

**FIR No.193/2020
PS : Lahori Gate
U/S : 33/47 Delhi Excise Act
State Vs. Aatish**

31.07.2020

At 12:55 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Rajesh Juneja, Ld. Counsel for the applicant/ accused
Aatish.
IO ASI Vinay Mohan (No. D-644/N, PS Lahori Gate) is present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

Report sent in by the IO perused. Submissions heard.

Be put up at 4 pm for orders.

A copy of this order be uploaded on the official website of Delhi
District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

FIR No.193/2020
PS : Lahori Gate
U/S : 33/47 Delhi Excise Act
State Vs. Aatish

31.07.2020
At 4:10 PM

**ORDER ON THE APPLICATION FOR GRANT OF BAIL U/S 439 CrPC
MOVED ON BEHALF OF THE APPLICANT/ ACCUSED AATISH**

Present : **None.**
The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

The present case pertains to recovery of illicit liquor from the possession of applicant/ accused Aatish on 06.07.2020.

Recovery has already been effected. The applicant/ accused is no longer required for the purposes of investigation. Trial is most likely to get prolonged on account of unabated spread of COVID-19 pandemic. No purpose would be served by detaining the applicant/ accused in custody. There is no report as to conviction of accused in any similar matter.

In these circumstances, the applicant/ accused Aatish is admitted to bail on furnishing a bail bond in a sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent, subject to following conditions :-**Contd/--**

- a) the applicant/ accused shall not influence the witnesses;
- b) the applicant/ accused shall not leave Delhi without permission of the concerned Court;
- c) the applicant/ accused shall also provide his as well as his surety's mobile number to the IO/ SHO immediately upon his release and shall mark his attendance in police station through audio or video mode on every Monday between 10 a.m. to 6 p.m.

The bail application stands disposed of accordingly.

A copy of this order be sent/ transmitted to the concerned Jail Superintendent for information and compliance. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

**FIR No.251/19
PS : Prasad Nagar
U/S : 201/304 IPC &
Sec. 23/25/27 DMC Act
State Vs. Amrit Kundra
@ Sonu**

**31.07.2020
At 12:30 PM**

**ORDER ON 2nd BAIL APPLICATION U/S 439 CrPC FOR GRANT OF
REGULAR BAIL MOVED ON BEHALF OF THE APPLICANT/ ACCUSED
AMRIT KUNDRA @ SONU**

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Uma Shankar Gautam, Ld. Counsel for the applicant/
accused Amrit Kundra @ Sonu.
IO SI Bhawani Singh (No. D-5462, PS Prasad Nagar) is
present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

Report sent by IO perused.

Brief facts, as per the present FIR, are that the complainant's
seven years old son fell ill on intervening night of 02.12.2019 –
03.12.2019. On 03.12.2019, the complainant took his son to New Delhi
Advanced Diagnostic Centre, where the applicant/ accused administered
4/5 injections and two glucose bottles to his son. After sometime, the
son of the complainant lost his consciousness. The complainant could
not feel heart-beat and pulse of his son. The child was then removed to

R.M.L. Hospital by the complainant and the applicant / accused. The Doctors of R.M.L. Hospital declared the child to have been 'brought dead'. Hearing the same, the applicant/ accused fled away from the spot. The dead body was subjected to postmortem. The report of postmortem was issued with the observations that the opinion regarding the cause of death shall be given after receiving the reports of Histopathological analysis, Viscera chemical analysis and Serum Tryptase Level. The complainant then got the present FIR registered against the applicant/ accused on 26.02.2019, while narrating the above facts (except the postmortem report). The police started investigation in the FIR and the applicant/ accused was arrested on 02.03.2020. The applicant/ accused disclosed that he does not have any medical degree or authority to practice medicine. Since then, the applicant/ accused is languishing in judicial custody for commission of offences punishable U/s 304/201 IPC & 23/25/27 Delhi Medical Council Act. Charge-sheet has already been filed. However, the cause of death is yet to be ascertained and brought on record as two FSL reports are still awaited.

