

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 671/2015

PS: Patel Nagar

U/s: 302 IPC

State Vs. Kunal Verma & Ors.

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is fresh application moved under section 439 Cr.P.C. for accused Ismiel.

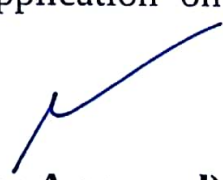
Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Aman, proxy counsel for applicant/accused.

Reply filed by the IO. However, adjournment sought by the proxy counsel for the applicant stating that the main counsel is not available due to ill health.

Heard. Request allowed.

It is stated that matter is pending trial before the court of Ld. ASJ, West, THC, Delhi. The application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Be listed for consideration on the application on 11.06.2020 alongwith judicial file.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 303/2018
PS: Punjabi Bagh
U/s: 376 (2) IPC and 6 POCSO Act
State Vs. Babloo

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

The matter has been taken up through video conferencing from Room No.122, THC, Delhi.


This is an application moved under section 439 Cr.P.C. for applicant Babloo.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Ishwar Singh, Ld. Counsel for
applicant/accused.

Judicial file has been placed before me. However, victim has to be heard as the alleged offence is under section 6 of POCSO Act. Notice be issued to the complainant/victim to appear in person on the next date of hearing through concerned IO/SHO.

Be listed for consideration on 12.06.2020.

IO shall remain present in person alongwith victim
on the next date.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 318/2018
PS: Patel Nagar
U/s: 147/148/149/186/307/353/34 IPC
State Vs. Lal Singh @ Randhir Singh

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.


The matter has been taken up through video conferencing from Room No.122, THC, Delhi.

This is an application moved under section 439 Cr.P.C. for applicant Lal Singh @ Randhir Singh.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Neeraj Deora, Ld. Counsel for
applicant/accused.

It is stated that matter is pending trial before the court of Ld. ASJ, West, THC, Delhi. The application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Be listed for consideration on the application on 06.06.2020 alongwith judicial file.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL,
DUTY ASI-01, THC, DELHI.

CR No. 447/17

PS: Nanglol

U/s: 328/454/376D/34 IPC and 6 POCSO Act

State Vs. Arvind Kumar

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is an application for Interim bail for applicant Arvind Kumar.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. S.K. Tiwari, Ld. Counsel for applicant/accused.
Parents of the victim in person.
SI Reena is present on behalf of the IO.

Present application has been moved on the ground of ill health of mother of the applicant. Copies of medical documents were also annexed with the application and IO was directed to verify the same.

Today, written reply has been filed. It is stated that the documents are to be verified from Deep Chand Bandhu Hospital, which has been converted into COVID19 hospital. Therefore, the medical documents could not be verified.

Let the documents be verified by the IO and report be filed on the next date of hearing. In case the hospital is unable to verify the documents, then a written report from the Medical Superintendent or any authorised person shall be obtained and be filed on the next date of hearing.


IO shall also file compliance report in terms of order dated 01.06.2020 on the next date of hearing.

Sugandha

Parents of the victim submit that the victim is aged about 14 years and therefore, her presence may be dispensed with. They further submit that the interest of victim is protected by their presence and they shall represent the victim on the next date of hearing. Heard. Allowed.


It is stated that matter is pending trial before the court of Ld. ASJ, West, THC, Delhi. The application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Be listed for consideration on the application on 10.06.2020 alongwith judicial file.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At this stage, IO ASI Ramji Lal has appeared and filed previous involvement report of the applicant/accused. Same is kept on record.

Put up on the date fixed.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 698/2019
PS: Rajouri Garden
U/s: 392/394/397/307/34 IPC
State Vs. Hamir @ Amir Patiya

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

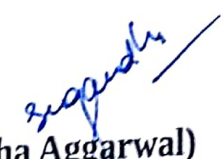
The matter has been taken up through video conferencing from Room No.122, THC, Delhi.

This is a fresh bail application moved under section 439 Cr.P.C. for applicant Hamir @ Amir Patiya.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. M. Hasibuddin, Ld. Counsel for applicant/accused.

Reply has been filed by the IO. However, Ld. Counsel for the applicant submits that he has not received copy of reply. He further submits that IO be directed to supply copy of reply to him through e-mail/whatsapp or post. Request is allowed. IO shall supply copy of the reply to the counsel for the applicant through any of the above mode on or before the next date of hearing.

Application be listed for consideration on 09.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 148/2020
PS: Punjabi Bagh
U/s: 363/376 IPC & 6 POCSO Act
State Vs. Suraj Kumar

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Suraj Kumar.

Present: Sh. Atul Srivasatava, Ld. Addl. PP for the State.
IO SI Richa Sharma is present.
Sh. Anil Kumar, Ld.Counsel for the applicant/accused.

IO has intimated the court that victim shall be reaching the court within half an hour as she is on the way. Hence, matter is passed over till 11.30am.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

At 11.30am

Present: Sh. Atul Srivasatava, Ld. Addl. PP for the State.
Victim is present in person.
IO SI Richa Sharma is present.
Sh. Anil Kumar, Ld.Counsel for the applicant/accused.

