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Hon'ble HC Jail
sed:

BAIL APPLICATION


**FIR No. : 264/2015
PS: Subzi Mandi
STATE v. Ajay
U/S: 393,397,302 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Sh. Jabbar Hussain, Ld. Counsel for applicant in
person.

Report not filed by Jail Superintendent concerned regarding the conduct of the accused during his custody in jail in terms of directions by Hon'ble High Court vide its minutes of meeting dated 18.05.2020. Although a specific direction was issued on 20.06.2020 in this regard. As such, issue show cause notice to Jail Superintendent why this report not filed. In the meanwhile, such order dated 20.06.2020 be complied afresh for 25.06.2020.

Matter be taken up through electronic mode.


**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020**

BAIL APPLICATION

**FIR No. : 330/2015
PS: Pahar Ganj
STATE v. Umesh Kumar Patel
U/S: 302 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Surety with counsel Sh. Mohd. Tayyab.

Today again verification report filed regarding the
surety by the IO as directed by this court on 22.06.2020.

Again it is report that no person by the name of
Balram Kumar Patel reside at the given address.

In view of the same, present bail bond is rejected.
Original document relating to FDR be returned to the surety.

**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020**

BAIL APPLICATION

**FIR No. : 339/2016
PS: Darya Ganj
STATE v. Kishan Kumar
U/S: 395,397,412,201,120B,34 IPC**

24.06.2020.


Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
None for applicant/accused.

Since morning, no one is present for accused.

Further, no mobile number /e-mail of counsel is
mentioned in the application. As such, he could not be
connected through VC also.

Reply filed by IO.

**Put up for appearance of accused/through
electronic mode or otherwise/appropriate orders on
27.06.2020.**


**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020**

BAIL APPLICATION

**FIR No. : 83/2020
PS: Nabi Karim
STATE v. Shyam Lal @ Saurav
U/S: 392,397, 34 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Sh. Manoj Kumar, Ld. Counsel for applicant through
VC.

No further reply filed by IO after the order of
04.06.2020 regarding TIP proceedings. As such, issue notice to
SI Jayesh/SHO concerned to explain the current status of the
investigation as well as reply dated 03.06.2020.

Put up for 26.06.2020.

**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020**

BAIL APPLICATION

**FIR No. : 29/2020
PS: DBG Road
STATE v. Chandan
U/S: 392,397 IPC &
25,27,54, 59 Arms Act**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Sh. Mani Rajan, Ld. Counsel for applicant through
VC.

This is the second bail application u/s 167(2)
Cr.P.C. for statutory bail.

In reply filed by SI Parveen, it is stated that
chargesheet has been filed on 04.05.2020 and matter is pending
trial.

Heard.

As such, present bail application u/s 167(2) Cr.P.C.
for statutory bail is not maintainable as chargesheet is already
filed. Further, in any case, learned counsel for applicant failed to
explain how come this application is maintainable before
Sessions court and why the same is not filed before the
concerned Magistrate.

**With these observations, present bail
application is dismissed.**

**Copy of this order be given dasti or through
electronic mode.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

: 1 :

BAIL APPLICATION

**FIR No. : 236/2019
PS: Subzi Mandi
STATE v. Rakesh
U/S: 308,34 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Sh. Shivender Singh, Ld. Counsel for Accused
through VC.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020, Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly, present application is taken up.*

2. Report not filed by IO.

3. Submissions heard through electronic mode.

4. In view of direction by Hon'ble High Court, **IO/SHO** to file :

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC), a report that present accused is **not involved**, in any other case;

iii) Date, since when accused is in JC in present case:

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iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

v) Details i.e. date of order, outcome(whether interim bail allowed or dismissed) and name of such learned court, of the last interim bail application,if any, moved by the present accused.

5. As such, issue notice of present application to the IO/ SHO .

6. Further (in view of direction by Hon'ble HC), **Jail Superintendent concerned** to file:

(i) Copy of **custody warrant** of present accused;

(ii) A **certificate regarding good conduct**, if any, of the accused during his custody period so far.

