COURT OF THE DEPUTY COMMISSIONER OF POLICE,
CRIME PREVENTION, IST FLOOR, MAHARANA PRATAP-I.S.B.T., KASHMERE GATE DELHI-110006.

State V/S Mangal S/o Late Sh. Raja Ram
R/o 13/131, Kalyan Puri, Delhi.

U/S 48 of D.P. Act, 1978.

O R D E R

A proposal for the externment of the respondent Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri, Delhi was received from SHO/Kalyan Puri, Delhi through DCP/East District, Delhi. After going through the proposal and being satisfied with the material received from SHO/Kalyan Puri, Delhi the externment proceedings against the respondent were initiated by this Court. It is reported by the SHO/Kalyan Puri that the respondent was found involved/convicted in the following cases:-

SL.No.	PARTICULAR OF THE CASES	RESULT
1.	FIR No. 294 dated 16.09.2000, u/s 399/402 IPC, PS-Kalyan Puri, Delhi	Pending Trial
2.	FIR No. 364, dated 28.09.2001, u/s 25 Arms Act, PS-Kalyan Puri,Delhi.	Pending Trial
3.	FIR No. 493, dated 15.11.2002, u/s 25 Arms Act, PS-Kalyan Puri, Delhi.	Pending Trial
4.	FIR No. 9, dated 07.02.2003, u/s 25 Arms Act, PS-Kalyan Puri, Delhi.	Pending Trial
5.	FIR No. 64, dated 06.02.2004, u/s 394/34 IPC, PS-Kalyan Puri, Delhi.	Pending Trial
6.	FIR No. 416, dated 25.06.2004, u/s 25 Arms Act, PS-Badarpur, New Delhi	Pending Trial
7.	FIR No. 398, dated 15.08.2004, u/s 341/324 IPC, PS-Kalyan Puri	Convicted as undergone by the Court of Sh. Ravinder Singh, MM, on 09.02.2007
8.	FIR No. 106, dated 01.03.2006, u/s 27/61/85 NDPS Act, PS- Kalyan Puri, Delhi	Pending Trial
9.	FIR No. 312, dated 10.06.2006, u/s 20/61/85 NDPS Act, PS-Kalyan Puri, Delhi	Convicted to a fine Rs. 6000/-, I.D. 2 months RI by the Court of Sh. S.C. Malik, ASJ on 03.08.2007.
10.	FIR No. 517, dated 04.10.2005, u/s 25 Arms Act, PS-Kalyan Puri, Delhi	Pending Trial
11.	FIR No. 753, dated 13.11.2007, u/s 394/34 IPC, PS-Kalyan Puri, Delhi.	Pending Trial

As required under Section 50 of the Delhi Police Act, 1978 the respondent was informed of the general nature of material allegations against him by issuing a Notice dated 19.08.2008 and was directed to appear before the Court on 11.09.2008. He appeared in the Court on 15.10.2008. The contents of the Notice were explained to him and his statement was recorded in which he admitted his previous convictions.

It is pertinent to mention here that during the course of proceeding it has came to notice that the respondent has been found involved in the following case apart from the allegations mentioned above. Hence, a supplementary notice u/s 50 of D.P. Act was issued to the respondent separately:-

•	FIR No. 560/13, u/s 356/379 IPC, P.S. Kalyan Puri, Delhi.	Pending Trial	Notice dt. 16.01.2014.

During proceedings, 06 PWs were examined in support of prosecution cases in the presence of respondent and for the sake of natural justice he was given ample opportunity to cross-examine them. His defence counsel cross-examine the PW-1. The gist of the statement of PWs is mentioned below: -

PW –1- H.C. Sanjeev Kumar No. 320/East MHC (R) of P.S.-Kalyan Puri, Delhi has stated that Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri, Delhi was convicted in two case which are mentioned at SI No. 7 & 9 of the notice. He was also acquitted in three cases which are mentioned at SI No. 3, 4 & 8 of the notice, whereas these cases are shown as pending trial and five other cases are pending trial in the court against him, which are mentioned at SI No. 1, 2, 5, 10 & 11.

PW – 2- HC Rishpal, No. 132/Crime of CRO/PHQ, Delhi proved the conviction of the respondent which is mentioned at Sl. No. 9 of the Notice.

PW – 3- Constable Ram Kishan , No. 1878/SE posted in PS-Badarpur, Delhi, prove the involvement of the respondent which is mentioned at SI No. 6 of the notice. The said case is pending in the court against him.

PW-4- Inspr. Roshan Ral, Ex-SHO/Kalyan Puri, Delhi has stated that he prepared the externment proposal under section 48 DP ACT, 1978 against Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri, Delhi and sent it to the court of the Dy. Commissioner of Police, Crime Prevention, Delhi for initiating the externment proceedings. He further stated that he was of the firm opinion that had he not prepared the externment proposal against the respondent he would have engaged himself in the commission of offences similar to those mentioned in section 48 of Delhi Police Act, 1978.

PW-5- ASI Mahesh Yadav, No. 4879/D, PS-Ambedkar Nagar, Delhi, I.O. of the Case FIR No. 312/06, u/s 20/61/85 NDPS Act, PS-Kalyan Puri, Delhi has stated that when he was posted in PS-Kalyan Puri, Delhi at that time Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri, Delhi was arrested by him in the aforesaid case which is mentioned at Sl. No 9 of the Notice. The respondent was found convicted by the court on 03.08.07 in this case. He also identified Mangal S/o Late Sh. Raja Ram who is present in the Court.

PW – 6- HC Vinod Kumar, No. 480/E posted in PS-Kalyan Puri, Delhi prove the involvement of the respondent which is mentioned at SI No. 1 of the Supplementary Notice dated 16.01.2014. The said case is pending in the court against him.