This is the first regular bail application moved on behalf of accused.

Sugandha

FIR No. 148/2020
PS: Punjabi Bagh
U/s: 363/376 IPC & 6 POCSO Act
State Vs. Suraj Kumar

-2-

Ld. Counsel for applicant has argued that the victim and the accused were having love affair and they were known to each other. It is further argued that all the circumstances as mentioned in the FIR have taken place with the consent of the victim and that the accused has no previous involvement.

IO has filed written reply.

Ld. APP for the State has argued that the victim is under the age of 18 years. As per the allegations, accused has established forcible physical relations with the victim twice a day. It is further stated that as per the facts, the accused got the hotel booked with the forged ID, where he established forcible physical relations with the victim. It is further argued on behalf of State that since the victim is under the age of 18 years, therefore, she was incapable of giving any consent.

I have heard and considered the rival contentions and have perused the record.

The matter is still at the stage of investigation. There are grave allegations against the accused that he established physical relations with the victim after taking her to a hotel. Ld. Counsel has argued that there was a love affair between the victim and the accused. It is pointed out that the said fact has been stated by the victim in her statement under section 164 of Cr.P.C as well. Even if the said argument is considered, then also being in relationship does not entitle the accused to establish physical relations with the victim against her wish. Further more, as per the case of the prosecution, the victim was under the age of 18 years and her consent was immaterial.

At this stage, the defence of the accused cannot be adjudicated upon. If released on bail, accused may intimidate and threaten the witnesses. Considering the

Signature

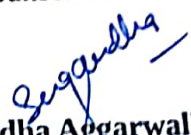
FIR No. 148/2020
PS: Punjabi Bagh
U/s: 363/376 IPC & 6 POCSO Act
State Vs. Suraj Kumar

-3-

gravity of offence and the above discussed circumstances, I do not find any ground to enlarge the accused on bail. The present application is **dismissed**.

Copy of this order be sent to the concerned Jail Superintendent, Tihar, Delhi for intimation.

A copy of the order be given dasti to the Ld.Counsel for the applicant/accused.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 12/2019
PS: Rajouri Garden
U/s: 376/342/506 IPC
State Vs. Sanjay

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

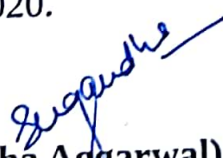
This is an application for interim bail for applicant Sanjay.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Alamine, Ld. Counsel for
applicant/accused.

Application is moved on the ground of ill health of the family members. Copies of the medical documents have been filed. Let the same be verified by the IO/SHO concerned and report be filed on the next date of hearing.

Notice was issued to the prosecutorix but the same has not been received back. Fresh notice be issued to the prosecutorix through IO/SHO concerned for the next date.

Be listed for consideration on 11.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

B-15

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

FIR No. 181/19

PS: Tilak Nagar

U/s: 392/394/395/397/411/34 IPC

State Vs.

1. Sagar @ Champa
2. Rahul Suri @ Akash
3. Pawan @ Raja @ Pallan
4. Surender @ Cylinder

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh.S.C. Sharma, Ld.Counsel for the applicant/accused.
IO SI Vinod Kumar is present.

These are four separate applications moved on behalf of all the above mentioned applicants for grant of bail.

Written reply filed by the IO.

Ld. APP for the State has argued that out of four applicants, two applicants are of bad character and there are many previous involvements against the applicants. However, Ld.Counsel for applicants has made certain submissions regarding the conduct of the applicants during the trial and also stated that co accused have already been enlarged on bail. The matter is pending trial. The judicial file is required by the court to verify the submissions made by the Ld. Counsel for the applicants. Let the judicial file be summoned and present applications be listed with the judicial file on 08.06.2020.


(Sugandha Aggarwal)

**Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act, Tis Hazari Courts.**

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

**FIR No. 429/19
PS: Tilak Nagar
U/s: 307 IPC
State Vs. Manoj @ Bihari**

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application moved on behalf of applicant/accused Manoj @ Bihari for grant of interim bail.

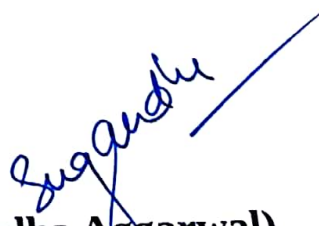
Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Victim is present in person.
None for the applicant/accused.
IO SI Tinku Shokeen in person.

Written report filed by IO kept on record.

As none is present on behalf of applicant, list the present application

on 09.06.2020.

IO shall remain present on NDOH.


**(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020**

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 419/20
PS: Paschim Vihar
U/s: 397/411 IPC
State Vs. Mohd. Asif

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application moved on behalf of applicant/accused Mohd. Asif seeking grant of interim bail.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

The matter was ordered to be taken up through video conferencing. Ahlmad has reported that he has received telephonic information from the Ld.Counsel for the applicant that he is not able to join the video conferencing and seeks adjournment.

Heard. Allowed.

Reply filed by the IO. Kept on record.

