.C. Beside that the statements are absolutely photocyclic in nature. Petitioner did not know any of the co-accused either. Therefore, the alleged statements appear to be fabricated and copied, hence, inadmissible as per law. In addition, alleged statements suffer from gross illegality as per Sections 25 & 26 of the Indian Evidence Act which states that:

*“Section 25: Confession to police officer not to be proved.- No confession made to a police officer, **shall be proved** as against a person accused of any offence.”*

*Section 26: Confession by accused while in custody of police not to be proved against him.-No confession made by any person whilst he is in the custody of a police officer, **unless it be made in the immediate presence of a Magistrate,** shall be proved as against such person.”*

8. Further submitted that the collective reading of the preceding section of Indian Evidence Act bars any kind of statement given to the police by the accused. The alleged statement was given in the police custody. Henceforth,

it has no evidentiary value as per Indian Evidence Act. The extent to which statement made during police custody to the police is limited to the discovery aspect. Section 27 of the Indian Evidence Act says;

“Section 27: How much of information received from accused may be proved.-Provided that, when any fact is deposed to as discovered in consequence of information received from a person accused of any offence, in the custody of a police officer, so much of such information, whether it amounts to a confession or not, as relates distinctly to the fact thereby discovered, may be proved.”

9. It is further submitted that there is no recovery of weapon from the petitioner which can with any stretch of imagination substantiate the alleged charges mentioned in the FIR No.60/2020 registered PS Dayalpur. There is no piece of alleged recovery as per charge-sheet. The illegal disclosure statement sans discovery can in no way be scrutinised to satisfy the legal ingredients to either make a constituents of crime or any ingredients of any offence mentioned in the FIR or defined in the Indian Penal Code or Arms Act. The disclosure statement is in teeth of doctrine of self-incrimination enshrine under Article 20(3). Article 20(3) of Constitution of India states:

*“(3) No person accused of any offence **shall be** compelled to be a witness against himself.”*

The disclosure statement is violative of Article 20(3) patently and henceforth cannot be relied upon to form a *prima facie* view regarding involvement of the petitioner in the alleged incident.

10. Mr. Khurshid further submits that the case against the petitioner is unfounded on the main charges. The entire case is on either 149, 120-B or 34 IPC. In event of Section 149 IPC, there is nothing on record to suggest that the petitioner acted with '*common object*'. The entire case rests upon the Section 149 IPC. The Three Judges Bench of Hon'ble Supreme Court while reversing the conviction under Section 302 r/w Section 149 IPC in ***Amrika Bai vs State of Chhattisgarh*** 2019 4 SCC 620 at Para 12.

“...The above observation cast a serious doubt on the involvement of the appellant in the incident in which the deceased was beaten to death and she suffered unexplained injuries. Thus, she cannot be termed to be a member of the unlawful assembly, much less one which was alleged to have been constituted with the common object of murdering the deceased. The law is well settled on the aspect that mere presence in an unlawful assembly cannot render a person liable unless there was a common object, being ones of those set out in Section 141 IPC and she was actuated by that common object...”

11. Therefore, in the instant case there is nothing in the charge-sheet to suggest that the petitioner herein acted with any common object. The conspiracy aspects hold no water. The implicating material is the CDRs of

the petitioner. However, as per CDRs of his mobile number is 8076340702 the location on 24.02.2020 (from 11:16:47 am till 14:58:05 pm) is of F-586, Khajuri Khas, Karawal Nagar Road, Delhi- 110094. As per CDRs records, there is no outgoing or incoming call/sms from the mobile number of the petitioner to any of the co-accused numbers. Moreover, the location as per CDRs is 200-250 meters away from the place of incident i.e. Main Wazirabad Road Near Chandbagh area. Thus, it is submitted that the petitioner is innocent. Charge-sheet has already been filed. The petitioner is in judicial custody since 11.03.2020 and he is no more required for investigation. The fact remains that the trial shall take substantial time, therefore, there is no purpose to keep him behind the bar. Thus, he may be released on bail.

