

FIR No. 42/20
PS: Prasad Nagar
U/s: 394/34 IPC
Hariya @ Hari Chand Vs. State


10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused Hariya @ Hari Chand.

Report received from Jail Superintendent.

Adjournment sought on behalf of counsel for applicant. At his request, put up for arguments, on 18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Dis
THC/Delhi-10.07.20

FIR No. 0105/19
PS: Darya Ganj
U/s: 354/308/323/509/34 IPC
Suresh Kumar Vs. State


10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. G. K. Kaushik, Ld. Counsel for applicant/accused Suresh
Kumar.

Nabi Court attached with this court submits that IO is on leave
therefore, he could not comply the previous order dated 06.07.2020
Concerned IO/SHO is directed to comply the same by next date.

Put up on 14.07.2020.


(Charu Aggarwal)
ASJ-02/Central Dis
THC/Delhi-10.07.20

FIR No. 251/19
PS: Prasad Nagar
U/s: 304 IPC & 27 DMC Act
Amrit Kundra @ Sonu Vs. State

10.07.2020

Fresh application for supplying of copy of chargesheet received by way of assignment. It be checked and registered.

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Uma Shanker Gautam, Ld. Counsel for applicant/accused
Amrit Kundra @ Sonu.

This is an application on behalf of the applicant seeking supply of copy of chargesheet.

At this stage, counsel for applicant submits that he does not want to press the present application, therefore, same be dismissed as withdrawn. Statement of counsel for applicant recorded separately to this effect.

In view of statement of counsel for applicant, the present application is dismissed as withdrawn.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 436/18
PS: Karol Bagh
U/s: 395/397/120-B/34 IPC
Ajab Singh Vs. State


10.07.2020

Matter taken up today through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Prateek Kohli, Ld. Counsel for applicant/accused Ajab Singh.

Matter requires consideration.

Put up on 14.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Mohd. Faizan Waseem Vs. State


10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Arun Sharma, Ld. Counsel for applicant/accused Anam
Uzma.

IO seeks time to verify the facts mentioned in the order dated 09.07.2020. IO is directed to verify the same and file his detailed report by next date of hearing.

Put up on 18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020


FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Mohd. Faizan Waseem Vs. State

10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Arun Sharma, Ld. Counsel for applicant/accused Mohd.
Faizan Waseem.

Bail applications of other co-accused persons have been adjourned for 18.07.2020. Hence, this application be also put up on 18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Mohd. Faizan Waseem Vs. State


10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Arun Sharma, Ld. Counsel for applicant/accused Alia Khan.

IO seeks time to verify the facts mentioned in the order dated 09.07.2020. IO is directed to verify the same and file his detailed report by next date of hearing.

Put up on 18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 63/20
PS: Karol Bagh
U/s: 420/468/471/120-B/34 IPC
Kulbhushan @ Sonu Vs. State

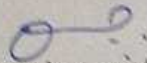
10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State,
Sh. V. C. Gautam, Ld. Counsel for applicant/accused Kulbhushan
@ Sonu.

In pursuance of order dated 09.07.2020, IO has filed the reply that he is not having the copy of bail orders of any of the accused persons. It is mentioned in the reply that he has written a letter to the Chief Prosecutor, Tis Hazari Court, Delhi, seeking bail orders of the accused persons. The said letter dated 08.07.2020, is annexed with the reply. This court asked Ld. Counsel to place on record the order of the court whereby the applicant was admitted on interim bail. To this, Ld. Counsel submits that as per his information, the applicant was granted interim bail by Ld. Duty Magistrate, functioning from Tihar Jail during the lockdown period, therefore, he is also not having the copy of bail order of the applicant.

Let the bail order of the applicant be called from concerned Jail Superintendent, for 13.07.2020. In the meantime, interim bail of the applicant is extended till next date.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 74/18
PS: Crime Branch
U/s: 420/468/471/120-B IPC & 18 (a) (i)/18 (c)/27(b) (ii)/27 (c) Drugs &
Cosmetics Act
Bijender Singh & Ors. Vs. State

10.07.2020

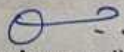
Fresh interim application u/s 439 Cr.PC received by way of assignment. It
be checked and registered.

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused Bijender Singh.

This is an application u/s 439 Cr.PC moved on behalf of
applicant/accused Bijender Singh, seeking interim bail on the ground of illness
of his wife.

Let report/reply be called from the IO specifically with direction to
verify the medical documents of applicant's wife, for 13.07.2020.


(Charu Aggarwal)
ASJ-02/Central Dist.
THC/Delhi-10.07.2020

FIR No.348/18
PS: Nabi Karim
U/s: 307/336/34 IPC
Amit Nayak Vs. State

10.07.2020

Fresh application for extension of bail received by way of assignment. It be checked and registered.

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Sunil Tiwari, Ld. Counsel for applicant/accused Amit Nayak.