Be listed for consideration on the application on 08.06.2020.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 549/17

PS: Tilak Nagar

U/s: 373/506/34 IPC, 25/27/54/59 Arms Act and 6 POCSO Act
State Vs. Rajnish Diwakar @ Raghu

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.PC moved on behalf of applicant/accused Rajnish Diwakar @ Raghu for grant of interim bail for two months.

Present: Sh. Atul Kumar Srivastava Ld. Addl. PP for the State.
Sh. R.K. Giri, Ld.Counsel for the applicant/accused.
IO SI Tinku Shokeen in person.

Application is moved on the ground of surgery of wife of the accused. Copy of the medical documents filed. Let the same be verified by concerned IO/SHO and report be filed.

This is a case under section 6 of POCSO Act and presence of victim is essential to decide the present application. Hence, notice of the application be sent to the victim to remain present on the NDOH through concerned IO/SHO. In case, victim is not traceable, a detailed report shall be filed by the concerned SHO of the efforts made by him to trace the victim.

Charge sheet is already filed and same is pending trial. Under these circumstances, judicial file is required to verify the conduct of the applicant. Hence,

continued on page 2..

Sugandha

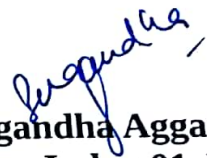
-2-

FIR No. 549/17

PS: Tilak Nagar

**U/s: 373/506/34 IPC, 25/27/54/59 Arms Act and 6 POCSO Act
State Vs. Rajnish Diwakar @ Raghu**

the judicial file be summoned for the NDOH and application be listed with the judicial file on 06.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 381/17
PS: Patel Nagar
U/s: 302/394/34/ IPC
State Vs. Arun Yadav

04.06.2020

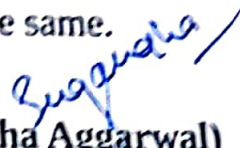
The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Arun Yadav for grant of interim bail of 45 days.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Vivek Aggarwal Ld.Counsel for the applicant/accused.

An application seeking interim bail on the basis of guidelines lines laid down by Hon'ble High Court has been moved on behalf of applicant/accused Arun Yadav. Neither report of the conduct of the applicant/accused has been received from concerned Jail Superintendent nor the previous involvement report of the applicant/accused has been received from the concerned IO/SHO. Same be filed for the NDOH. Further, it is stated that the matter is pending trial. Hence, the application cannot be decided in the absence of judicial file. Judicial file is required to verify the submissions made and to verify the conduct of the accused. Judicial file be summoned for the next date of hearing and application be put up with the same.

Be listed on 06.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 33/15

PS: Ranjeet Nagar

U/s: 392/397/411/34 IPC & 25/27/54/59 Arms Act

State Vs. Md. Yusuf

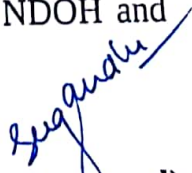
04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Akash Gautam seeking interim bail for a period of 45 days.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. P.K. Garg, Ld. Counsel for the applicant/accused.

This is an application moved seeking interim bail for 45 days. It is stated in the application that wife of the accused is unwell. However, no medical documents have been filed. Ld. Counsel for applicant undertakes to file copy of medical documents during the course of the day. If the same are filed, the same be sent to concerned SHO for verification. It is further submitted by Ld. Counsel that the charge sheet is already filed and same is pending trial. Under these circumstances, the application cannot be decided in the absence of judicial file. The judicial file is required to verify the submissions made by Ld. Counsel for applicant and to verify the conduct of the applicant. Hence, the judicial file be summoned for the NDOH and application be listed with the judicial file for 09.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi. 04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 148/17
PS: Khyala
U/s: 302/34 IPC
State Vs. Kuldeep

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application seeking interim bail moved on behalf of applicant/accused Kuldeep.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Pardeep Anand, Ld.Counsel for the applicant/accused.

Application is moved on the basis of guidelines lines laid down by Hon'ble High Court. Neither report of the conduct of the applicant/accused has been received from concerned Jail Superintendent nor the previous involvement report of the applicant/accused has been received from the concerned IO/SHO. Same be filed afresh for the NDOH. Further, it is stated that the matter is pending trial. Hence, the application cannot be decided in the absence of judicial file. Judicial file is required to verify the submissions made and to verify the conduct of the accused. Judicial file be summoned for the next date of hearing and application be put up with the same.

Be listed on 10.06.2020.

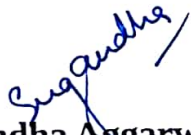
Ld.Counsel for applicant/accused insists that the application shall be disposed off and order shall be passed. However, in absence of the previous involvement report, the conduct report from the concerned Jail Superintendent and

Sugandha

-2-

FIR No. 148/17
PS: Khyala
U/s: 302/34 IPC
State Vs. Kuldeep

judicial file, the present application cannot be considered by this court. As requested, copy of this order be given dasti.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 25/19
PS: Nangloi
U/s: 376/506 IPC & 6 POCSO Act
State Vs. Rakesh

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Rakesh.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Kamal Jindal, Ld. Counsel for the applicant/accused.
IO SI Reena is present.