7. As such, issue notice to the IO/SHO as well as Jail Superintendent accordingly.

8 **Counsel for accused is advised to collect the order online through electronic mode.**

10. **Put up for report, arguments and further appropriate orders on 29.06.2020 through VC.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

BAIL APPLICATION

**FIR No. :213/2018
PS: Lahori Gate
STATE v. Raju Ram Nehra
U/S: 395/397/412/120-B/34 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Mr. Alamine, learned counsel for the applicant
through VC.

Fresh application u/s 439 Cr.PC seeking grant of
bail on behalf of applicant Raju Ram Nehra through learned
counsel filed. The same be checked and registered.

Put up for reply from the IO, arguments and
appropriate order **with the case file** for **29/06/2020**.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

BAIL APPLICATION

FIR No. : 130/2014

PS: Kamla Market

STATE v. Yadvender @ Guddu Yadav

U/S: 419,420,365,392,395,412,120B,34 IPC

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Sh. V.K. Singh, Ld. Counsel for applicant through
VC.

Some time is sought to place on record the copy of
interim bail order regarding co-accused dated 06.05.2020 and
29.05.2020.

As such, put up for placing such order regarding
interim bail of co-accused, arguments, if any on present
application on **25.06.2020**.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

At 1 pm

Present: Sh. V.K. Singh, Ld. Counsel for applicant in person.

Copy of order is placed on record.

Let all the orders passed during lock-down be
collected from filing counter and be placed on record for
tomorrow as date already fixed.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

INTERIM BAIL APPLICATION

**FIR No. 427/2017
PS Kashmere Gate
State Vs Sidharth**

U/s: 392, 394, 397, 411, 201, 34 IPC (as per charge framed)

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Armesh Kumar, learned counsel for accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply filed by the IO.

3. Arguments heard.

4. As it is not the case of accused that he himself is unwell, thus case of the accused is not covered under directions as passed by Hon'ble High Court dated 18/04/2020.

5. But it is also the direction by Hon'ble HC that even otherwise such applications are to be considered on merit. Accordingly Heard on merit.

6. It is argued that applicant is falsely implicated in the present case; that there is spread of corona virus including inside the jail. It is further argued that Hon'ble

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Supreme Court of India as well as Hon'ble High Court of Delhi vide its minutes dated **18/05/2020** passed certain directions for releasing the accused on interim bail on relaxed criteria.

7. In reply it is stated by the IO as also argued by the learned Addl.PP that present accused alongwith others robbed the complainant by stabbing him with knife and hitting on head with stone when he resisted. That present accused actively participated in the crime; that the offence is very serious in nature and he may indulge in other similar cases if released on bail. It is further stated that there is other criminal involvement of the present accused. As such, present bail application is opposed.

8. I find force in the arguments of learned Addl.PP for the State. Section 394 IPC is punishable upto imprisonment for life. Further no specific or sufficient ground raised for granting interim bail apart from general apprehension that there is spread of corona virus. It may further be noted that vide order dated 18/05/2020, hon'ble high court dealt with some other type of offences and not the type of offence in question. Further, present nature of offence are dealt by Hon'ble High Court vide its meeting dated 18/04/2020 under which accused is not covered as he himself is not well. Even, on merit this court is not inclined to grant interim bail as prayed for. With these observations the present application is disposed off as dismissed. Copy of order be given dasti.

9. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

FIR No. 427/2017
PS Kashmere Gate
State Vs Sidharth
U/s: 392, 394, 397, 411, 201, 34 IPC

: 1 :

INTERIM BAIL APPLICATION

**FIR No. 427/2017
PS Kashmere Gate
State Vs Salman**

U/s: 392, 394, 397, 411, 201, 34 IPC (as per charge framed)

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Armesh Kumar, learned counsel for accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply filed by the IO.