12. The present case pertains to communal riots which erupted in North East, Delhi on 24.02.2020. An illegal protest site was being run at Chandbagh i.e. the place of occurrence and misinformation was continuously being spread from the protest site against CAA/NRC that it would take away the citizenship of Muslims. On 24.02.2020, a police team deployed at the protest site was brutally attacked without provocation. HC Ratanlal was shot dead while several policemen including DCP Amit

Sharma were injured with grievous injuries. Accordingly, case was registered for the offences punishable under Sections 186/353/332/333/323/109/144/147/148/149/153A/188/336/427/307/308/397/412/302/201/120-B/34 IPC r/w 3 & 4 PDPP Act, 25/27/54/59 Arms Act.

13. Mr. S.V. Raju, learned Sr. Adv. and learned Additional Solicitor General of India, while opposing the petition submits that there were weapons in the hands of the accused, i.e. gun, stones, logs, sword, petrol bombs, chemical bombs, iron rod etc. Petitioner is a resident of Loni, Ghaziabad, however, on 23rd February and 24th February and at the time of incident, his location was at Chandbagh at the place of incident as per call detail records. Petitioner was actively involved in riots and was identified by the witnesses Ct. Sunil and Ct. Gyan of PS Dayalpur. Their statements in this regard have been recorded u/s 161 Cr.P.C. It is a case of murder of one public servant while performing his official duties, the petitioner actively participated in the riots and as a part of unlawful assembly the petitioner is responsible for the act too.

14. Further submitted that in close vicinity to the incident under investigation in the present case, huge arson and rioting took place. A petrol pump was burnt, several shops/showrooms were also set ablaze and at least

three other persons lost their lives. All the cases are presently under investigation separately. In the present case, accused persons had killed HC Ratanlal and tried to kill the police party including DCP Shahdara and ACP Gokulpuri who received serious injury on head.

15. Learned ASG fairly conceded that who gave fatal blow to the deceased is not known, however, medical evidence on record shows as under:

“(a) Oval shape firearm wound of size 1.2 CM X 1 CM placed lateral aspect of left upper arm, 6 CM away from tip of left shoulder and 12.5 CM away and above to left anterior axillary fold and 140 CM above left hill. An abrasion collar was present over the antero-lateral margin of the wound. On dissection of the wound, the underlying left humerus bone was fractured, direction of the track was downward, back ward and left to right, track entered the left chest cavity after fracturing the 3rd rib at anterior axillary lying, passing through and through to the apical lobe of left lung, body of T3 vertebrae and apical lobe of right lung then exit the right chest cavity after fracturing 4th Rib up and then to the posterior muscles of right arm where a copper jacketed bullet of size 1.5 CM in length and 0.8 CM in diameter of base was found. Total length of the track was 48 CM bullet was removed, preserved and sealed after making an 'X' mark on the base. Both chest cavities were filled with blood and blood clots of about 1 litre.

(b) Reddish abrasion of size 0.5 CM X 0.5 CM present over dorsal aspect of left hand, 3.5 CM above the knuckle of index finger.