Written report filed by the IO. IO submits that the victim is not traceable as she has left the given address. She further submits that the first IO is changed and therefore, she could not trace the native address of the victim. This is a case under section 6 of POCSO Act and presence of victim is essential to decide the present application. Hence, notice of the application be sent to the victim to remain present on the NDOH through concerned SHO. In case, victim is not traceable, a detailed report shall be filed by the concerned SHO of the efforts made by him to trace the victim.

It is stated by Ld. Counsel for applicant/accused that charge sheet is already filed and same is pending trial. Under these circumstances, the application cannot be decided in the absence of judicial file. The judicial file is required to verify the submissions made by Ld. Counsel for applicant and to verify the conduct of the

Sugandha

-2-

FIR No. 25/19
PS: Nangloi
U/s: 376/506 IPC & 6 POCSO Act
State Vs. Rakesh

applicant. Hence, the judicial file be summoned for the NDOH and application be listed with the judicial file.

Be listed on 11.06.2020.

Sugandha
(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

B-3

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

**FIR No. 590/19
PS: Paschim Vihar West
U/s: 376D/506 IPC & 6 POCSO Act
State Vs. Mukesh & Anr. (Bablu)**

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is second application under section 439 of Cr.P.C moved on behalf of applicant/accused Bablu.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Ajay Kumar Singh, Ld. Counsel for the applicant/accused.
IO WSI Anita in person.
Victim is not present today.

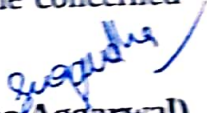
This is a case under section 6 of POCSO Act. Presence of victim is essential to decide the present application. IO submits that victim is resident of Bihar. She cannot come, however, she is ready to join the proceedings through video conferencing. Ld. Counsel for applicant submits that he will argue the present application in person. However, he has no objection if the victim joins the proceedings through video conferencing. Under these circumstances, let notice of the present application be served upon the victim through concerned IO/SHO for joining the proceedings through video conferencing. IO shall remain present in the court on the NDOH.

Sugandha
Continued on page 2..

FIR No. 590/19
PS: Paschim Vihar West
U/s: 376D/506 IPC & 6 POCSO Act
State Vs. Mukesh & Anr. (Babloo)

Charge sheet is stated to have been already filed and same is pending trial. In the absence of judicial file, the present application cannot be decided. Let the judicial file be summoned from the concerned court for 08.06.2020.

It is further stated by Ld. Counsel for applicant that this is an application seeking interim bail on the ground of family circumstances of the accused. Let the family circumstances of the applicant be verified by the concerned IO/SHO and report be filed by NDOH.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

**FIR No. 127/2019
PS: EOW West
U/s: 420/467/468/471/120B IPC
State Vs. Tabrej Kamal**

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

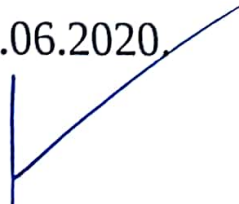
Fresh application received for modification of order dated 03.06.2020.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Azhar Alam, Ld. Counsel for applicant/accused.

Let the present application be listed with the order dated 03.06.2020 and the bail application mentioned in the present application.

Further, Ld. Counsel has asked for a copy of order dated 03.06.2020. As per the conditions laid down in the Duty Roster dated 30.05.2020, copy of the signed order-sheets is uploaded on the Delhi District Court's website by the concerned branch. The orders after signing alongwith applications are returned to the Filing Section. Therefore, there is no record in this court so as to provide copy to the counsel.

The present application be listed on 05.06.2020.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020**

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

Bail Application No. 1060/2020

FIR No. 144/2020

PS: Moti Nagar

U/s: 363/376 IPC & 4 POCSO Act

State Vs. Jitender Choudhary

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is first bail application under section 439 Cr.P.C. for applicant/accused Jitender Choudhary.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Anil Kumar, Ld. Counsel for
applicant/accused.
Victim not present.

As per record, there are no directions to issue notice to the victim or the IO. However, Ld. Counsel for the applicant has informed the court that IO has been directed to be present today but he has quarantined himself. Therefore, he is not present.

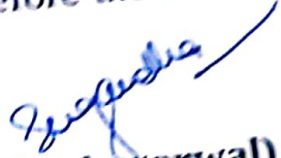
Considering the submissions made before the court, at request, the matter is adjourned.

As per the mandate of the Hon'ble High Court of Delhi, in the present case the victim is to be heard before deciding the bail application as one of the offence is alleged under section 4 of POCSO Act. Let victim be summoned for the next date of hearing through the concerned IO/SHO. Reply to the application also be filed on the next date of hearing. It is made clear that in case IO is not present, then reply would be filed through SHO on behalf of the IO on the next date of hearing.

Sugandha


Ld. Counsel for the applicant requests that the present application be listed after 15.06.2020.

