

C.R. No. 311/2019
Charanjeet Lal Vs. Ved Singh

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: None for the parties.

Reader of the court has telephonically informed the undersigned that no request for video conference hearing has been received so far. The undersigned is working from home for hearing urgent matters today through video conferencing through CISCO Webex App.

Record perused.

No urgency has been shown so far by any of the party in this case.

In the interest of justice, put up for appearance/ purpose already fixed on 31.08.2020. However, it shall be open for either of the sides to move appropriate application for early hearing on ground of

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perceived "urgency" by sending such application to the dedicated e-mail address of the court i.e. readerasj04west@gmail.com and the same shall be considered and dealt with as per procedure prescribed by law.



(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

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**SC No. 109/2018
FIR No. 906/2016
PS Rajouri Garden
State Vs. Nikhil Arora & Anr.**

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State (through video conference through CISCO Webex App as he is already connected through video conference for hearing argument on bail applications fixed today).

None for the accused persons.

Reader of the court has telephonically informed the undersigned that no request for video conference hearing has been received so far. The undersigned is working from home for hearing urgent matters today through video conferencing through CISCO Webex App.

Record perused.


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The case is at the stage of PE.

No urgency has been shown so far by any of the party in this case.

In the interest of justice, put up for appearance/ P.E. on 31.08.2020. However, it shall be open for either of the sides to move appropriate application for early hearing on ground of perceived "urgency" by sending such application to the dedicated e-mail address of the court i.e. readerasj04west@gmail.com and the same shall be considered and dealt with as per procedure prescribed by law.



(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

SC No. 57747/2016
FIR No. 173/2011
PS Punjabi Bagh
State Vs. Dilip Singh etc.

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State (through video conference through CISCO Webex App as he is already connected through video conference for hearing argument on bail applications fixed today).

As per previous ordersheets all the five accused persons are on bail.

Shri Aparbal, Ld. Counsel for the accused Sultan Singh, through video conferencing through CISCO Webex App.

Shri Santosh Kumar Jha, Ld. Counsel for the accused Avinash Raghav, through video conferencing through CISCO Webex App.


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Shri R.P. Singh, Ld. Counsel for accused Dilip Singh and Prakash Kumar (present on video conferencing through CISCO Webex App. alongwith Shri Hans Raj, Stenographer),

The undersigned is working from home for hearing urgent matters today through video conferencing through CISCO Webex App.

Record perused.

The case is at the stage of final arguments. Previous ordersheets reflects that one of the accused namely Bhola is in J.C. in some other case, however, on bail in the present case. Earlier he was being produced from District Jail Kash Ganj, U.P.

Ahlmad Shri Jagdish Chander, of the court has submitted that he has contacted Ms. Sadhna Bhatia, Ld. Amicus Curiae for accused Bhola at mobile no. 9810643546. It is further submitted by Ahlmad of the court that he contacted the said Ld. Counsel from his mobile number 8930137830. It is also submitted by Ahlmad that Ld. Counsel for accused Bhola was not ready to advance final arguments today and sought adjournment for addressing arguments through video conferencing. It is further submitted by Ahlmad that Ms. Sadhna Bhatia, Ld. Amicus Curiae for accused Bhola has informed him that she has not downloaded the CISCO Webex App. and not prepared to

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address final arguments today. It is further submitted by Ahlmad that Ms. Sadhna Bhatia, Ld. Amicus Curiae for accused Bhola has sent request for adjournment of the case through Whatsapp to Reader of the court on his mobile number i.e. 9990994743 today from her another number 9871239303 as her abovesaid number (9810643546) is not in smart phone. Printout of the same be taken on record.

Since the case is at the stage of final arguments , therefore, it is an urgent case.

All the Ld. Counsels for the accused persons seeks adjournment for addressing final arguments on the ground that they are not prepared today and due to lock-down they could not do the needful.

Shri Aparbal, Advocate has submitted that he is out of Delhi and he is in Lucknow and his file is also not available, therefore, he could not prepare the arguments.

Shri R.P. Singh, Ld. Counsel has submitted that he could not do the needful for downloading the CISCO Webex App. and, therefore, he is appearing through CISCO Webex App. Conference alongwith Shri Hans Raj, Stenographer of the court.

Reader of the court has reported that none of the parties in

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the present case has filed any written submission on the dedicated e-mail id of the court so far.

In view of the above submissions and in the interest of justice, put up the case for final arguments through video conferencing through CISCO Webex App. on 07.08.2020.

Ld. Counsel for accused persons are directed to submit brief written submissions, through dedicated e-mail id of the court i.e. readerasj04west@gmail.com within two weeks from the date of this order. They be also informed that they may also advance oral arguments through video conferencing on the next date in this case.

Reader/Ahlmad shall ensure that causelist shall separately indicate and reflect this case as urgent.