This is an application seeking extension of bail moved on behalf of applicant/accused Amit Nayak.

Ld. Counsel for applicant submits that applicant was admitted on interim bail vide order dated 27.04.2020, passed by Ld. ASJ which later on was extended vide order dated 26.05.2020 of Ld. ASJ, for further period of 45 days. Ld. Counsel submits that the interim bail of the applicant is going to expire today itself.

Let report be called from the IO on the present application, for 13.07.2020. **In the meantime, interim bail of the applicant is extended till next date.**



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 84/14
PS: Darya Ganj
U/s: 307/302/34 IPC
Ashraf Vs. State

10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State,
Sh. M. A. Qureshi, Ld. Counsel for applicant/accused Ashraf.

This is the second application u/s 439 Cr.PC moved on behalf of applicant/accused Ashraf, seeking interim bail on the ground of illness of his mother. The first bail application moved by the applicant on the same ground was recently dismissed by this court on 18.06.2020, thereafter, there is no change of circumstance, hence, no ground for bail is made out, accordingly, the present application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020


FIR No. 193/12
PS: Sarai Rohilla
U/s: 498-A/406/506/34 IPC
Amit Nath Saini Vs. State

10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused Amit Nath Saini.

At request on behalf of counsel for applicant/accused, put on
18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 181/18
PS: Sadar Bazar
U/s: 302/392/394/364/120-B/34 IPC
Jitesh @ Kapil Vs. State

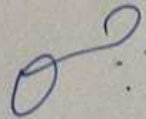
10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State,
Ld. Counsel for applicant/accused Jitesh @ Kapil.

1. Trial is pending in the court of undersigned and is at the stage of prosecution evidence.
2. This is the first application u/s 439 Cr.PC moved on behalf of applicant/accused Jitesh @ Kapil, seeking regular bail. Reply filed by the IO. Copy supplied. Applicant is in JC since 18.08.2018.
3. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case. There is no evidence on record to connect the applicant with the alleged offence. He submits that applicant is the sole bread earner. Public witnesses have already been examined, therefore, no purpose shall be served by keeping him behind bar.
4. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant and public witnesses are still remained to be examined. Weapon of offence as well as articles of the deceased were recovered from the possession of the applicant, hence, he prays that applicant be not admitted on bail.
5. I have considered the rival contentions of Ld. APP & Ld. Counsel for applicant and perused the record. There are serious allegations against the


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FIR No. 181/18
PS: Sadar Bazar
U/s: 302/392/394/364/120-B/34 IPC
Jitesh @ Kapil Vs. State

applicant, weapon of offence and articles of the deceased were recovered from the possession of the applicant, hence, at this stage, no ground for bail is made out. Accordingly, the present application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 11/20
PS: Karol Bagh
U/s: 376/506/313 IPC
Anuj Bhushan Vs. State

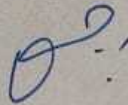
10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Prosecutrix in person.
IO ASI Bimla in person.
Sh. R. S. Malik, Ld. Counsel for applicant/accused Anuj Bhushan.

1. The present application has been filed by the applicant/accused for extension of bail granted to him vide order dated 20.05.2020, passed by Ld. ASJ. Reply filed by the IO. Copy supplied.
2. It is stated in the application as well as argued by Ld. counsel for applicant that vide order dated 20.05.2020, passed by Ld. ASJ, applicant was granted interim bail for 15 days on the ground of illness/surgery of his mother. The interim bail of the applicant was later on extended for further period of 30 days vide order dated 08.06.2020, passed by Ld. ASJ. Ld. Counsel submits that interim bail was granted to the applicant since the surgery of applicant's mother was fixed. He further submits that mother of the applicant is old aged and during the period of interim bail of the applicant, she came in contact with some Covid patient, therefore, her scheduled surgery could not be conducted which now is fixed for 15.07.2020, therefore, he prays that the interim bail of the applicant be further extended.

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FIR No. 11/20
PS: Karol Bagh
U/s: 376/506/313 IPC
Anuj Bhushan Vs. State

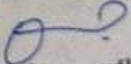
3. Ld. APP submits that there are serious allegations against the applicant and applicant had already been given sufficient time to look after his mother and now no ground is made out that his bail be extended.

4. Prosecutrix, duly identified by the IO, also oppose the extension of bail of the applicant as she submits that she has threat from the applicant to withdraw the present case.

5. I have considered the submissions made by Ld. APP, Prosecutrix & Ld. Counsel for applicant and perused the record.

6. Prosecutrix has not placed on record any complaint made by her in the police station regarding the threat allegedly received by her. On query by the court, IO also submits that she has not received any such complaint from the prosecutrix. In the reply filed by the IO, she has verified the medical documents of applicant's mother and found the same to be genuine. As per the reply of the IO, the surgery of applicant's mother is now fixed for 15.07.2020. **Hence, interim bail of the applicant is extended for further period of 20 days i.e. till 30.07.2020, on the same terms and conditions as mentioned in the order dated 20.05.2020.**

The present application is disposed off accordingly.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020

FIR No. 12/20
PS: NDRS
U/s: 354-A/376 IPC
Sandeep Vs. State

10.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Prosecutrix alongwith counsel Ms. Malka Asad.
IO SI Santosh Sirohi.
Sh. Devender Kumar, Ld. Counsel for applicant/accused
Sandeep.

