

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 247/20  
PS: Moti Nagar  
U/s 498A/406 IPC  
State Vs. Ashish Upadhyay**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Narendra Yadav counsel for the applicant.

This is the fresh application for grant of anticipatory bail.

Reply not filed.

Issue notice to IO to file reply, returnable for **13.07.2020**.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 397/20  
PS: Patel Nagar  
U/s 420 IPC**

**State Vs. Mayur Hindfuroo Salunkhe**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Sh. Abdul Rehman, counsel for the applicant.

Counsel submits that despite orders, file has not been requisitioned from the concerned court and file is required for detailed arguments on bail. Keeping in view the requirement of file, interim bail of accused/applicant is extended till 16.07.2020.

Issue notice to the concerned Ahlmad to take out the file immediately and keep in isolation for a period of at least 96 hours. Also, issue notice to the complainant through IO of the case, so that, complainant may also be heard, on **16.07.2020.**

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 623/20  
PS: Khyala  
U/s 379/411/34 IPC  
State Vs. Salman**

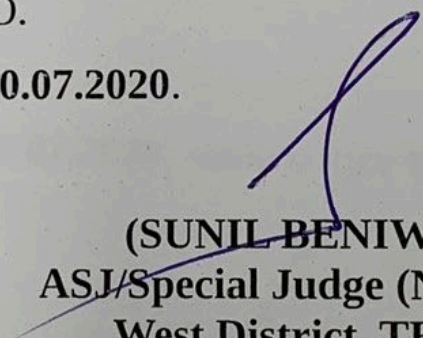
**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

None for applicant despite repeated calls since morning.

Reply filed on behalf of IO.

Put up for arguments on **10.07.2020**.

  
**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 199/20  
PS: Punjabi Bagh  
U/s 308 IPC  
State Vs. Yogender**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
None for applicant.

Reply not filed by IO.

Issue notice to IO to file reply on **13.07.2020**.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 774/19  
PS: Nangloi  
U/s 326/307/506 IPC  
State Vs. Salman @ Rijwan**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

None for applicant despite.

IO SI Amit also present.

IO submits that there is another application pending before another court which is fixed for 10.07.2020. He also submits that charge-sheet has already been filed but not committed to Ld. Sessions court as per his knowledge.

Put up for arguments on **10.07.2020** alongwith other application.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**09.07.2020**

Arguments heard in the open court.  
Present: Shri Parvesh Kumar Ranga, Learned Addl. PP for State.  
Shri M.K Chaudhary, Ld. counsel for applicant/accused.  
Complainant/prosecutrix in person alongwith her mother.

By this order, I shall decide the bail application filed on behalf of applicant/accused Deepak. Facts as stated in the bail application are as follows :

It is submitted that applicant has been falsely implicated in the present case and is in judicial custody since 20.06.2020. That applicant is sole bread earner in his family and just attained the age of 22 years. That the present FIR has been got registered by the complainant/victim due to enmity as both families have been residing in the same locality and they were also quarreling on the issue of water supply and drainage system. That the applicant has no previous involvement in any other case. That in the statement of victim, nothing has been found out regarding Section 376 IPC as so far only it indicates the quarreling between both the parties. That no purpose would be served by keeping the applicant in custody and he is ready to abide by all the terms & conditions of bail imposed by this court. That there is no chance of his absconding or tampering with the prosecution evidence.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.


It is submitted that applicant has no permanent residence of Delhi. That the investigation is at initial stage and offence committed by applicant is serious in nature. That applicant may jump the bail if granted and may temper with the prosecution evidence and may pressurize to the public witnesses.

I have heard arguments from both the sides.

Allegations against the applicant are that he has repeatedly assaulted the complainant sexually and also threatened the complainant to keep quiet about these incidents. Complainant who is present in person has also opposed the bail application requesting that she fears for her life and safety if applicant is granted bail. Considering the reply filed by IO supported by Ld. Additional Public Prosecutor and the grave allegations against the applicant and also considering the threat to the complainant's life & safety, present bail application is rejected.

The application stands disposed of accordingly.

Copy of this order be sent to counsel for applicant, IO/SHO concerned, Ld. Additional Public Prosecutor and Jail Superintendent concerned on their e-mail IDs if provided and found to be correct, through proper channels.

  
(SUNIL BENIWAL)  
ASJ/Spl. Judge (NDPS)  
West District/THC/Delhi  
09.07.2020

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 265/19  
PS: Tilak Nagar  
U/s 201/354C/328/506/385/376 IPC  
State Vs. Kapil Verma**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
None for applicant.

This is the fresh application for rectification of bail order dated 04.07.2020. Perusal of record shows that the case is pending before the court of Dr. Archana Sinha and order dated 04.07.2020 was also passed by Dr. Archana Sinha, Ld. Addl. Sessions Judge.

In view of the above, let the application be sent to the court of Dr. Archana Sinha, Ld. Addl. Sessions Judge, for **13.07.2020**.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**



**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 78/20  
PS: Crime Branch  
U/s 22/25 NDPS Act  
State Vs. Chandra Shekhar**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Reply not filed by IO in compliance of previous order.