Ld. Counsel for the applicant/ accused submits applicant/accused is languishing in custody since 03-03-2020 for the commission of an offence punishable inter-alia u/s 304 IPC, but till date the cause of death of deceased child is still unknown. Ld. Counsel for the applicant/ accused submits applicant/accused is detained despite in-availability of relevant

evidence. Ld. Counsel for the applicant/ accused adds that the case of the prosecution as to the allegations of administration of medicine by applicant /accused is totally false & fabricated, but argues that even if it is supposed that the applicant/ accused did administer medicine to the child at the relevant time, still the allegations against the applicant/ accused would be covered under Part-II of Section 304 IPC under which the prescribed punishment is a lot lesser than maximum punishment prescribed under Part-1 of Section 304 IPC. He has further submits that COVID-19 pandemic is spreading very fast and due to which regular functioning of the Court is likely to remain suspended for an indefinite period. Ld. Counsel for the applicant/ accused has further submitted that the trial is definitely going to be delayed. Accordingly, it has been prayed that the applicant/ accused Amrit Kundra @ Sonu may be granted bail.

Upon query by this Court, IO has submitted that 02 FSL reports are still to be received and which would then be placed before the Medical Board for consideration, where-after the opinion of the Medical Board as to cause of death would be placed before the Court in the form of a supplementary charge-sheet. This Court has further queried as to how long would it take to furnish the said supplementary charge-sheet containing the medical opinion as to the cause of death. No reply has come forward from the side of the prosecution.

It seems that till date, the prosecution does not have any medical

evidence to support its allegations against the applicant/ accused, particularly those punishable U/s 304 IPC. This court has queried as to for how long this court should permit the detention of the applicant/accused for the allegations punishable u/s 304 IPC in the absence of any relevant evidence. Moreso, when rest of the allegations (i.e. S201 IPC, Section 27 DMC Act), to substantiate which police has already collected evidence, are punishable with imprisonment upto 03 years only. Now, Ld. APP for the state has submitted that in view of the likely delay in the case due to lack of medical opinion as to cause of death, he has no objection if the applicant/ accused is released on interim bail for a short period of time till the medical reports are prepared/ issued.

In the entire facts and circumstances and in view of the above submissions made by the Ld. APP for the state as well as the fact that the applicant/ accused is languishing in judicial custody since 02.03.2020 without any trial, which last predicament is more likely to get prolonged due to COVID-19 pandemic, the applicant/ accused Amrit Kundra @ Sonu is admitted to interim bail till **31.08.2020** on furnishing a bail bond in a sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent concerned. However, it is directed that the applicant/ accused shall join the investigation as and when so directed by the IO, shall not abscond, shall not try to influence the

witnesses and shall not repeat the offence in question under any circumstances failing which this interim bail shall be cancelled.

None of the above observations shall cast any shadow on the merits of the case. Be put up again on **31.08.2020**. A copy of this order be sent/ transmitted to the Jail Superintendent concerned for necessary information and compliance.

A copy of this order be uploaded on the official website of Delhi District Courts.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)

**FIR No. 561/19
PS Lahori Gate
U/s 406/420 IPC
State Vs. Tarun Kumar, Pankaj**

31.07.2020

At 03.25 P.M.

Present : Sh. Manoj Garg, Ld. Addl PP for the State.
Sh. Deepak Prakash, Ld. Counsel for the
applicant/accused Tarun Kumar.
IO SI G.N.Tiwari (No.C-4272) from the PS
Lahori Gate is present.

**Proceedings conducted through Video
conferencing by means of Webex Meet.**

The present bail application has been taken up in
pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated
15/07/2020 issued by Ld. District & Sessions Judge (HQs) Delhi.

Oral submissions have been heard.

