Pramod Singh Tomar Vs. State FIR No. : 715/2020 P.S.: Ranhola U/s : 498A and 4 Muslim Women Protection Act

THROUGH CISCO WEB EX.

06.08.2020.

Application taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Sh. Rishi Pal, Ld. Counsel for the accused/applicant.

Reply on behalf of SI Amit Rathi filed in which IO has stated

that he is leave till 10.08.2020.

Ld. Addl. PP submits that assistance of the IO is required.

Hence the present bail application is adjourned for **<u>11.08.2020</u>** for

consideration.

(Ankur Jain) ASJ (SFTC 01) West Delhi: 06.08.2020

Bail Application No. : 1204 State Vs Manuver Hussain FIR No. : 59/20 P.S.: Kirti Nagar U/s : 308/323/506/304/34 IPC

06.08.2020.

Application taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. None for the accused/applicant. IO Inspector Surya Prakash in person.

None has appeared for the accused/applicant. Even on the

last date of hearing none had appeared for the accused.

IO submits that bail application of the co-accused was dis-

missed by this court on 18.06.2020. IO submits that the present ac-

cused is the main accused in the present case. Be that as it may be.

Perusal of the file shows that none appeared for the

accused on the last date as well.

In the interest of justice adverse order is deferred. Put up for consideration on **18.08.2020**.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 06.08.2020

State Vs Rohit @ Sonu @ Jigra FIR No. : 011863/2020 P.S.: E-Police Station, Ranhola (Outer District) U/s : 379 IPC

THROUGH CISCO WEB EX.

06.08.2020.

Application taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Sh. Vikram Phogat, Ld. Counsel for the accused/applicant. IO SI Tara Chand in person.

Arguments on the bail application heard. Put up for orders.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 06.08.2020

<u>ORDER:-</u>

Ld. Counsel for the accused has argued that accused was formally arrested in the present case and continued to be in judicial custody since 15.06.2020. It is argued that accused is no more required in judicial custody.

On the other hand Ld. Addl. PP submits that accused is involved in number of cases and is a habitual criminal. Thus, he does not deserve to the grant of bail. I have heard Ld. Counsel for the accused and Ld. Addl. PP for the State and have perused the record.

Stolen motor cycle of the present case was recovered from the custody of the accused. There are 13 other involvements of the accused apart from the present case.

Considering the facts of the case, I do not find any ground to enlarge the accused on bail. Application stands dismissed.

Copy of the order be sent to the Ld. Counsel for the accused through electronic mode.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 06.08.2020

Bail Application No. : 1613 D K @ Ajay Chaudhary Vs. State FIR No. : 656/20 PS : Nihal Vihar U/s : 307/506 IPC & 25/27 Arms Act

Hearing took place through CISCO WebEx.

06.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State. Mr. R.S. Malik, Ld. Counsel for applicant/accused. IO SI Amit Nara with file in person.

Arguments on bail application heard. File retained.

Put up for orders.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

12:25 PM

1. The brief facts of the case are that on 31.05.2020, a call regarding gun shot injury near Saifi Farm was received in PS Nihal Vihar vide DD no. 11A, the same was entrusted to SI Amit Nara who went to the spot, blood was found scattered and six empty cartridges were found. Statement of injured was

recorded who told that some unknown person had come on the day of incident and had asked about the owner namely Sh. Shakil Saifi and thereafter fired without any reasons. Both his legs were injured. On the basis of his statement present FIR was registered.

- 2. Ld. Counsel for accused has argued that accused Ajay has been arrested on the basis of the disclosure statement of the coaccused which is inadmissible in law. Secondly, it is argued that leg is not a vital part therefore in any case Section 307 IPC is not made out. It is submitted that the story of the prosecution is a bundle of lies and therefore accused should be admitted to bail.
- 3. On the other hand, Ld. Addl. PP for State has argued that investigation is at the initial stage. Co-accused Bunty, Akash and Shakil are absconding. It is submitted that Ajay had arranged for shooters. Therefore, the bail application deserves to be dismissed.
- 4. I have heard Ld. Addl. P. P. for State and Ld. Counsel for accused and perused the record.
- 5. The investigation is at initial stage. As per the report of the IO all the accused persons along with Shakil Saifi had planned the attack on the farm house of Shakil Saifi and Ajay participated in the entire act as he wanted to get his house de-sealed with the help of accused Shakil Saifi. The police file shows that CDR

of mobile phone no 8920740052 of accused shows that Ajay was present at the house of Shakil Saifi on 27.05.2020 and 28.05.2020 and he was also in touch with Varun.