At request, be listed on 18.06.2020 before the court concerned.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At 11.30 AM

At this stage, victim has appeared alongwith her brother. They have been apprised about the next date of hearing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 61/2020
PS: Paschim Vihar
U/s: 328/392/411/34 IPC
State Vs. Moolchand @ Upender

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Though the matter was registered to be taken up through video conferencing, Ld. Counsel for the applicant is present in the court and requests to take up the matter. Request is allowed.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Avadhesh Sharma, Ld. Counsel for applicant/accused.
IO ASI Ramji Lal is present.

This is fresh application for interim bail for applicant Moolchand @ Upender.

Previous involvement report has been filed by the IO.

The interim bail is sought on the ground of ill health of the grandmother of the applicant. IO to verify the medical documents filed with the application and file report on the next date of hearing. Conduct report be also called from the concerned Jail Superintendent.

It is further stated that the charge-sheet has already been filed in the matter. The application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Sugandha
Contd....2/

IN THE COURT OF MS SUG

CAUSE LIST FOR

of IPC scheduled for

TEJPAL SINGH

LAXMAN SINGH G

SURESH SINGH

MAHA SINGH

JITENDER CHOUD

SURAJ KUMAR

CHARAN

aters scheduled for

ning 11 to 12.09 an

RAKESH

ARJUN

RABLU

ARVIND KU

MOHD YU

QAMARU

KULDEEP

SANJAY

RAJNISH

KUNAL

MANOJ

AMRIT

ARUN

RAJES

SAGA

RAH

PAW

SUR

1156

1157

1158

1159

- 2 -

judicial file.

Be listed for consideration on 09.06.2020 alongwith

Sugandha

(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

Bail Application No. 819

FIR No. 546/2019

PS: Moti Nagar

U/s: 408 IPC

State Vs. Suresh Singh


04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is first anticipatory bail application moved under section 438 Cr.P.C. for applicant Suresh Singh.

Present: None.

Be awaited till 4.00 PM.

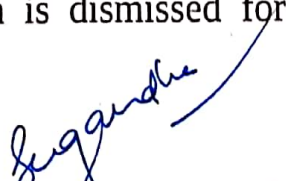

**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020**

At 4.00 PM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

None has appeared for the applicant/accused since morning despite repeated calls.

Accordingly, the bail application is dismissed for non appearance.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020**

Bail Application No. 651 and
FIR No. 103/2020
PS: Moti Nagar
U/s: 33 of Delhi Exclse
State Vs. 1. Tejpal Singh
2. Laxman Singh Goswami


04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

These are two separate anticipatory bail applications moved under section 438 Cr.P.C. for applicants Tejpal Singh and Laxman Singh Goswami.

Present: None.

Be awaited till 4.00 PM.



(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At 4.00 PM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

None has appeared for the applicant/accused since morning despite repeated calls.

Accordingly, the bail application is dismissed for non appearance.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

B-14

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 272/2018

PS: Ranjit Nagar

U/s: 392/397/34 IPC

State Vs. Vikrant Nehra & Ors.

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.


This is fresh bail application under section 439 Cr.P.C. for applicant Rajesh.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Ms. Kanchan Diwan, Ld. Counsel for applicant/accused.

It is stated that in the present case charge-sheet has already been filed. The application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Ld. Counsel submits that now the mother of the applicant has also fallen seriously ill. Certain medical documents have also been filed. Let the same be verified by the IO and file report on the next date.

Be listed for consideration on the application on 10.06.2020 alongwith judicial file.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

C-5-b

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 340/2020

PS: Nangloi

U/s: 394/397/411/34 IPC

State Vs. 1. Gagan
2. Himanshu

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

The matter has been taken up through video conferencing from Room No.122, THC, Delhi.

These are two separate fresh applications moved under section 439 Cr.P.C. for applicants Gagan and Himanshu.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Rajesh Sharma, Ld. Counsel for both applicants.

Reply not received from the IO.

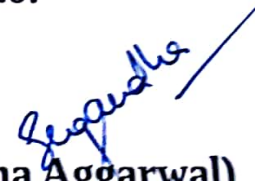
A written intimation has been received that IO has met with an accident.

IO to file reply to the applications on the next date of hearing. In case IO is unable to file reply on the next date, the same shall be filed through SHO concerned.

Ld. Counsel for the applicants also seeks adjournment.

Heard. Allowed.

Be listed for consideration on 11.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 13/2020
PS: Ranjeet Nagar
U/s: 7/8 POCSO Act
State Vs. Palvinder Singh

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.


The matter has been taken up through video conferencing from Room No.122, THC, Delhi.

This is an application moved under section 439 Cr.P.C. for Palvinder Singh.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Vinay Sharma, Ld. Counsel for applicant/accused.

Judicial file has been placed before me. However, victim has to be heard as the alleged offence is under section 7/8 of POCSO Act. Notice be issued to the complainant/victim to appear in person on the next date of hearing through concerned IO/SHO.

Be listed for consideration on 12.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

FIR No. 67/18

PS: Khyala

U/s: 302/34 IPC

State Vs. Takkar @ Imran

04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.


An application is moved on behalf of applicant/accused Takkar @ Imran for grant of interim bail.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.