3. Arguments heard.

4. As it is not the case of accused that he himself is unwell, thus case of the accused is not covered under directions as passed by Hon'ble High Court dated 18/04/2020.

5. But it is also the direction by Hon'ble HC that even otherwise such applications are to be considered on merit. Accordingly Heard on merit.

6. It is argued that applicant is falsely implicated in the present case; that there is spread of corona virus including inside the jail. It is further argued that Hon'ble

: 2 :

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8. I find force in the arguments of learned Addl.PP for the State. Section 394 IPC is punishable upto imprisonment for life. Further no specific or sufficient ground raised for granting interim bail apart from general apprehension that there is spread of corona virus. It may further be noted that vide order dated 18/05/2020, hon'ble high court dealt with some other type of offences and not the type of offence in question. Further, present nature of offence are dealt by Hon'ble High Court vide its meeting dated 18/04/2020 under which accused is not covered as he himself is not well. Even, on merit this court is not inclined to grant interim bail as prayed for. With these observations the present application is disposed off as dismissed. Copy of order be given dasti.

9. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

FIR No. 427/2017
PS Kashmere Gate
State Vs Salman
U/s: 392, 394, 397, 411, 201, 34 IPC

INTERIM BAIL APPLICATION

State Vs Sidharth
FIR No. 426/2017
PS.: Kashmere Gate

U/s: 392, 394, 397, 411, 201, 34 IPC (as per charge framed)

24.06.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Mr. Armesh Kumar, learned counsel for accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Arguments heard.
3. It is stated by counsel that offence in question are, **as per the charge framed**, u/s 392, 397, 411 IPC r/w section 34 IPC and he may be released on interim bail.
4. On the other hand, interim bail application is opposed. Further reply has been filed by the IO. It is stated that offence is heinous in nature and he is involved in other cases also.
5. Section 397 IPC is punishable upto 10 years or 14 years depending upon whether the offence is committed between highway or not. Whether the offence is committed on the highway or not is yet to be decided and is the matter of trial. As such, in the

State Vs Sidharth
FIR No. 426/2017
PS.: Kashmere Gate
U/s: 392, 394, 397, 411, 201, 34 IPC

letter and spirit of the directions passed by the Hon'ble High Court dated 07/04/2020, for the present purpose of interim bail, the same is taken to be 10 years.

6. In view of the directions by Hon'ble High Court, dated 07/04/2020, case of the accused is covered under such directions as maximum punishment is 10 years. Further, accused is in JC for more than one year at present.

As such, in the above position, facts and circumstances of present case and the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned**. After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly.

6.1. In the facts and circumstances of present case and the reply filed by the IO/SHO following conditions are also imposed on present accused for such interim bail :

- i) applicant shall not flee from the justice;
- ii) applicant shall not tamper with the evidence;
- iii) applicant shall not threaten or contact in any manner to the prosecution witnesses ,
- iv) applicant shall not leave country without permission;
- v) applicant shall convey any change of address immediately to the IO and the court;
- vi) applicant shall also provide his/her mobile

number to the IO;

vii) applicant shall mark his /her attendance before concerned IO (and if IO is not available then to concerned SHO) every alternative /second day through mobile by sharing his/her location with the SHO concerned;

viii) applicant shall further make a call, preferably by audio plus video mode to concerned IO, (and if IO is not available then to concerned SHO) once a week, preferably on Monday between 10 a.m. to 5 p.m.

ix) Applicant shall keep his / her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. **Further a copy of this order be sent to the IO/SHO concerned by electronic mode.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District
24.06.2020

INTERIM BAIL APPLICATION

State Vs Salman
FIR No. 426/2017

PS.: Kashmere Gate

U/s: 392, 394, 397, 411, 201, 34 IPC (as per charge framed)

24.06.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Mr. Armesh Kumar, learned counsel for accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Arguments heard.
3. It is stated by counsel that offence in question are, **as per the charge framed**, u/s 392, 397, 411 IPC r/w section 34 IPC and he may be released on interim bail.
4. On the other hand, interim bail application is opposed. Further reply has been filed by the IO. It is stated that offence is heinous in nature and he is involved in other cases also.
5. Section 397 IPC is punishable upto 10 years or 14 years depending upon whether the offence is committed between highway or not. Whether the offence is committed on the highway or not is yet to be decided and is the matter of trial. As such, in the

letter and spirit of the directions passed by the Hon'ble High Court dated 07/04/2020, for the present purpose of interim bail, the same is taken to be 10 years.