6. On record there are notices issued by Dy. Director JJR for submitting the documents in respect of plot no. R-966 and R-967 Mangol Puri. On record there are cancellation order whereby the allotment had been canceled. The police file also reflects that CCTV footage has been analyzed in order to identify the culprits where Varun and the shooters can be seen near the place of incident. Thus, I do not found any ground to grant bail to the accused. Bail application is dismissed. File be returned through Naib Court. Copy of the order be sent to all concerned through electronic mode.

> (ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

Bail Application No. : 1624Vishal Jaiswal Vs. StateFIR No. : 37/20PS : MundkaU/s : 356/379/411/34 IPC

06.08.2020

Application is taken up for hearing in terms of circular no. 25-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and Ends. No. 1944-1976/DHC 2020 dated 30.07.2020.

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State. Mr. Vikas Tomar, Ld. Counsel for applicant/accused.

Arguments heard.

Ld. Counsel for accused submits that accused has been falsely implicated in the present case as the FIR itself reflects that complainant had stated about snatching of mobile phone by the two persons, who came from behind, therefore, it is argued that under no circumstances complainant could identify the accused.

On the other hand, Ld. Addl. PP for State has submitted that in the FIR it is categorically stated by the complainant that he can identify two persons. Secondly, he submits that during the course of TIP proceedings the accused person was duly identified by the complainant.

I have heard the Ld. Addl. P. P. for State and Ld. Counsel for accused and perused the record.

The allegations against the applicant / accused are serious in nature. The complainant has duly identified the accused persons in the TIP proceedings. Copy of the TIP proceedings is on record. Considering the entire facts and circumstances and gravity of offence it is found that accused is not entitled for bail at this stage. Hence the present bail application stands dismissed. Copy of order be given Dasti.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

Bail Application No. : 1618Sunil Vs.StateFIR No.: 342/2020PS: MundkaU/s: 308/34 IPC

06.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State. Mr. Praveen Vashistha, Ld. Counsel for applicant/ accused.

Reply has been received. Ld. Counsel for accused submits that he does not have the copy of the reply. Let the same be supplied to him. Ld. Counsel for accused submits that interim bail be granted, however, the IO has not verified the medical documents. Let the same be verified.

Put up on 11.08.2020 for further proceedings.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

Bail Application No. : 1403Sanjay Vs. StateFIR No. : 656/20PS : RanholaU/s : 376/506 IPC

06.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State. Mr. Jitender Kumar, Ld. Counsel for applicant/accused. Sh. Shagum Mehta, Ld. Counsel for complainant along with complainant.

Reply has been filed by Naib court who had received the same on WhatsApp. The copy of the same has been received by the Ld. Counsel for complainant as well as Ld. Counsel for accused through electronic mode. The perusal of the reply shows that facts have not been stated, neither explanation of the SHO is on record to show as to why the earlier reply was not filed. IO is absent.

Let SHO PS Ranhola be summoned to appear in person and explain as to why the reply has not been filed in proper manner which could enable this Court to decide the bail application filed by the accused.

Ld. Counsel for complainant submits that mobile phone was handed over by the complainant to the IO but till date neither seizure memo nor any receiving have been handed over by the IO.

Put up for further proceedings on 10.08.2020.

(ANKUK JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

State Vs Pradeep FIR No. : 346/2020 P.S.: Mundka U/s : 392/394/34 IPC

06.08.2020.

Application taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Sh. V.C. Gautam, Ld. Counsel for the accused/applicant.

Reply received.

Ld. counsel for the accused submits that he does not have

the copy of the reply. Same is supplied.

Put up for arguments on the bail application on 20.08.2020.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 06.08.2020

State Vs Ganesh FIR No. : 59/20 P.S.: Kirti Nagar U/s : 308/323/506/304/34 IPC

06.08.2020.

Application taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Sh. Vineet Jain, Ld. Counsel for the accused/applicant. IO Inspector Surya Prakash in person.

Verification report was filed on the last date of hearing which

shows that OPD number was 20200282307.