Reader of the court is directed to send message by e-mode to the Ld. Counsels for accused persons regarding the next date in this case.

The Ahlmad of the court has submitted that he has informed the next date and purpose to all the Ld. Counsels for the accused persons and the requisite message shall also be sent to them.

Copy of the order be also sent to the Ld. Counsels for all the accused persons by e-mode for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

FIR No. 487/2016
PS Patel Nagar
State Vs. Shahid
U/s 392/397/411/34 IPC & 25/27 Arms Act

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State is connected through video conferencing through CISCO Webex App.

Shri Indu Bhushan, Ld. Counsel for the applicant/accused namely Shahid through video conferencing through CISCO Webex App.

The undersigned is hearing through video conferencing through CISCO Webex App. from residential office. Sh. Hans Raj, Stenographer of the court of the undersigned has hosted the CISCO Webex meeting today.

Heard on the bail application u/s 439 Cr.P.C.

Report of IO/SI Satyavir Singh dated 08.07.2020 has come.

I have perused the same.


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Ld. Counsel for the applicant has submitted that the applicant is in custody in this case since 28.08.2016 and due to spread of COVID-19 Pandemic the applicant may be admitted to bail and any condition may be imposed. It is further submitted by Ld. Counsel for the applicant that applicant is ready to furnish the local surety and three prosecution witnesses have already been examined and it will take time to resume the normal physical proceedings in the court as presently the virtual hearing are being conducted.

Ld. Addl. P.P. for the State has opposed the bail application and submitted that the offence involved is serious in nature and the deadly weapons were also recovered in the present case. It is further submitted by Ld. Addl. P.P. for the State that material witnesses are yet to be examined and the applicant is not having permanent address of Delhi and in case the applicant is admitted to bail then he may influence or threaten the prosecution witnesses.

I have considered the rival submissions of both the sides and perused the material on record.

Report of SI Satyavir Singh dated 08.07.2020 reflects that country made pistol was also used in the commission of offence in question. Weapons of offence were recovered in this case and


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applicant/accused Shahid was also overpowered with country made pistol.

In view of above facts and circumstances and considering the nature and seriousness of the offence in question and also the fact that remaining prosecution witnesses are yet to be examined, I see no merits in the bail application under consideration. Hence, the same is hereby dismissed. However, any expression of opinion made herein shall not tantamount to any expression of opinion made on the merits of the case. Ordered accordingly.

Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

FIR No. 53/2017
PS Kirti Nagar
State Vs. Munna Paswan
U/s 302/34 IPC

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State is connected through video conferencing through CISCO Webex App.

Ms. Vandana Singh, Ld. Counsel for the applicant/accused namely Munna Paswan, through video conferencing through CISCO Webex App.

The undersigned is hearing through video conferencing through CISCO Webex App. from residential office. Sh. Hans Raj, Stenographer of the court of the undersigned has hosted the CISCO Webex meeting today.

Report of Inspector Surya Prakash dated 12.07.2020 has come.


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Heard.

Ld. Counsel for the applicant wants to withdraw the present application on the ground that during lock-down some Legal Aid Counsel appeared and she is not aware about the date of interim bail of applicant.

Ld. Addl. P.P. for the State has submitted that in the application under consideration there is nowhere mentioned about the date of bail/interim bail and the copy of the relevant bail order is also not annexed.

Ld. Counsel for the applicant submits that in the application under consideration it has been mentioned by mistake that the applicant is on parole. Ld. Counsel for the applicant wants to withdraw the present application for extension of parole and submits that she shall do the needful as per law after verifying the record.

In view of above submissions of Ld. Counsel for the applicant, the present application is hereby dismissed as withdrawn. Ordered accordingly. Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

Bail Application No. 1331
FIR No. 198/2016
PS Khyala
State Vs. Sonu
U/s 302/365/201/34 IPC

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State is connected through video conferencing through CISCO Webex App.

Shri S.K. Singh, Ld. Counsel for the applicant/accused namely Sonu through video conferencing through CISCO Webex App.

The undersigned is hearing through video conferencing through CISCO Webex App. from residential office. Sh. Hans Raj, Stenographer of the court of the undersigned has hosted the CISCO Webex meeting today.

Heard on the application for bail u/s 439 Cr.P.C.

Ld. Counsel for the applicant/accused has submitted that

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this is an application for interim bail/regular bail. It is submitted that application has been filed in view of the recommendations of the Hon'ble High Powered Committee of the Hon'ble High Court of Delhi and also on the ground of illness of 'Bhanji' of the applicant.