6. In view of the directions by Hon'ble High Court, dated 07/04/2020, case of the accused is covered under such directions as maximum punishment is 10 years. Further, accused is in JC for more than one year at present.

As such, in the above position, facts and circumstances of present case and the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned**. After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly.

6.1. In the facts and circumstances of present case and the reply filed by the IO/SHO following conditions are also imposed on present accused for such interim bail :

- i) applicant shall not flee from the justice;
- ii) applicant shall not tamper with the evidence;
- iii) applicant shall not threaten or contact in any manner to the prosecution witnesses ,
- iv) applicant shall not leave country without permission;
- v) applicant shall convey any change of address immediately to the IO and the court;
- vi) applicant shall also provide his/her mobile

number to the IO;

vii) applicant shall mark his /her attendance before concerned IO (and if IO is not available then to concerned SHO) every alternative /second day through mobile by sharing his/her location with the SHO concerned;

viii) applicant shall further make a call, preferably by audio plus video mode to concerned IO, (and if IO is not available then to concerned SHO) once a week, preferably on Monday between 10 a.m. to 5 p.m.

ix) Applicant shall keep his / her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. **Further a copy of this order be sent to the IO/SHO concerned by electronic mode.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District
24.06.2020

: 1 :

BAIL APPLICATION

FIR No. : 17/2018

PS: EOW

STATE v. Dinesh Kumar

U/S: 420,467,468,471,477A,120B IPC

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State through VC.
Sh. Maninder Jeet Singh, Ld. Counsel for applicant.
Sh. Gaurav Goyal, Ld. Counsel for complainant through VC.

Further arguments heard from all the sides.

In the present application dated 18.06.2020 in the title it is mentioned that present application is for regular bail under section 439 Cr.P.C. but during the course of arguments, it is argued, as also mentioned in the prayer clause, that he is seeking interim bail for 45 days.

In nutshell, it is submitted in the present application that earlier the applicant filed an application and same is dismissed vide order dated 30.05.2020 and the same was regarding interim bail. It is further stated that he is in JC since 25.12.2019. That he is resident of Delhi and sole bread winner in the family. That his wife Sonu is critically ill and there is no one in the family to look after the wife. That the wife need to go through surgery for removal of stone in her gall bladder for which urgent surgery is required. Copy of the prescription by senior doctor and X-ray report is annexed with the application. It is further stated that there is spread of Corona virus, as such,

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interim bail be considered on that ground also. It is further argued that he is falsely implicated in the present case and even as per the IO, the allegations against the accused is of Rs. 23 lacs only. It is further stated that the medical documents submitted regarding illness of wife of accused are already verified.

On the other hand, it is argued in detail by counsel for complainant that anticipatory bail of such accused is already rejected and thereafter his application for interim bail on similar ground was rejected by learned duty MM on 01.04.2020. It is further submitted that thereafter his interim bail application was rejected by learned Sessions Court on 30.05.2020. It is further stated that there is no new material ground for grant of interim bail. As such, present application is vehemently opposed.

Further, a detailed reply is filed by IO dated 20.06.2020. Further, a verification report regarding medical document also filed.

I have heard all the sides and have gone through the record.