All the above PWs have proved the involvements/convictions of the respondent in cases mentioned in the notices .

In support of his defence, the respondent produced one D.W. namely Kishan Bhudhai Ram, R/o 13/132, Kalyan Puri, Delhi who stated that he knew Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri Delhi from his childhood. He is selling vegetable on Rehari. On cross-examination the D.W. denied having knowledge of cases in which the respondent was convicted/involved.

I have gone through the statements of the PWs/DW and also gone through the entire facts of the case minutely. The respondent started his criminal activities in the year 2000 when he was arrested in case FIR No. 294/2000 U/S 399/402 IPC, P.S.-Kalyan Puri, Delhi, which is mentioned at SL. No. 1 of the Notice. The said case is pending trial in the Court against him. He was found convicted in three cases, which are mentioned at Sl. No 7, 9 of the notice dated 19.08.2008 and Sl. No. 1 of Supplementary Notice dated 16.01.2014 as per report received from SHO/Kalyan Puri on 08.05.2019. The said case shown as pending trial in the Supplementary Notice dated 16.01.2014. The respondent has been found acquitted in one case which is mentioned at SI Nos. 8 of the notice dated 19.08.2008. Three cases has been found untraced which are mentioned at Sl. Nos. 3 to 5 as per report received from SHO/Kalyan Puri on 08.05.2019. Whereas, these cases shown as pending trial in the notice dated 19.08.2008. At present, five cases are pending trial in the court against him which are mentioned at Sl. Nos. 1,2,6,10 & 11 of the notice dated 19.08.2008.

In view of above it has been found that the respondent was found convicted/involved in IPC, Arms Act and NDPS Act cases. The respondent is of criminal mentality and can commit any offence for his short-term gains. Persons like him are dangerous for the society and can cause disturbance to public peace and tranquility. It is apparent that the

respondent is silent since seven years, itself is not sufficient reason to believe that he has given up his habit of committing crime because after a gap of 6 years from (13.11.2007 till 20.09.2013) has again got himself involved in case of IPC for which a case vide FIR No. 560/13, u/s 356/379 IPC, P.S. Kalyan Puri, Delhi was registered against him. Therefore his silence could not be taken as an assurance that he will not indulge himself in committing the crime again. It clearly shows that the respondent is involved in criminal activities after a gap of certain period and did not try to mend himself. As such it will be in the fitness of things to extern him. Hence, I agree with the apprehension of SHO/Kalyan Puri, Delhi that the respondent is likely to engage himself in commission of offences referred to in section 48 of Delhi Police Act, 1978. Hence, I agree with the apprehension of SHO/ Kalyan Puri, Delhi that the respondent is likely to engage him self in the commission of offences referred to in section 48 of Delhi Police Act, 1978 and to ensure that he may not involve himself in criminal activities in near future.

Now, therefore in exercise of the powers vested U/S 48 of the Delhi Police Act, 1978, conferred upon me by the order of the Commissioner of Police, Delhi U/S 8(2) of the Delhi Police Act, 1978. I, Dr. Joy N. Tirkey, Deputy Commissioner of Police, Crime Prevention, Delhi taking a lenient view due to the fact that he is silent since the 7 years hereby direct that the Mangal S/o Late Sh. Raja Ram, R/o 13/131, Kalyan Puri, Delhi shall remove himself beyond the limits of the National Capital Territory of Delhi for a period of _____ within 07 days from the date of this order and this period of 7 days is exclusive from the said period of externment. The respondent will not enter the limits of the National Capital Territory of Delhi within the said period of _____without the written permission of the competent authority.

He is however, permitted to attend the Courts in the National Capital Territory of Delhi on all the dates of hearing in cases pending trial against him in the Courts, on the condition that on all the dates on the conclusion of hearing, he shall remove himself outside the limits of the National Capital Territory of Delhi. This relaxation is only on the dates of hearing before the Court and for such reasonable time as may be necessary for coming in and going out of the limits of the National Capital Territory of Delhi. Bail bond is cancelled and file is consigned to record.

(DR. JOY N. TIRKEY)
DEPUTY COMMISSIONER OF POLICE,
CRIME PREVENTION: DELHI.

Announced in the open Court
on 09/01/2020.

No.7-9/SO-DCP/Crime Prevention, dated Delhi, the 09/01/2020.

Copy to: -

1. The Dy. Commissioner of Police, East Distt. , Delhi for information.
2. ACP/Crime Record Office/Kamla Market, Delhi.
3. SHO/Kalyan Puri, Delhi through ACP/Kalyan Puri, Delhi with one spare copy for information and necessary action.

(DR. JOY N. TIRKEY)
DEPUTY COMMISSIONER OF POLICE,
CRIME PREVENTION: DELHI.

DIARY OF EXTERNED PERSON UNDER SECTION 48 OF THE DELHI POLICE ACT, 1978 AS ON 09.01.2020.

Sl. No.	NAME OF THE EXTERNEE	PLACE OF RESIDENCE	POLICE STATION	AREA FROM WHICH EXTERNED	PERIOD OF EXTERNED
1.	Mangal S/o Late Sh. Raja Ram	13/131, Kalyan Puri,	Kalyan Puri	NCT of Delhi	**03 Months**

SD/-
(DR. JOY N. TIRKEY)
DEPUTY COMMISSIONER OF POLICE,
CRIME PREVENTION: DELHI.

PRO/PHQ, Delhi- for publishing in News Papers

Encls: - Externment orders

No. 11 /SO-DCP/Crime Prevention

Dated 09/01/2020.