The matter was listed to be taken up through video conferencing.

Ld. Counsel for applicant did not join the video conferencing on the scheduled time when other matters were taken up. A request was received from Ld. Counsel for applicant to join the video conferencing at 02.15pm on the phone of the Ahlmad of this court. An attempt has been made to join the proceedings through video conferencing but due to connectivity issues, the same could not be done. Under these circumstances, Ahlmad has reported that the Counsel for the applicant has requested for an adjournment.

Report received from the concerned Jail Superintendent regarding the medical status of the accused. At request, application be listed for consideration on 08.06.2020.


**(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020**

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 211/19
PS: Patel Nagar
U/s: 363/376 IPC
State Vs. Rakesh Kumar
04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Rakesh Kumar.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Suresh Prasad, Ld.Counsel for applicant/accused.

The matter was listed to be taken up through video conferencing.

Ld. Counsel for applicant did not join the video conferencing on the scheduled time when other matters were taken up. A request was received from Ld.Counsel for applicant to join the video conferencing at 02.15pm on the phone of the Ahlmad of this court. An attempt has been made to join the proceedings through video conferencing but due to connectivity issues, the same could not be done. Under these circumstances, Ahlmad has reported that the Counsel for the applicant has requested for an adjournment.

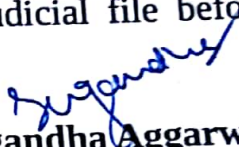
The present application has been moved in a case involving offence under section 6 of POCSO Act and presence of victim is essential to decide the present application. Let the victim be summoned through concerned IO/SHO for the NDOH. Further, this is a matter pending trial before this court. Hence, Ahlmad shall send the application along with judicial file to the concerned Duty ASJ. Ld.Counsel for the accused has requested for a date of 05.06.2020.

Sugandha

FIR No. 211/19
PS: Patel Nagar
U/s: 363/376 IPC
State Vs. Rakesh Kumar

Heard. Allowed.

Application be listed on 05.06.2020 along with judicial file before
concerned Duty ASJ.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 201/19
PS: Moti Nagar
U/s: 363/376 IPC & 4 POCSO Act
State Vs. Qamrujama.

04.06.2020


The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Qamrujama.

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Varun Kumar, Ld.Counsel for the applicant/accused.

IO is absent. However, reply is filed wherein it is stated that despite repeated efforts, presence of victim could not be procured.

Matter is under trial and charge sheet is pending in this court. Hence, application be listed with the judicial file at 02.00pm for consideration.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

At 02.00pm

Present: Sh. Atul Kumar Srivastava, Ld. Addl. PP for the State.
Sh. Varun Kumar, Ld.Counsel for the applicant/accused.

As per reply of the IO, presence of the victim cannot be secured. A notice has been duly served. Despite notice, victim is not present. This court does not



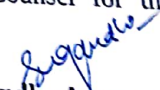
IR No. 201/19
S: Moti Nagar
I/s: 363/376 IPC & 4 POCSO Act
State Vs. Qamrujama.

find any justified ground to keep the application pending for appearance of victim.

In this application, applicant/accused has sought interim bail on the ground that he is the sole bread earner of the family. Perusal of the record shows that during the trial, five bail applications of accused/applicant Qamrujama have been dismissed. Last application was dismissed by my Ld. Predecessor on 28.11.19 on the ground that victim and her mother have not been examined and if released on bail, accused may intimidate the witnesses. There is no change in the said circumstance. A vague submission has been made in the application to enlarge the applicant/accused on interim bail to arrange funds for the family. During arguments, Ld.Counsel for applicant/accused has stated that interim bail for six months may be granted. Upon asking also, no circumstance has been enumerated as to why the funds cannot be arranged by other family member of the applicant/accused. As per the allegations, the accused is related to the victim. Considering the said facts, I do not find any justified ground to enlarge the accused on bail. Hence, the present application is dismissed.

Copy of this order be sent to the concerned Jail Superintendent, Tihar, Delhi for intimation.

A copy of the order be given dasti to the Ld.Counsel for the applicant/accused.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.04.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

FIR No. 358/16
PS: Ranjit Nagar
U/s:376/328/384/506 IPC
State Vs. Shoaib @ Nasir @ Guru Sidhi.
04.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.


The matter has been taken up through video conferencing from room no. 122, THC, Delhi.

This is an application under section 439 of Cr.P.C moved on behalf of applicant/accused Shoaib @ Nasir @ Guru Sidhi.

Present: Sh. Atul Kumar Srivastava, Ld. Adl. PP for the State.
Sh. Javed Ali, Ld.Counsel for applicant/accused.

It is stated that the matter is pending trial. Ld.Counsel has argued that the matter is at the stage of final arguments. During the course of arguments, Ld.Counsel has referred to the orders of Hon'ble High Court arguing that as per orders, there were directions to the trial court to conclude the trial within three months. It is stated that the trial could not be concluded within the stipulated period and therefore, the present application has been moved. The photocopy of the orders of Hon'ble High Court has been annexed with the application. However, the submissions made on behalf of the applicant are required to be verified from the judicial record. This application cannot be decided in absence of judicial file. Let the judicial file be summoned for NDOH.