That factum of wife of the accused suffering from gall bladder stone is not in dispute and in fact document regarding the same are also verified by the IO. But it is also stated in such verification report that concerned doctor attended the accused wife in OPD only. As such, it appears that there was no emergency for the surgery as otherwise tried to be made out by the applicant side. Further, a similar application regarding spread of Corona Virus and on the ground of financial hardship are already rejected by learned MM/learned Sessions court. It appears that on one ground or the other, present applicant is

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moving interim bail applications. In any case, having regard to the medical condition of his wife and the orders passed earlier on his interim bail applications, this court is not inclined to grant interim bail at present, including having regard to the nature of offence and role of the present accused.

With these observations, present application stands disposed of.

Copy of this order be given dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

: 1 :

INTERIM BAIL APPLICATION

State Vs. Ilyas Mohd. @ Tahii @ Iklass
FIR No.: 315/2014
PS: Nabi Karim
U/S: 302 IPC

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Sachin Kumar Jain, learned LAC counsel for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Reply filed by the IO. Further reply also filed by the Jail Superintendent concerned.
3. Arguments heard.
4. It is argued on behalf of the accused that he is

State Vs. Ilyas Mohd. @ Tahii @ Iklass
FIR No.: 315/2014
PS: Nabi Karim
U/S: 302 IPC

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in JC since 01/08/2014; that he is not a previous convict; that his conduct during judicial custody in Jail is not good and he is awarded punishment as per jail manual. As such present application is moved on merit. It is stated that there is spread of corona pandemic; trial is likely to take some time. As such, he be granted interim bail for 45 days.

5. Reply filed by jail superintendent concerned as well as IO. As per report of IO there is involvement of accused in some other matter. Further, as per report of Jail Superintendent concerned, his conduct is not satisfactory.

Thus, he does not fall under the relaxed criteria dated 18/05/2020 of the Hon'ble High Court. As such, he cannot be given banefit of the same.

Further on merit, it is argued that offence is serious in nature under section 302 IPC and there are scientific evidence against accused. Further apart from general apprehension there is spread of corona virus including the jail, no other sufficient ground is raised for granting interim bail. As such present interim bail application is opposed.

6. This court agree with the contentions raised by the state. Accused is charged with offence u/s 302 IPC which has a minimum punishment for life imprisonment.

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His conduct inside the jail is also not satisfactory as reported by the jail Authority. Further, he has involvement in other criminal matters also. Therefore, at this stage, this court is not inclined to grant the interim bail to the present accused.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. **Further a copy of this order be sent to the IO/SHO concerned by electronic mode.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

: 1 :

INTERIM BAIL APPLICATION

State Vs. Imran @ Sonu
FIR No.: 130/2019
PS: Chandni Mahal
U/S: 307, 34 IPC

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Sachin Kumar Jain, learned LAC counsel for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Reply filed by the IO. Further reply also filed by the Jail Superintendent concerned.
3. Arguments heard.
4. It is argued on behalf of the accused that he is

State Vs. Imran @ Sonu
FIR No.: 130/2019
PS: Chandni Mahal
U/S: 307, 34 IPC

: 2 :

in JC since 23/08/2019; that he is not a previous convict; that his conduct during judicial custody in Jail is not good and he is awarded punishment as per jail manual. As such present application is moved on merit. It is stated that there is spread of corona pandemic; trial is likely to take some time. As such, he be granted interim bail for 45 days.

5. Reply filed by jail superintendent concerned as well as IO. As per report of IO there is involvement of accused in some other matter.

Thus, he does not fall under the relaxed criteria dated 18/05/2020 of the Hon'ble High Court. As such, he cannot be given benefit of the same.

Further on merit, it is argued that offence is serious in nature under section 307 IPC and there are scientific evidence against accused. Further apart from general apprehension there is spread of corona virus including the jail, no other sufficient ground is raised for granting interim bail. As such present interim bail application is opposed.

6. This court agrees with the contentions raised by the State. Accused is charged with offence u/s 307 IPC which has a minimum punishment for life imprisonment. Further, he has involvement in other criminal matters also.