Ld. Addl. P.P. for the State has strongly opposed the application under consideration and submitted that as per report of concerned Jail Superintendent, Central Jail No. 1, Tihar, New Delhi dated 09.07.2020, the applicant/accused Sonu is involved in other cases also bearing FIR No. 896/11-101/2012, PS Jarif Nagar, u/s 304/394/34 IPC and FIR No. 102/2012, PS Jarif Nagar, u/s Nil. Ld. Addl. P.P. for the State has submitted that since the applicant is previously involved in other criminal cases, therefore, the matter is not covered under the recommendations of Hon'ble High Powered Committee.

Ld. Counsel for the applicant has submitted that 'Bhanji' of the applicant is ill, therefore, applicant may be admitted to interim bail.

Ld. Addl. P.P. for the State has highlighted the order dated 29.06.2020 passed in this case and submitted that earlier the applicant had sought interim bail on the ground of illness of his father and said application was dismissed on 29.06.2020 and said order reflects that

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Ld. Counsel for the applicant admitted that ground of illness of the father of the applicant was not mentioned in the earlier application for interim bail.

On query put to the Ld. Counsel for the applicant it has been disclosed that parents of 'Bhanji' of the applicant i.e. sister and brother-in-law of the applicant are residing with said 'Bhanji'. In these circumstances it is clear that the parents of the said ill child are there to lookafter her.

Ld. Counsel for the applicant has further submitted that the applicant is not named in FIR and the recovery is doubtful and the allegations are baseless.

Ld. Addl. P.P. for the State has submitted that the offence is serious in nature and no ground is made out to admit the applicant on bail.

I have considered the rival submissions of both the sides and perused the material on record.

In view of overall facts and circumstances and material on record and considering the nature and seriousness of the offence in question, I see no merits in the bail application under consideration. Hence, the applicant/accused cannot be admitted to either regular bail


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or interim bail. Accordingly, the bail application under consideration is hereby dismissed. However, any expression of opinion made herein shall not tantamount to any expression of opinion made on the merits of the case. Ordered accordingly.

Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.



(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

FIR No. 585/2016
PS Ranhola
State Vs. Amit @ Meeta & Ant.
U/s 302/404/34 IPC

13.07.2020

The matters fixed in the Subordinate Courts are to be dealt with as per the order bearing no. 22/DHC/2020 dated 29.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for July, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 455/10455-10510/Misc./Gaz./DJ West/2020 dated 30.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State is connected through video conferencing through CISCO Webex App.

Shri Akshay Shokeen, Ld. Counsel for the applicant/accused namely Sumit, through video conferencing through CISCO Webex App.

The undersigned is hearing through video conferencing through CISCO Webex App. from residential office. Sh. Hans Raj, Stenographer of the court of the undersigned has hosted the CISCO Webex meeting today.

Reader of the Court has reported that the report of concerned Jail Superintendent has not come as per last order.

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It is prayed on behalf of applicant that matter may be passed over for half an hour.

On request be awaited.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020

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13.07.2020

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State is connected through video conferencing through CISCO Webex App.

Shri Akshay Shokeen, Ld. Counsel for the applicant/accused namely Sumit, through video conferencing through CISCO Webex App.

The undersigned is hearing through video conferencing through CISCO Webex App. from residential office. Sh. Hans Raj, Stenographer of the court of the undersigned has hosted the CISCO Webex meeting today.

Report of concerned Deputy Superintendent, Central Jail No. 01, Tihar, New Delhi dated 13.07.2020 has come wherein it is mentioned that the applicant/accused Sumit S/o Sh. Satyaveer has not

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surrendered before the concerned jail authority so far even after expiry of the period of interim bail. Said report reflects that the date of surrender was fixed for 01.07.2020.

Present application is for interim bail u/s 439 Cr.P.C. wherein it is mentioned that first interim bail application was allowed on 01.06.2020 by the court of Shri Vishal Singh, Special Designated Court, Ld. ASJ-03, West, Tis Hazari Courts, Delhi and in para no. 3 of the bail application under consideration it is mentioned that the applicant/ accused has surrendered before the jail authority on 01.07.2020 as bail expired. The present application bears the date of 07.07.2020 on the index of the application and the application was put up for the first time before the court on 07.07.2020.

Ld. Addl. P.P. for the State submitted that considering the conduct of the applicant and his misrepresentation before the court the applicant may not be admitted to interim bail.

Ld. Counsel for the applicant has submitted that in view of the report of the Deputy Superintendent, Central Jail No. 01, Tihar, New Delhi dated 13.07.2020 appropriate order may be passed since the applicant has misinformed him regarding the surrender before the jail authority.


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In view of above submissions and in the light of the report of Deputy Superintendent, Central Jail No. 01, Tihar, New Delhi dated 13.07.2020 and considering the conduct of the applicant/accused Sumit, I see no merits in the interim bail application under consideration. Hence, the same is hereby dismissed.

Applicant/accused Sumit is directed to surrender before the concerned jail authorities immediately in the present case.

One copy of this order be also sent to the SHO, PS Ranhola for information and necessary action. Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
13.07.2020