Put up for orders on **04/08/2020**.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

FIR No. 377/18
PS Prasad Nagar
U/s 406/420/468/471/12B IPC
Dhirender Kumar Yadav @ Tinku Yadav Vs State

31.07.2020

At 12:20: PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Karnail Singh, Ld. Counsel for the applicant/ accused
Dhirender Kumar Yadav @ Tinku.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

The applicant/ accused was admitted to interim bail vide order dated 18.01.2020, which was extended on different occasions vide different orders. The interim bail granted to the applicant/ accused was lastly extended vide order dated 08.07.2020 till today i.e. 31.07.2020.

In view of the directions and observations of the Hon'ble High Court of Delhi in the **order dated 13.07.2020 vide W.P.(C) No.3037/2020 titled as COURT ON ITS OWN MOTION Vs. STATE & ORS.**, the interim bail granted to the applicant/ accused is extended till **31.08.2020**.

Be put up again on **31.08.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)

**FIR No. 30/20
PS Rajinder Nagar
U/s 120B/387/506 IPC
State Vs. Sushil Kumar @ Silu**

**31.07.2020
At 12:45 PM**

**Fresh bail application u/s 439 Cr.PC filed. It be checked
and registered.**

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. M.P. Sinha, Ld. Counsel for the applicant/ accused Sushil
Kumar @ Sillu.
SI Mahipal (No. D-4768, PS Rajinder Nagar) on behalf of main
IO is present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

Report has been sent in by the IO.

At this stage, Ld. Counsel for the applicant/ accused submits that
since charge-sheet has already been filed he wants to refer the contents
of the charge-sheet before addressing the arguments on the present bail
application. IO submits that the charge-sheet is currently pending before
Ld. MM concerned.

In the facts and circumstances, it is directed that e-challan/
charge-sheet filed in the court of Ld. MM concerned be transmitted to the
undersigned on or before next date of hearing. A copy of the same be

also transmitted to the Ld. APP for the state.

Be put up again on **05.08.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)

**FIR No. 34/20
PS Prasad Nagar
U/s 376 IPC
State Vs. Sagar @ Hemant**

**31.07.2020
At 01:05 PM**

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Sher Singh, Ld. Counsel for the applicant/ accused Sagar
@ Hemant.
IO SI Pinki (No. 3215/D, PS Prasad Nagar) is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

It is submitted by the IO that the charge-sheet has already been filed in the court of Ld. MM concerned.

The applicant/ accused is enjoying the interim protection since 11.02.2020. In the facts & circumstances, the interim orders shall continue till **31.08.2020**.

Matter be taken up on the said date i.e. **31.08.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

**FIR No. 182/2019
PS Lahori Gate
U/s 409 IPC
(1) State Vs Naresh Singhal**

(2) State Vs Ratan Navetia

31.07.2020

At 12:10 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Ravin Rao, Ld. Counsel for the complainant Ratan Navetia.
Sh. Pankaj Gupta, Ld. Counsel for the applicant/ accused Ratan Navetia.
IO SI Sandeep Singh (No. D-5103, PS Lahori Gate) is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

At the very outset, Ld. Counsel for the complainant submits that the matter has been mutually settled and all the payments have been received from the applicant/ accused by the complainant in terms of the settlement agreement arrived at between the parties before the Mediation Cell. Now, he wants to withdraw the application moved on 23.07.2020 seeking cancellation of interim bail granted to the applicant/ accused Naresh Singhal on 03.12.2019. As such, the relevant application moved by the complainant stands dismissed as withdrawn.

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**FIR No. 182/2019
PS Lahori Gate
U/s 409 IPC
(1)State Vs Naresh Singhal**

(2) State Vs Ratan Navetia

At this stage, Ld. Counsel for the applicant/ accused Naresh Singhal submits that the parties shall proceed for quashing of the present FIR.

In view of the above facts and circumstances, the order dated 03.12.2019 is made absolute on the same terms and conditions mentioned therein. Bail Application also stands disposed of accordingly.

Both Files be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

**FIR No. 46/20
PS IP Estate
U/s 376 IPC
State Vs. Nadeem**

31.07.2020

At 3.10 P.M.