Chargesheet received from the court of Ld. MM.

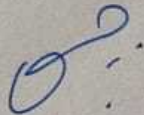
1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Sandeep, seeking regular bail. Reply filed by the IO. Copy supplied. Applicant is in JC since 16.03.2020.
2. The case of the prosecution is that the above FIR was registered on 13.03.2020, at PS NDRS after receiving the Zero FIR from PS Uttam Nagar, Delhi. On 08.03.2020, prosecutrix gave a complaint at PS Uttam Nagar against the applicant/accused containing allegations of rape. Prosecutrix stated that she was a boxing player and play in Shri Diwan boxing club. Her coach Sh. Rajiv sent her alongwith other girl boxers to participate in national boxing championship at Kolkata, West Bengal. Prosecutrix boarded in Duranto train from New Delhi Railway Station where she met the applicant first time in the train. Applicant was also with boxing coach. Prosecutrix alleged that she occupied upper seat and applicant occupied middle seat in front of her. During the journey from Delhi to Calcutta, they became friendly. Applicant demanded

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FIR No. 12/20
PS: NDRS
U/s: 354-A/376 IPC
Sandeep Vs. State

sexual relation from her in the train to which she denied but applicant forcefully came on her seat and established physical relationship with her and threatened her with dire consequences. She has stated that they stayed at Calcutta since 27.02.2020 till 03.03.2020 and during this period, the applicant repeatedly established physical relations with her without her consent. Prosecutrix further alleged that applicant also gave her pill unwanted-72. It is further stated that after coming from Calcutta to Delhi, Coach Rajiv called the parents of the prosecutrix at Academy and showed them the chat exchanged between prosecutrix and the applicant. On 07.03.2020, prosecutrix received a call from applicant that he has paid Rs. 50,000/- to Coach Rajiv but prosecutrix said that she did not demand any money. Statement u/s 164 Cr.PC of the prosecutrix was recorded.

3. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case and the alleged physical relationship between applicant and prosecutrix were consensual. In order to buttress his arguments, Ld. Counsel relied upon the whatsapp chatting exchanged between the parties. Ld. Counsel argued that the hard copy of the whatsapp chatting exchanged between the parties was provided by the prosecutrix herself to the IO and perusal of the same clearly show that the alleged physical relationship, if any, between the parties was with the consent of the prosecutrix. He also submits there are various contradictions in the complaint made by the prosecutrix on the basis of which FIR was registered and in her statement recorded u/s 164 Cr.PC.



FIR No. 12/20
PS: NDRS
U/s: 354-A/376 IPC
Sandeep Vs. State

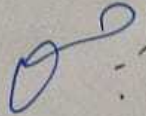
He also argued that the alleged incident had happened in the moving train and as per the charge sheet itself, the prosecutrix at several occasions was with other boxing players when applicant was not accompanying her then there was no reason for her to tell the incident of rape to other co-boxers.

4. Ld. APP and Ld. Counsel for prosecutrix strongly oppose the bail application on the same ground that there are serious allegations against the applicant. Prosecutrix has supported the allegations even in her statement recorded u/s 164 Cr.PC. They submit that the mobile phones of the prosecutrix and applicant have been sent to FSL to verify the authenticity of the chatting communication exchanged between the parties. They submit that matter is at very initial stages and if the applicant is granted bail, he may try to influence the prosecutrix.

5. I have considered the above rival contentions made by Ld. APP, Ld. Counsel for prosecutrix and Ld. Counsel for applicant. Prosecutrix is major aged about 19 years. I have also gone through the chatting exchanged between the parties in whatsapp, provided by the prosecutrix herself to the IO. The prosecutrix during hearing of the present application has not disputed the above referred chatting, hence, without commenting on the merits of the case, the applicant is admitted on bail subject to the following conditions:-

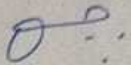
- (i) *Furnishing of personal bond to the tune of Rs. 50,000/- and local surety bond of like amount to the satisfaction of concerned Ld. MM/Duty MM;*
- (ii) *Applicant will not leave the country without permission of the court;*
- (iii) *Applicant will not influence the witnesses;*
- (iv) *Applicant will not contact the prosecutrix;*

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(v) Applicant will provide his mobile number to the IO within two days from his release and mark his presence to the IO through Video or Audio mode on every Monday between 10:00 AM to 06:00 PM, till the court resumes its normal functioning.

The application is disposed off accordingly.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-10.07.2020