- (c) *Reddish abrasion of size 0.3 CM X 0.3 CM present over knuckles of middle and ring fingers of left hand.*
- (d) *Reddish abrasion of size 1 CM X 0.4 CM present over dorsal aspect of ring finger of right hand.*
- (e) *Reddish abrasion of size 0.6 CM X 0.3 CM present over dorsal aspect of middle finger of right hand.*
- (f) *Lacerated wound of size 1 CM X 0.4 CM X muscles deep present over medial phalanx of middle finger of right hand.*
- (g) *Reddish abrasion of size 1.8 CM X 1 CM present over left upper eyelid with underlying bruise of size 3 CM X 2 CM.*
- (h) *Reddish abrasion of size 2 CM X 1 CM obliquely placed, present over left side of head, 5.5 CM away from midline and 7.5 CM above left eyebrow.*
- (i) *Reddish abrasion of size 2.5 CM X 0.4 CM, horizontally placed, present over left side of forehead, 5 CM away from midline and 5.5 CM above lateral margin of left eyebrow.*
- (j) *Reddish bruise of size 4 cm X 3.5 cm present over the middle of forehead placed across the midline.*
- (k) *Reddish abrasion of size 0.5 cm X 0.3 cm present over antihelix of left ear.*
- (l) *Reddish abrasion with reddish bruise of size 3.5 CM X 0.5 CM, horizontally placed, present over left on the neck, 2 CM below left ear lobe.*
- (m) *Lacerated wound of size 2.5 CM X 0.5 CM X bone deep present over right occipito-parieto-temporal area, 10 CM above to the tip of right mastoid and 9.5 CM right from midline.*
- (n) *Lacerated wound of size 1.2 CM X 0.5 CM X bone deep present over right head, 1 CM above and behind to the injury no 13.*
- (o) *Lacerated wound of size 5 CM X 1 CM X bone deep, horizontally placed, present over the left parietal area, medial end was just on midline and lateral end was 16 CM above to the tip of left mastoid.*

(p) *Lacerated wound of size 2.5 CM X 0.5 CM X bone deep, horizontally placed, present over occipital protuberance.*

(q) *Reddish abrasion of size 2 CM X 0.6 CM present over patella of left knee.*

(r) *Reddish abrasion of size 2.5 CM X 2 CM present over the anterior aspect of right leg, 10 CM below the right patella.*

(s) *Reddish abrasion of size 1.7 CM X 0.5 CM present over the anterior aspect of right leg, 22 CM below the right patella.*

(t) *Reddish Tram track bruise of size 6 CM X 2.5 CM with intervening normal skin of size 1 CM, obliquely placed over the posterior aspect of right leg, 9 CM below right knee joint.*

(u) *Reddish abrasion of size 0.5 CM X 0.5 CM present over right popliteal fossa.*

Cause of the death - Haemorrhagic shock as result of ante mortem injury to lungs produced by projectile of rifled firearm. All injuries were ante mortem in nature. Injury No. a was produced by projectile of firearm. Injury No. b to u produced by blunt force impact/ object. Injuries No.a,j,m,n,o and p were sufficient to causes death in ordinary course of nature independently and collectively.”

16. Mr. Raju, learned ASG submitted that all the accused persons who have been arrested in the case including the petitioner herein have actively participated in the rioting causing death of HC Ratanlal and injuring as many as 50 injured persons.

17. During the present investigation, it has clearly emerged that the riots at Chandbagh protest site was not an impromptu incident but the outcome of

a well thought out plan. Soon after the passing of the Citizenship Amendment Act, 2019 protest against CAA and NRC started at various locations including the one at Chandbagh site. This protest site had no official permission and was being held blatantly in violation of rules and regulations on a public thoroughfare causing massive inconvenience to the passersby in general and the shopkeepers in front of whose shops the protest site was being run, in specific. At this protest site various speakers continuously spread falsehood about CAA and NRC, and deliberately conveyed to the Muslim population that they would lose their citizenship and later when NRC would be introduced then on non-production of the documents they would be sent to the detention camps. Outwardly, the protest was being done innocuously for protection of Constitution and Constitutional values, the protestors could be seen waving the National flag and displaying pictures of Mahatma Gandhi, Baba Saheb Ambedkar, Shaheed Bhagat Singh and others. However, the truth about the protest, the protestors and its true intentions became clear as soon as the unprovoked violence was started by them.