Be listed on 06.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act, THC

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

**FIR No. 364/2018
PS: Tilak Nagar
U/s: 302/365/120/34 IPC
State Vs. Amrit Singh**

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.


This is an application for interim bail for applicant Amrit Singh.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. S.S. Bedi, Ld. Counsel for
applicant/accused.

Application is moved on the ground of ill health of the father of the applicant. Certain medical documents have also been filed alongwith the application. Let the same be verified by the IO/SHO concerned and report be filed on the next date of hearing.

Further, it is stated that matter is pending trial before the court of Ld. ASJ, West, THC, Delhi. The application cannot be considered without judicial file. Let the judicial file also be summoned from the court concerned for the next date of hearing.

Be listed for consideration on the application on 08.06.2020 alongwith judicial file.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020**

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 195/2018
PS: Mianwali Nagar
U/s: 307/34 IPC and 25/27/54/59 Arms Act
State Vs. Arjun

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

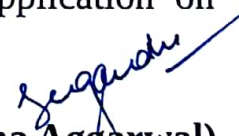
This is an application for interim bail moved for applicant Arjun.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Diwanshu Sehgal, Ld. Counsel for
applicant/accused.

It is stated that matter is pending trial before the court of Ld. ASJ, West, THC, Delhi.


In the circumstances, the application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Be listed for consideration on the application on 05.06.2020 alongwith judicial file.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At this stage, IO ASI Ramji Lal has appeared and filed previous involvement report of the applicant/accused. Kept on record.

Put up on the date fixed.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 199/2020
PS: Patel Nagar
U/s: 323/376/506/354/354 © IPC
State Vs. Sunil

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

The matter has been taken up through video conferencing from Room No.122, THC, Delhi.


This is an application for bail moved under section 439 Cr.P.C. for applicant Sunil.

Present:

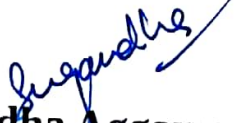
Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Dhruv Gupta, Ld. Counsel for
applicant/accused.

No reply received from the IO. Let the same be called for the next date of hearing. In case IO is unwell or unable to file reply on the next date, the same shall be filed by the SHO concerned on behalf of IO. Victim also be summoned for the next date.

Be listed for consideration on 10.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At this stage, Sh. Amit Upadhyay, Ld. Counsel for victim has attended the video conferencing. He has been apprised about the proceedings and next date of hearing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

SUGANDHA AGGARWAL

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 108/2019
PS: Paschim Vihar
U/s: 302/201/380/411 IPC
State Vs. Prince Dixit & Ors.

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Though the matter was registered to be taken up through video conferencing, Ld. Counsel for the applicant is present in the court and requests to take up the matter. Request is allowed.

Present:


Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Bhuvneshwar Tyagi, Ld. Counsel for
applicant/accused.
IO ASI Ramji Lal is present.

This is fresh application for interim bail for
applicant Davinder Kaur @ Sonia.

Reply to the application filed.

Certain family circumstances are mentioned in para
5 of the application, which have not been verified in the reply.
Hence, the said circumstances be verified and report be filed on the
next date of hearing.

Be listed for consideration on 11.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020
Scanned with CamScanner

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

Bail Application No. 995
FIR No. 345/2020
PS: Khyala
U/s: 33/38/58 Delhi Excise Act
State Vs. Maha Singh


04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is an application for anticipatory bail for accused Maha Singh.

Present: None.

Be awaited till 11.00 AM.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

At 11.30 AM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Deepak Ghai, Ld. counsel for the applicant.

No report has been filed by the IO nor the IO is present to apprise the court as to whether accused has joined the investigation or not as directed vide order dated 06.05.2020.

Ld. Counsel for the applicant submits that accused had gone to the concerned police station to join investigation but due to COVID19 situation he was not allowed to enter into the PS Khyala. It is also submitted that accused was also suffering from fever.



Contd...2/-

- 2 -

Let the said facts be verified by the concerned SHO/IO and file report on the next date of hearing as to whether the accused has joined the investigation or not.

Till then interim protection shall continue.

Be listed for consideration on 09.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

FIR No.348/2020
PS: Rajouri Garden
U/s: 380/457/411/34 IPC
State Vs. Charan

04.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is an application for anticipatory bail for applicant/accused Charan.

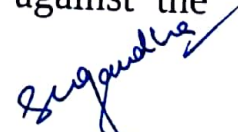
Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. U.K. Giri, Ld. Counsel for
applicant/accused.
IO HC Neeraj Singh is present.

Written reply filed by the IO.

It is stated in the application that applicant has been falsely implicated and he has no role in the alleged offence.


Per contra, reply filed by the IO states that his name has been mentioned in the statement of the complainant. IO further submits that till now the address of the applicant was not known, which he has come to know yesterday only. It is further stated that till now the applicant was not joining the investigation. IO has also sought time to verify the address of the applicant.