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Therefore, at this stage, this court is not inclined to grant the interim bail to the present accused.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. ***Further a copy of this order be sent to the IO/SHO concerned by electronic mode.***

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

: 1 :

INTERIM BAIL APPLICATION

State Vs. Imran @ Sonu
FIR No.: 136/2018
PS: I.P. Estate
U/S: 307 IPC

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Sachin Kumar Jain, learned LAC counsel for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Reply filed by the IO. Further reply also filed by the Jail Superintendent concerned.
3. Arguments heard.
4. It is argued on behalf of the accused that he is

State Vs. Imran @ Sonu
FIR No.: 136/2018
PS: I.P. Estate
U/S: 307 IPC

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in JC since 25/09/2019; that he is not a previous convict; that his conduct during judicial custody in Jail is not good and he is awarded punishment as per jail manual. As such present application is moved on merit. It is stated that there is spread of corona pandemic; trial is likely to take some time. As such, he be granted interim bail for 45 days.

5. Reply filed by jail superintendent concerned as well as IO. As per report of IO there is involvement of accused in some other matter.

Thus, he does not fall under the relaxed criteria dated 18/05/2020 of the Hon'ble High Court. As such, he cannot be given banefit of the same.

Further on merit, it is argued that offence is serious in nature under section 307 IPC and there are scientific evidence against accused. Further apart from general apprehension there is spread of corona virus including the jail, no other sufficient ground is raised for granting interim bail. As such present interim bail application is opposed.

6. This court agrees with the contentions raised by the State. Accused is charged with offence u/s 307 IPC which has a minimum punishment for life imprisonment. Further, he has involvement in other criminal matters also.

: 3 :

Therefore, at this stage, this court is not inclined to grant the interim bail to the present accused.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. ***Further a copy of this order be sent to the IO/SHO concerned by electronic mode.***

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

INTERIM BAIL APPLICATION

State Vs. Deepak @ Gadad
FIR No.: 39/2019
PS: Lahori Gate
U/S: 307,394,411,120B,34 IPC

24.06.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Mr. Rakesh S.N. Shukla, learned counsel for Accused
through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply filed by the IO.

3. Arguments heard.

4. It is argued on behalf of the accused that accused's mother is suffering from heavy pain in her stomach and there are some ailment relating to kidney. It is further stated that father of the accused is old and unable to take care of mother. That all three sisters are married and living with their family. As such, nobody is there to look after the mother. Further, it is stated that he be given benefit of the relaxed criteria of interim bail in view of the directions by Hon'ble High Court dated 18.05.2020. That he is not a previous

: 2 :

convict. That he is in JC for more than one year. As such, it is prayed that he be released on interim bail for 45 days.

5. Reply filed by IO. As per such reply, such accused is a habitual offender and involved in other cases. That he is active member of Zontu Gang. That his family do have any control over him. That he had not cooperated even during investigation. But it is stated that medical documents verified through Whatsapp are found to be genuine. It is further stated that there are three brother in law who can take care of accused mother.

As he is involved in other criminal cases. Thus, he does not fall under the relaxed criteria dated 18/05/2020 of the Hon'ble High Court. As such, he cannot be given banefit of the same.

Further on merit, it is argued that offence is serious in nature under section 307,394 IPC apart from other offences. As such present interim bail application is opposed.

6. This court agree with the contention raised by prosecution. Offence is serious in nature which is punishable upto life. Further, he has involvement in other criminal matters also. Further, there are three brother-in-laws, who can take care of the ailing mother of the accused. Therefore, at this stage, this court is not inclined to grant the interim bail to the present accused.

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/24.06.2020

BAIL APPLICATION

**FIR No. : Not known
PS: Chandni Mahal
STATE v. Yusra Khan
U/S: not known**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Z.A.Hashmi, learned counsel for the applicant through VC.

This is an application for anticipatory bail u/s 438 Cr.PC. It is stated that certain police officials visited the house of applicant on 19/06/2020 and misbehaved with the applicant and stated that there is some criminal complaint against applicant / accused. As such, applicant has moved the present application for anticipatory bail.