Ld. Counsel for the accused submits that OPD number as

reflected in medical documents is 20200340484 and therefore, the re-

port filed by the IO is not correct.

IO submits that he will again submit the documents for verifi-

cation mentioning the OPD number.

Put up on 18.08.2020. Copy of the medical documents

which is sought to be verified, be handed over to the IQ today itself.

(Ankur Jain) ASJ (SFTQ-01) West Delhi: 06.08.2020

Bail App	lication No. : 1623
Anil Vs. S	tate
FIR No.	: 88/20
PS	: Anand Parbat
U/s	: 498A/406/34 IPC

Hearing took place through CISCO WebEx.

06.08.2020

File is taken up for hearing in terms of circular no. 25-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and Ends. No. 1944-1976/DHC 2020 dated 30.07.2020.

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State.
Ms. Vijaya Tyagi, Ld. Counsel for applicant/accused.
Ms. Archana Chibber, Ld. Counsel for complainant along with complainant.
IO in person.

Reply filed. Copy of the same has been stated to be received by the Ld. Counsel for accused.

Arguments heard.

Put up for orders.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

12:15 PM

1. This is an applications seeking anticipatory bail on the ground

that applicant is a Govt. servant and there is no likelihood that he would run away from investigation.

- 2. Ld. Counsel for accused has argued that they are ready to return the articles and in fact would join the investigation as directed by this Court.
- 3. On the other hand, Ld. Addl. PP for State has submitted that notice U/s 41 A Cr.PC was issued and instead of joining the investigation the accused has rushed to the Court. It is submitted that dowry articles are to be recovered and moreover there are specific allegations that accused had given beatings to his wife.
- 4. I have heard the Ld. Addl. P. P. for State, Ld. Counsel for complainant, Ld. Counsel for accused and perused the record.
- 5. Reply has been filed by the IO in which it is stated that accused used to beat the victim and also used to demand dowry. It is stated that MLC was prepared. The allegations against the accused are serious in nature. I do not find any ground to grant anticipatory bail to the accused. Bail application is dismissed. Copy of the order be sent to all concerned through electronic mode.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

SC No.: 250/19

State Vs. Satbir Singh & Anr. FIR No. : 30/19 P.S.: Khayala U/s : 376/506/509/323/34 IPC

06.08.2020.

File taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Ms. Aarti Pandey, DCW counsel (through VC). Both accused on bail. Clerk of the counsel Sh. Satya Narain.

Both the accused have appeared physically in the court.

Matter is listed for PE. In terms of the directions as

contained in the above said circular evidence cannot be recorded.

Accordingly, the present case is adjourned.

Put up for PE on 14.09.2020.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 06.08.2020

Krishan	Kumar Vs. State
FIR No.	: 833/19
PS	: Nihal Vihar
U/s	: 376/506 IPC

06.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State . Mr. Surender Nandal, Ld. Counsel for applicant/ accused. IO with complainant.

IA No. 03/20

After hearing arguments Ld. Counsel for accused seeks liberty to withdraw the present bail application. Statement of the Ld. Counsel for the accused is recorded separately. In view of the statement the present bail application is dismissed as withdrawn. Copy of order be given Dasti to the Ld. Counsel for accused.

Put up on date already fixed.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

Krishan Kumar Vs. State FIR No. : 833/19 PS : Nihal Vihar U/s : 376/506 IPC

Mr. Surender Nandal, Ld. Counsel for accused, Enrollment no. D/187/2004.

Without Oath

I may be permitted to withdraw the present bail application.

RO&AC 18710

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020

SC No. : 707/18 State Vs Krishan Mohan FIR No. : 288/18 P.S.: Nihal Vihar U/s : 376/313 IPC

THROUGH CISCO WEB EX.

06.08.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Sh. Kamal Kant Jha, Ld. Counsel for the accused/applicant.

I.A. No.: 01/20

Notice to complainant received back unserved.

Let fresh notice be issued to the complainant for **15.09.2020**. Interim order to continue till then.

(Ankur Jain) ASJ (SFTG-01) West Delhi: 06.08.2020

ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

SC No.: 149/20

State Vs. Arup Jyoti Hazarika FIR No. : 251/19 P.S.: Maya Puri U/s : 376/363 IPC

06.08.2020.

File taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Ms. Aarti Pandey, DCW counsel (through VC). Sh. Rajiv Raheja, Ld. Counsel for the accused/applicant.

I.A. No. : 01/20

Reply from CWC received. Copy of the same has been

received by the counsel for the accused.

With consent arguments on the application seeking release of victim from Nirmal Chhaya, heard. The CWC has categorically stated in para 10 that " Child was safely staying in the CCI and was converted into long term. Till today she is being a CNCP child, staying safely in the CCI, NCC".

In view of the safety of the child no ground is made out to release the child from Nirmal Chhaya at this stage. Application stands dismissed.

CWC in his report has also stated that that child wants to contact her siblings and for that a direction was given to DCPU-IV and WO, CHG. IO shall file a report whether the said direction of CWC is complied with or not.

Perusal of the file shows that interim bail was granted to the accused on 28.02.2020 for a period of 15 days.

Ld. Counsel for the accused at Bar submits that accused was released in May, 2020. No extension has been sought by the accused till date. Accused is not covered under any of the recommendations of the Hon'ble HPC.

There was a specific direction in the order that accused will be not seen in the vicinity of the victim at any point of time. The report filed by the CWC dated 05.08.2020 shows that the accused tried to meet the child but was not allowed by the CWC. This is a clear violation of the condition of the interim bail.

This court is inclined to issue notice of the cancellation of the bail to the accused.

However, Ld. Counsel for the accused at Bar submits that accused would surrender within 2 days. Accused is directed to surrender on or before 11.08.2020 at 5:00 pm before the Tihar Jail.

Copy of this order be sent to Superintendent, Tihar Jail through electronic mode and compliance report be filed by the Jail Superintendent.

Put up on the date fixed i.e. 24.08.2020 for purpose fixed.

(Ankur Jain) ASJ (SFTC 01) West Delhi: 06.08.2020

ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

SC No.: 56547/2016

State Vs. Rajender & Ors. FIR No. : 239/2014 P.S.: Mundka U/s : 376-D/328/506/34 IPC

THROUGH CISCO WEB EX.

06.08.2020.

File taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State. Ms. Aarti Pandey, DCW counsel. Sh. Rajiv Tehlan, Ld. Counsel for the accused Yogesh and Rajender with accused. Sh. Inder Singh, Ld. Counsel for the accused Jitender.

Ld. counsel for the accused Jitender request for adjourn-

ment, at request, put up for arguments on charge on 27.08.2020.

Ld. Counsel for the accused Jitender also submits that ac-

cused Jitender may be exempted for today. On oral request accused

Jitender is exempted.

(Ankur Jain) ASJ (SFTC-01) West

Delhi: 06.08.2020

FIR No : 293/2017 PS: Tilak Nagar STATE VS. Kuldeep Singh

Hearing Took place through Cisco WebEx.

06.08.2020

File is taken up for hearing in terms of circular no. 25-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and Ends. No. 1944-1976/DHC 2020 dated 30.07.2020.

Present: Mr. Subhash Chauhan, Ld. Addl.PP for State. Ms. Arti Pandey, DCW counsel Mr. Naveen Gaur, Ld. Counsel for accused.

Ld. Counsel for accused submits that accused be exempted for today as he is unable to join. On oral request, accused stands exempted for today.

The case is listed for PE. In terms of the directions as contained in the above said circular evidence cannot be recorded. Accordingly, the present case is adjourned.

Put up for PE on 13.01.2021.

(ANKUR JAIN) ASJ(Special Fast/Track Court)-01 West, THC, Delhi/06.08.2020

FIR No : 395/2018 PS: Mundka STATE VS. Ved Prakash

Hearing Took place through Cisco WebEx.

06.08.2020

File is taken up for hearing in terms of circular no. 25-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and Ends. No. 1944-1976/DHC 2020 dated 30.07.2020.

Present: Mr. Subhash Chauhan, Ld. Addl.PP for State. Ms. Arti Pandey, DCW counsel Mr. Saurabh Rajput, Ld. Counsel for accused.

On oral request accused are exempted for today.

The case is listed for PE. In terms of the directions as contained in the above said circular evidence cannot be recorded. Accordingly, the present case is adjourned.

Put up for PE on 11.01.2021.

(ANKUR JAIN) ASJ(Special Fast Track Court)-01 West, THC, Delhi/06.08.2020