18. Further submitted that the various incidents and protests which consequently led to the riots dated 24.02.2020 and just before the incident

i.e., from 12.05 pm onwards, all CCTV Camera installed by PWD in Chandbagh Area as also private CCTV Camera installed by shopkeepers and residents were systematically damages/ covered/ angle changed in order to avoid recording real time incidents. During course of investigation some small video footages of the incident has been recovered from public persons who could by chance record the incident. The public person, who have been cited as witness were residing near by the place of incident, however, the injured police personnel were posted in different units. All the accused had already been identified by their names, therefore, TIP was not conducted.

19. Mr. Raju further submitted that Section 149 of IPC provides that *“If an offence is committed by any member of an unlawful assembly in prosecution of the common object of that assembly, or such as the members of that assembly knew to be likely to be committed in prosecution of that object, every person who, at the time of the committing of that offence, is a member of the same assembly, is guilty of that offence. Hence, this section imposes vicarious liability on each person who is the part of that Mob. Therefore, all the accused persons being active member of the unlawful assembly, are equally and squarely liable for the criminal act committed by*

the unlawful assembly". In the present case, seven accused persons arrested have previously been involved in other criminal cases.

20. While concluding his arguments, learned ASG submitted that further investigation of the case in terms of Section 173 (8) Cr.P.C. is in progress. The investigating agency has released photographs of persons involved in the incident whose identity could not be established and announced a reward for information. Further, two accused persons have been declared proclaimed offenders and NBWs taken for three absconding accused. Thus, all genuine and sincere efforts are being made to establish identities and take the investigation to logical conclusion. Thus, in view of serious allegations against the petitioner the present petition deserves to be dismissed.

21. Heard learned counsel for the parties at length and perused the material on record.

22. It is relevant to reproduce the chart of location on 24.02.2020 as per CDR of applicant's number 8976340702 which is as under:

<u>S.No.</u>	<u>Time</u>	<u>Location</u>
1.	9:39:15 am	Sharaft Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagar-110094
2.	11:10:49 am – 15:11:53 pm	F-586, Khajuri Khas, Karawal Nagar Road, Delhi – 110094

3.	15:22:31 pm	D Block Khajuri Khas, Delhi 110094
4.	15:35:25 pm – 15:49:34 pm	Sharافت Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagarl-110094
5.	15:57:20 pm	F-586, Khajuri Khas, Karawal Nagar Road, Delhi – 110094
6.	16:17:52 pm	D Block Khajuri Khas, Delhi 110094
7.	16:54:04 pm – 18:33:26 pm	F-586, Khajuri Khas, Karawal Nagar Road, Delhi – 110094
8.	18:54:44 pm – 19:15:41 pm	Sharافت Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagarl-110094
9.	19:21:42 pm – 19:22:30 pm	D Block Khajuri Khas, Delhi 110094
10.	19:32:40 pm	F-586, Khajuri Khas, Karawal Nagar Road, Delhi – 110094
11.	19:49:15 pm – 19:52:33 pm	Khasra No.1/60 & 1/61, Village Ziauddinpur, Gali No.7, Bhagirath Vihar, Delhi-110094
12.	19:54:37 pm	D-5/70 Village Ziauddinpur, Abadi of Main Nala Road, Gali No.5, D-Block Brijpuri, Delhi 110094
13.	19:57:07 pm	House No.112, Gali No.2, New Mustafabad, Delhi 110094, Brijpuri
14.	20:20:12 pm – 21:44:31 pm	Sharافت Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagarl-110094

23. As stated in the present petition, the maternal aunt and elder sister reside at C-89, Street No.1, Moonga Nagar, Karawal Nagar Road,