On the other hand, it is stated by the learned Addl.PP for the State that husband of the applicant is BC of the area. But there is no fresh FIR against the present applicant / accused at all.

It is further stated that police officials visited the house of husband of applicant for surveillance.

It appears that at present apprehension of the present applicant is unfounded. It further appears that police visited the house of the husband of the applicant in connection with the inquiry from the husband of the applicant and not from the applicant.

As such, no ground is made out for granting anticipatory bail. With these observation present application is dismissed at this stage.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

BAIL APPLICATION

**FIR No. :182/17
PS: Kamla Market
STATE v. Juber
U/S: 395, 397, 412, 34 IPC & 25/27 Arms Act**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State
through VC.
Mr. Ajay Kumar, learned counsel through VC.

Copy of order of interim bail granted to accused is
placed on record.

Put up for orders / clarification for **25/06/2020**.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020

BAIL APPLICATION

**FIR No. :21/2020
PS: Sadar Bazar
STATE v. Sanjay Prakash
U/S: 323/451/304/34 IPC**

24.06.2020.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Ashok Kumar, learned counsel through VC.

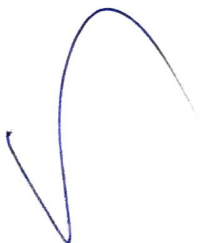
Further, arguments / clarification is given. It is stated by the learned counsel for the accused that he is pressing for regular bail only.

Arguments already heard in detail yesterday i.e. 23/06/2020. Such order dated 23/06/2020 be read as part and parcel of the present order and today's order is in continuation of the same.

In the reply filed by the IO, it is stated that present accused actively participated in the offence in question which caused injury to the wife and father of the complainant. Later such father Ashok kumar even died. It is stated that allegations are serious in nature. That one co-accused is still at large. That he may influence the prosecution witness if granted bail. Further, it is stated that Jail Authority can provide necessary medical care to the accused.

This court agrees with the contentions raised by the prosecution. Offence is serious in nature, there are specific allegations against the present accused

Contd...../-



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**FIR No. :21/2020
PS: Sadar Bazar
STATE v. Sanjay Prakash**

apart from the family member of the present applicant. Public witnesses / victim are yet to be examined. Further, as far as medical condition of the accused is concerned, it is the duty of the jail superintendent concerned to provide all necessary medical treatment as per rule. Further as far as counter FIR is concerned, the same is not relevant for the purpose of deciding the present bail application and appropriate authority / court need to take action on the same as per law. With these observations present application is dismissed.

Learned counsel for the applicant / accused can obtain the copy of this order dasti or through electronic mode. Further a copy of this order be sent to the IO/SHO concerned by electronic mode.

**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
24.06.2020**

BAIL APPLICATION

Criminal Appeal No.15/2019

Rajinder Kumar v. M/s. Ajay Industrial Corporation

24.06.2020.

Present: Sh. Shivam Cahudhary counsel for appellant/
convict through VC.
Convict is in JC.
None for respondent despite service through
electronic mode (*Notice has been sent electronically
at e-mail i.e. ajaycpvc@gmail.com on 20.06.2020 via
e-mail of this court i.e. from asj04.central@gmail.com,
which was duly received by recipient. The mobile no.
9313402323 is not registered with Whatsapp, so the
notice could not be served through Whatsapp*).

As such, present application is heard on merit as the
same is urgent in nature.

Put up for orders at 4:00 PM.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC

At 4:00 PM

Present: Learned counsel for parties through VC.

Record perused.

It is noted that notice to the respondent was served
through e-mail. Further it is tried to be served through whatsapp but
the same could not be served as the number was not available as
reported by Ahlmad. But it is further to be noted that such notice to
respondent is not served through SMS.

As such, in the interest of justice, put up for further
proceedings. Let respondent be served through SMS also.

Put up for further arguments, appropriate order
through VC for **29/06/2020**.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC

24.06.2020