

Bail Application No.1277/2020
FIR No.265/2020
PS:Sarai Rohilla
U/s:307/341/34 IPC
State Vs. Mehtab @ Telli

19.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

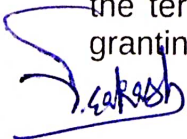
Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ ASI Ashok Kumar.
Sh. M. Yusuf, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Arguments on bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, it is argued by Id. Counsel of applicant/ accused that he is totally innocent and has been falsely implicated in this case by complainant in connivance with the police; he is in custody since 26.07.2020 and nothing has been recovered either from his possession or at his instance. It is further argued that applicant is having clean antecedents and he is no more required for the purpose of investigation which is already completed and no useful purpose would be served by keeping him behind the jail as trial is not likely to be completed in near future. It is further argued that FIR was initially registered for offences punishable u/s 326/341/34 IPC and offence u/s 307 IPC is added subsequently in this case. It is further argued that no CCTV footage of the alleged incident, was collected by the Police during investigation and the injured himself had gone to the hospital on foot, which shows that he had not sustained any severe injury on his body. It is further argued that co-accused Kabran @ Babu has already been granted bail in this case and the applicant is ready to abide by the terms and conditions as may be imposed upon him by the Court while granting bail.


S. G. Rosh

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On the other hand, Id. Addl. PP has opposed the bail application on the ground that the allegations against the applicant/ accused are grave and serious in nature. It is argued that the applicant/ accused and his associates gave multiple stab injuries to the victims and he has refused to participate in judicial TIP. Therefore, the bail application may be dismissed.

In brief, it is alleged that the present applicant along with co-accused persons gave stab injuries despite the fact that minor scuffle had taken place between them on the issue of demand of cigarette. Both the victims are shown to have sustained multiple stab injuries including incised wounds with sharp object on their respective MLCs. The result on MLCs of victims is yet to be provided as per reply filed today by IO. The present applicant refused to participate in his judicial TIP during investigation which is stated to be still going on.

After considering the overall facts and circumstances of this case including the nature of allegations, gravity of offences and the role allegedly played by the present applicant and in the light of discussion made herein above, Court is of the view that no ground is made out at this stage for grant of bail to the present applicant/ accused. Accordingly, the present bail application is hereby dismissed.

Copy of this order be given ~~cast~~ to both the sides electronically, as per rules.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
19.09.2020

Bail Application No.1279/2020

FIR No.11/2020

PS:ODRS

U/s:370 IPC

Mohd. Naushad Vs. State

19.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ ASI Satyavir Singh.
Sh. Saifi Ahmed, Advocate for applicant/ accused.

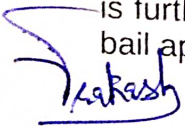
Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Arguments on bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, it is argued by Id. Counsel of applicant/ accused that he is totally innocent and has been falsely implicated in this case and he is in custody since **08.09.2020**. It is further argued that applicant is cousin brother of the child allegedly rescued in this case and mothers of applicant as well as of said child, are also cousin sisters as verified by IO. It is further argued that the applicant has nothing to do with the alleged crime and is having clean antecedents. It is further argued that there is no incriminating evidence against the present applicant/ accused in this case. It is further argued that applicant is no more required for the purpose of investigation and no useful purpose shall be served by keeping him behind the Jail. It is, therefore, urged that the applicant/ accused may be released on bail.

On the other hand, Id. Addl.PP has opposed the bail application on the ground that the allegations against the applicant/ accused are grave and serious in nature. It is further argued that on the basis of complaint, raid was conducted and 14 children were rescued by the police and out of those children, one child was recovered from the possession of present applicant/ accused. On instructions of IO, Id. Addl. PP has pointed out that statement u/s 164 Cr.PC of rescued child is yet to be recorded by Ld. Magistrate and relevant document concerning age of said child, is yet to be verified by IO. It is further argued that investigation is still going on in this case. Therefore, the bail application may be dismissed.



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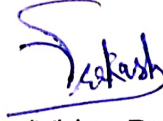
Bail Application No.1279/2020
FIR No.11/2020
PS:ODRS
U/s:370 IPC
Mohd. Naushad Vs. State

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At this stage, counsel of applicant/ accused seeks permission to withdraw the present bail application in view of aforesaid submissions made on behalf of State, with liberty to file fresh before appropriate forum at appropriate state.

In view of above-said facts and circumstances, and the submissions made by counsel of applicant/ accused, the present application is dismissed as withdrawn, with liberty as prayed.

