

Bail Application No. 2085/2021 (Item No.1)
State V. Lakhbir Singh Alias Lakha Sidhana

FIR No. 39/2021

PS Crime Branch North

Under Section 147/148/149/152/186/188/269/353/332

307/308/395/397/120B/34 IPC

23.08.2021

Matter is taken up through video conferencing in terms of office order no. 505-535/RG/DHC/2021 dated 12.08.2021 passed by the Hon'ble High Court of Delhi as well as order no. 24062-24116/Judl./North/RC/2021 dated 12.08.2021 passed by Ld. Principal District & Sessions Judge, North District, Rohini Courts, in view of the Pandemic situation of Covid-19.

Present: Shri G.S Guarya, Ld. Addl. P.P for the State (through VC).

Shri Ramesh Gupta, Ld. Senior Advocate for the accused/applicant
alongwith Sh. Jaspreet Singh and Sh. Jasdeep Singh (through VC).

IO/Inspector Satish Malik (through VC)

This is an application under Section 438 Cr.P.C for grant of anticipatory bail to accused-applicant.

Fresh reply in terms of the previous order regarding status of the investigation has been received.

Ld. Senior Advocate for the accused/applicant submits that the said reply is cryptic and does not address the issues raised in the previous order. Police officials in the present case registered the FIR after 12 hours of the incident by naming 35 leaders as well as other instigators. Till date none of the said 35 leaders have been asked either to join the investigation or arrested despite lapse of 8 months. The reply filed today is again

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an attempt to mislead the court as well as sidetrack the main issue regarding the involvements of real conspirators.

Ld. Addl.P.P for the State fairly admits that the reply filed by the IO is cryptic and does not address the issues raised by the Court vide its last order. He requests that few days time be given so that he may have discussion with the senior officials and file the detailed reply with respect to the investigation qua 35 leaders named in the FIR.

Heard and considered.

The reply filed today qua the leaders named in the FIR is an attempt to sidetrack the issue . It is appears that the investigation is going as per the convenience of the investigating authority rather as per the mandate of law .The common farmers who were just following the calls of the farm leaders are being picked up and it appears that till date none of the leaders have been even asked to join the investigation .

The I.O has also tried to play a video which is stated to be the main evidence against the applicant and the said video is also not up-to-mark. There is no audio and it cannot be seen what the applicant is saying to the other protestors.

Let the proper video of the said speech which is stated to be one day prior to the incident be filed.

Detailed reply forwarded by the Senior Officer be also filed on or before the next date of hearing.

Interim order to continue.

Be listed for reply /arguments on **26.08.2021**

Reader/Ahmad is directed to send copy of the order to the parties on their emails/Whatsapp.

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Date: 2021.08.23
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(Gagandeep Singh)
ASJ/Spl. Judge (NDPS):
North, Rohini Courts, Delhi
23.08.2021