Chandbagh area while ahead of two streets resides the maternal cousin named Ikram at Street No.3, Karawal Nagar Road, Chandbagh of the petitioner. It is the case of the petitioner that throughout the untoward incident and the time span mentioned in the FIR i.e. 01:00 PM – 4:00 PM, the petitioner did not leave the location of his relatives and siblings. Further analyses of CDR shows till 6:33 pm in the evening the address remains the same i.e. F-586, Khajuri Khas, Karawal Nagar Road, Delhi – 119994 except for brief ten minutes i.e. 3:35 pm – 3:49 pm which is of Sharaft Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagar, Delhi-110094. It seems from the CDR details of the petitioner that on the date of incident, i.e. 24.02.2020, he was not even in the vicinity of the violence affected area i.e. Main Wazirabad Road. As per FIR, the incident happened in between 1:00 PM – 4:00 PM on 24.02.2020 and till 9:44 pm on 24.02.2020 the address was of Sharaft Ali S/o Mohd. Ishaq, Plot No.5A Gali No.1A, Khasra Number 123/21, Moonga Nagar, Karawal Nagar-110094. Therefore, it seems that the petitioner herein remained in the same area without any tangible change of location.

24. It is not the case of prosecution that the petitioner earlier knew or made call to any of the accused in the instant case. However, he was named

in the disclosure statements dated 11.03.2020 of one Muhammad Yunus and Muhammad Ayyub.

25. Moreover, there is no CDR entry which can possibly show any call record between the people disclosing the petitioner's name and the petitioner. These statements are made on the same date, i.e. 11.03.2020, including the disclosure statement of petitioner during the police custody. It is on 11.03.2020 Muhammad Yunus, Muhammad Ayyub and petitioner were arrested as per arrest memos. Besides that, one accused, namely, Furqan who is a resident of Gali No.5, Chandbagh and he names Danish as neighbour which is contrary for the reason that the petitioner is not a resident of Chandbagh.

26. It is pertinent to mention here that the initial statements under Section 161 Cr.P.C. of beat Const. Gyan and Const. Sunil dated 27.02.2020 do not name petitioner herein. It is much later after a span of twelve days in their supplementary statement dated 10.03.2020, the name of petitioner appears and the petitioner was initially arrested by Nandnagri police officials on 10.03.2020 from there he was taken to Crime Branch office, Chanakyapuri. Moreover, there are three public witnesses in this case and none of them have named the petitioner formally in their respective statements.

27. Undisputedly, there is no CCTV footage or viral video to implicate the present petitioner. This Court, while granting bail in Delhi riot cases for the offences punishable under sections 147/148/149/427/436 IPC in Bail Appln. No.945/2020 titled as *Firoz Khan vs. State of Delhi* on 29.05.2020 has held as under:

“.... Granting of bail at this early stage may send an adverse message in the society and such crimes should not be allowed to happen in the national capital.”.
(Emphasis supplied)
this court is of the view that that cannot be basis for denying bail, if the court is otherwise convinced that no purpose in aid of investigation and prosecution will be served by keeping the accused in judicial custody. Prison is primarily for punishing convicts; not for detaining undertrials in order to send any ‘message’ to society. The remit of the court is to dispense justice in accordance with law, not to send messages to society. It is this sentiment, whereby the State demands that undertrials be kept in prison inordinately without any purpose, that leads to overcrowding of jails; and leaves undertrials with the inevitable impression that they are being punished even before trial and therefore being treated unfairly by the system. If at the end of a protracted trial, the prosecution is unable to bring home guilt, the State cannot give back to the accused the years of valuable life lost in prison. On the other hand, an accused would of course be made to undergo his sentence after it has been awarded, after trial.”

28. In view of the facts discussed above and the facts that charge-sheet has already been filed, the petitioner is no more required for investigation

and trial of the case shall take substantial time, I am of the view, the petitioner deserves bail.

29. Accordingly, he shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- and with one surety in the like amount to the satisfaction of the Trial Court.

30. The petitioner shall not influence the prosecution witnesses during trial.

31. The petition is, accordingly, allowed and disposed of.

32. Copy of this order be transmitted to the Jail Superintendent concerned and Trial Court for necessary compliance.

33. It is made clear that the Trial Court shall not get influenced by the observations made by this Court while passing the order.

34. The judgment be uploaded on the website of this Court forthwith.

(SURESH KUMAR KAIT)

JUDGE

FEBRUARY 16, 2021/rk