Copy of this order be given dasti to both the sides electronically, as per rules.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
19.09.2020

Bail Application No.1280/2020
FIR No.193/2019
PS:Prasad Nagar
U/s:302/323/34 IPC & 25/27/54/59 Arms Act.
State Vs. Amit @ Akash

19.09.2020

This is an application seeking extension of interim bail moved on behalf of applicant/ accused namely Amit @ Akash.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
Sh. Mohit Chadha, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

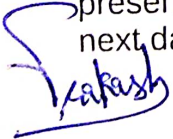
The present application has been directed to be put up before this Court for today in view of the order dated 19.09.2020 passed by Sh. M.C. Gupta, Ld. Officiating District & Sessions Judge (Central), Delhi.

I have heard the submissions made on behalf of both the sides on the present application and have also perused the documents filed therewith.

The applicant/ accused was granted interim bail for a period of 15 days vide order dated 05.09.2020 passed by the Court of Sh. Loveleen, Ld. PO MACT-02, Central THC, Delhi and he was directed to surrendered before the Jail Authority on 20.09.2020.

Counsel of applicant/ accused states at Bar that wife of applicant has been admitted in the hospital on 18.09.2020 and she is required to undergo her surgery for knee replacement 1-2 days or so. Copies of medical papers of wife of applicant as filed along with present application, are referred in support of said submission.

Having regard to the overall facts and circumstances of the case and in view of submissions made by Counsel of applicant/ accused, issue notice of this application to concerned IO with direction to verify the genuineness and authenticity of the medical documents annexed with the present bail application and to submit his report before the Court on or before next date. IO be also directed to join the hearing on the next date.



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Bail Application No.1280/2020
FIR No.193/2019
PS:Prasad Nagar
U/s:302/323/34 IPC & 25/27/54/59 Arms Act.
State Vs. Amit @ Akash

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In the meantime, the interim bail granted to applicant vide order dated 05.09.2020, is extended till next date of 22.09.2020 on same terms and conditions and on previous surety.

Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for his information.

Put up on 22.09.2020 for arguments on the application.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
19.09.2020

Bail Application No.1190/2020
FIR No.132/2020
PS:Sarai Rohilla
U/s:392/397/411/34 IPC
State Vs. Shivam

19.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ ASI Devender Kumar.
Sh. A.R. Sharma, Advocate for applicant/ accused.

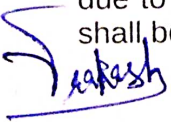
Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application already filed. Copy thereof already supplied to Id. Counsel of applicant electronically.

After referring to the allegations appearing in the FIR, it is argued by Id. Counsel of applicant/ accused that he is totally innocent and has been falsely implicated in this case; he is in custody since 20.04.2020 and nothing has been recovered either from his possession or at his instance. It is further argued that the applicant is not convicted in any case and he is no more required for the purpose of investigation as the charge-sheet has already been filed in this case. It is further argued that the applicant is young boy aged 25 years old and he is the sole bread earner of his family. It is therefore, urged that he may be released on bail.

On the other hand, Id. Addl. PP has opposed the bail application on the ground that the allegations against the applicant/ accused are grave and serious in nature. It is further argued that the present applicant along with co-accused persons namely Vikas @ Akku and Manish @ Hauva had committed robbery of mobile of complainant victim at the point of knife and he has been arrested on the identification of complainant and robbed mobile is also recovered from his possession. It is further argued that the present applicant is habitual offender and he is found previously involved in three more criminal cases of theft and snatching. It is therefore, urged that the bail application may be dismissed.

On query, IO has informed that weapon of offence was used by co-accused Manish @ Hauva, as also mentioned by him in his reply. That being so, offence punishable u/s 397 IPC is not invoked against the present applicant in this case. Alleged recovery of robbed mobile phone has already been effected. The investigation qua present applicant is already completed and charge-sheet has already been filed. There is no likelihood of completion of trial in near future due to pandemic situation on account of COVID-19 and thus, no useful purpose shall be served by keeping the applicant/accused behind the Jail.



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Bail Application No.1190/2020
FIR No.132/2020
PS:Sarai Rohilla
U/s:392/397/411/34 IPC
State Vs. Shivam

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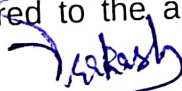
After considering the overall facts and circumstances of the case including the nature of offences charged against the present applicant/ accused and in the light of discussion made herein above, applicant/ accused namely Shivam is admitted to bail subject to furnishing personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of Ld. MM/ Ld. Duty MM/ Ld.Link MM and shall be subject to the following conditions:

1. During the period of bail, the accused/ applicant shall not try to contact or influence, directly or indirectly, either the victim or any other witness of the present case.
2. The accused shall not misuse the benefit of bail by indulging in commission of similar offence in future.
3. The applicant shall join the investigation as and when directed to do so; and
4. The applicant shall intimate the Court in case of change of his address.

With these directions, the present bail application stands disposed of accordingly.

Copy of this order be given dasti to both the sides electronically, as per rules.

Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for being delivered to the applicant/ accused and for necessary compliance.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
19.09.2020