Present : Sh. Manoj Garg, Ld. Addl PP for the State.
Sh. Manoj Kumar, Ld.Counsel for the
applicant/accused Nadeem.
SI Narender Beniwal on behalf of IO from PS IP
Estate is present.
Sh. Sanjay Bansal, Ld. Counsel for the
complainant alongwith complainant/prosecutrix
“S”

**Proceedings conducted through Video
conferencing by means of Webex Meet.**

The present bail application has been taken up in
pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated
15/07/2020 issued by Ld. District & Sessions Judge (HQs) Delhi.

Report has been sent in by the SHO concerned.

Oral submissions have been heard.

Ld. Counsel for the Complainant/prosecutrix
submits that the Complainant/prosecutrix is the sister in law (saali)
of the applicant/accused and she has no objection to the grant of
bail to the applicant/accused.

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FIR No. 46/20

PS IP Estate

Ld. Add. PP for the State has vehemently opposed the grant of bail to the applicant/accused on the ground that allegations are serious in nature and prosecutrix has supported the case of the prosecution in her statement recorded u/s 164 Cr.PC.

Let prosecutrix appear in person and clarify the submission made on her behalf as to no-objection to grant of bail to applicant/accused on the NDOH.

Put up again on **10/08/2020**.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)

MACT No. 618-18

31.07.2020

At 03.30 P.M.

**Present : Sh Trilok Chand, Ld.Counsel for the claimant.
Sh. M.Awasthi Ld. Counsel for the insurance
company.**

**Proceedings conducted through Video
conferencing by means of Webex Meet.**

It is submitted jointly by Ld. Counsel for the parties
that matter has amicably been settled between the parties for a
sum of **Rs. Nineteen Lakhs Fifty Thousand Only.**

At joint request, put up for recording of statements
of parties before the Lok Adalat scheduled for **08/08/2020.**

Parties to appear accordingly.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

MACT No. 340-19

31.07.2020

At 03.35 P.M.

**Present : Sh. V.K.Saini, Ld.Counsel for the claimant.
Sh. Ankur Jaitely, Ld. Counsel for the insurance
company.**

**Proceedings conducted through Video
conferencing by means of Webex Meet.**

It is submitted jointly by Ld. Counsel for the parties that matter has amicably been settled between the parties for a sum of **Rs. Twenty One Lakh Seventeen Thousand Five Hundred Only.**

At joint request, put up for recording of statements of parties before the Lok Adalat scheduled for **08/08/2020.**

Parties to appear accordingly.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)**

MACT No. 56537-16
Civil Appeal No. 2494/2020
M. Ex No. 173/20

Dinesh Prasad & Others Vs Rajpal & Ors

31.07.2020

At 01.35 P.M.

Present : **Sh. S.K.Pandey, Ld. Counsel for the United
India Insurance Company Ltd.**

**Proceedings conducted through Video conferencing by
means of Webex Meet.**

An application moved on behalf of the United India Insurance Company Ltd for deposit of the cheques of the enhanced award amount in terms of the orders of the Hon'ble Supreme Court of India dated 03/06/2020.

Heard. Record Perused.

As per the report of the Nazir of this Court, the cheques of enhanced award amount on behalf of the the New India Assurance Company Ltd have not been filed as yet.

Nazir of this Court is directed to deposit the aforementioned cheques in the SBI, Tis Hazari Courts, Delhi as and when the same is filed.

Put up on **04/09/2020**.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)

MACT No. 815/2017

31.07.2020

Present : **Sh. G.S.Ahuja, Ld. Counsel for the insurance company.**

File is taken up today on an application seeking permission to deposit the cheque with permission to revalidate the aforementioned cheque as same has turned stale.

Heard. Perused.

Nazir of this Court is directed to hand over the aforementioned stale cheque to Ld. Counsel for the insurance company and Insurance Company is directed to submit the fresh revalidated cheque within 15 days in the UCO Bank Ghanta Ghar, Subzi Mandi, Delhi in account of the petitioner in terms of the Lok Adalat Award dated 16/02/2020.

Put up for report on **04/09/2020**.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/31.07.2020 (K)