In these circumstances, applicant is directed to attend the investigation and report the IO on 05.06.2020. IO is also directed to verify the address and file the report on the next date of hearing. Till then no coercive action shall be taken against the applicant.


Contd...2/

- 2 -

Be listed for consideration on the application on
10.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020

VDH
2021
h

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 124/2020
PS: Rajouri Garden
U/s: 307/336/120 B/34 IPC
State Vs. Himanshu

04.06.2020
At 4.00pm

ORDER

This order shall decide the anticipatory bail application under section 438 of Cr.P.C moved on behalf of applicant/accused Himanshu. It is stated that the accused has been falsely implicated in the present case. He belongs to a respectable family. There is no likelihood of his absconding or tampering with the prosecution witnesses. It is stated that co accused persons have already been enlarged on bail. Applicant is ready to abide by all the conditions.

Reply is received from the IO and arguments heard on behalf of State. In the reply, IO has mentioned that two pistols were involved in the offence. As per the disclosure, one pistol is in possession of the applicant. It is further stated by the IO that the applicant is absconding and efforts are being made to trace him.

I have heard the rival contentions and have perused the record.

Anticipatory bail is an extraordinary remedy and is to be granted only where the case is fabricated on the face of it. In the case of *Nikhil Parasar Vs. State of NCT of Delhi*, Bail Application No. 1745/2009, decided on 01.02.1010, the Hon'ble High Court of Delhi has held as follows:

“As observed by the Hon'ble Supreme Court in Pokar Ram vs. State of Rajasthan AIR 1985 SC

Sugandha

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 124/2020
PS: Rajouri Garden
U/s: 307/336/120 B/34 IPC
State Vs. Himanshu

04.06.2020
At 4.00pm

ORDER

This order shall decide the anticipatory bail application under section 438 of Cr.P.C moved on behalf of applicant/accused Himanshu. It is stated that the accused has been falsely implicated in the present case. He belongs to a respectable family. There is no likelihood of his absconding or tampering with the prosecution witnesses. It is stated that co accused persons have already been enlarged on bail. Applicant is ready to abide by all the conditions.

Reply is received from the IO and arguments heard on behalf of State. In the reply, IO has mentioned that two pistols were involved in the offence. As per the disclosure, one pistol is in possession of the applicant. It is further stated by the IO that the applicant is absconding and efforts are being made to trace him.

I have heard the rival contentions and have perused the record.

Anticipatory bail is an extraordinary remedy and is to be granted only where the case is fabricated on the face of it. In the case of *Nikhil Parasar Vs. State of NCT of Delhi*, Bail Application No. 1745/2009, decided on 01.02.1010, the Hon'ble High Court of Delhi has held as follows:

“As observed by the Hon'ble Supreme Court in Pokar Ram vs. State of Rajasthan AIR 1985 SC

Sugandha

FIR No. 124/2020
PS: Rajouri Garden
U/s: 307/336/120 B/34 IPC
State Vs. Himanshu

-2-

969, relevant considerations, governing the Court's decision in granting anticipatory bail under Section 438 of the Code of Criminal Procedure, are materially different from those which apply while considering application for bail by a person, who is arrested in the course of investigation or by a person who is convicted and who seeks bail during pendency of the appeal. The power of the Court under Section 438 of the Code of Criminal Procedure being somewhat extraordinary in character should normally be used only where it appears that the petitioner before the Court may have been implicated in a false case and there are reasonable grounds to believe that he is not likely to otherwise misuse the liberty of bail, if granted to him."

Granting bail to the persons who are accused of grave offences should be a balancing act between the personal liberty of an individual and larger interest of the society. In Neeru Yadav Vs. State of U.P. (2014) 16 SCC 508, the Hon'ble Supreme Court observed as follows:

"We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law,

Buganda

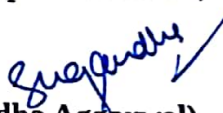
FIR No. 124/2020
PS: Rajouri Garden
U/s: 307/336/120 B/34 IPC
State Vs. Himanshu

anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society disapproves, the legal consequences are bound to follow. At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law.”

As per the report of the IO, applicant is absconding and is not available. In these circumstances, no protection can be granted to the applicant/accused. The present application is dismissed.

Copy of this order be given dasti to Ld.Counsel for the applicant/accused and the victim.

Copy of this order be sent to the concerned Jail Superintendent, Tihar, Delhi for intimation.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act, THC

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 205/2013

PS: Mianwali Nagar

U/s: 323/307/302/34 IPC and 25/27 Arms Act

State Vs. Asfaq @ Shabbu

04.06.2020


The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Fresh bail bonds furnished for convict Asfaq @ Shabbu.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Surety Abhishek Kumar is present.
Ld. Counsel for convict.

Ld. Counsel has filed copy of order dated 03.06.2020 of the Hon'ble High Court alongwith bail bond and surety bond.

Let the documents of the surety be verified by the SHO concerned and file report on 05.06.2020 before the concerned Duty Additional Sessions Judge, West.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/04.06.2020