Issue notice to IO to file reply and appear in person and explain as to why reply is not filed within time, returnable for **13.07.2020**.

Ld. Counsel for applicant/accused be informed about today's proceedings.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 78/20  
PS: Crime Branch  
U/s 22/25 NDPS Act  
State Vs. Pawan Arora**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Reply not filed by IO in compliance of previous order.

Issue notice to IO to file reply and appear in person and explain as to why reply is not filed within time, returnable for **13.07.2020**.

Ld. Counsel for applicant/accused be informed about today's proceedings.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 6/20  
PS: Tilak Nagar  
U/s 15/25/29/61/85 NDPS Act  
State Vs. Hardeep Singh**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
None for the applicant.

This is the fresh application for grant of bail.

Reply not filed.

Issue notice to IO to file reply, returnable for **13.07.2020**.

**(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020**

**FIR No. 369/2019**  
**PS : Patel Nagar**  
**U/s 392/397/411/34 IPC**  
**State Vs. Akash @ Vashi**

09.07.2020

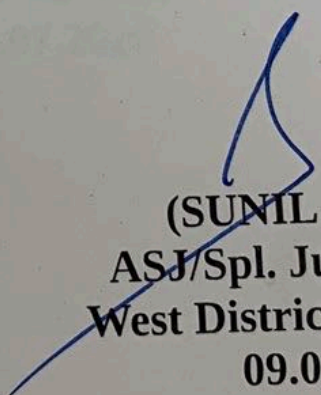
Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.  
Shri Ayub Ahmed Qureshi, Ld. counsel for applicant/accused.

At request of both Ld. Addl. PP and counsel, let previous conviction report or involvement of applicant/accused, if there is any, be called alongwith certificate of good conduct from Jail Superintendent concerned.

Issue notice to IO to file previous conviction report or involvement of applicant/accused, if any. Notice be also issued to Jail Superintendent to file certificate of conduct whether the conduct of the applicant is good or bad in the jail.

Notice be issued through proper channels and one copy be sent to Ld. counsel for applicant.

Re-list the matter on **13.07.2020**.

  
**(SUNIL BENIWAL)**  
**ASJ/Spl. Judge (NDPS)**  
**West District/THC/Delhi**  
**09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 322/20  
PS: Tilak Nagar  
U/s 374/397/411/34 IPC  
State Vs. Karan**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Sushant Yogi, counsel for applicant submits through video conferencing that he has not received the copy of reply filed by IO.

IO is directed to supply copy of reply to counsel for accused on his e-mail ID.

On request of counsel for accused, put up for arguments on **13.07.2020**.

**(SUNIL BENIWAL)**  
**ASJ/Special Judge (NDPS)**  
**West District, THC**  
**Delhi/09.07.2020**

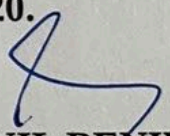
**FIR No. 616/2020**  
**PS : Khyala**  
**U/s 307 IPC**  
**State Vs. Dheeraj**

09.07.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.  
Shri Alamine, Ld. counsel for applicant/accused.

Counsel for applicant has requested that before hearing arguments on bail, let complainant be called as both complainant and accused are real brothers and the incident occurred in the heat of moment and applicant is not involved in any other offence.

In view of request of counsel, issue notice to complainant through IO to appear in person for arguments on bail and also issue notice to IO to file previous conviction/involvement of applicant, if any, returnable for **14.07.2020**.

  
**(SUNIL BENIWAL)**  
**ASJ/Spl. Judge (NDPS)**  
**West District/THC/Delhi**  
**09.07.2020**

**09.07.2020**

Arguments on bail application heard in the open court.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.  
Shri Rajeev Kumar Malik, Ld. counsel for applicant/accused.  
Complainant/prosecutrix alongwith her employer Ms. Deepika Arora.

Briefly stated, bail has been sought for applicant/accused Kashmiri Lal.

Counsel for applicant has submitted that applicant is innocent and has been falsely implicated because of a dispute between the applicant and the prosecutrix regarding money matters. But it is not necessary to go into the details as today complainant/prosecutrix as well as her employer have come to the court and have given their statement that they have amicably settled the matter and shall be moving Hon'ble High Court of Delhi to get the FIR quashed. Therefore, in view of the separate statement given by the complainant/prosecutrix, her employer and Ld. counsel for applicant, the applicant is granted bail subject to the following terms & conditions :

1. That applicant shall furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount to the satisfaction of the concerned MM/Duty MM.
2. That the applicant shall not threaten or intimidate any of the prosecution witnesses in any manner and shall co-operate with the investigation as & when required by the IO.
3. That the applicant shall not jump the bail and attend the court on each & every date of hearing.

If the applicant violates any terms and conditions of the bail, IO or the prosecution or the complainant/prosecutrix is at liberty to approach the court for appropriate remedy.

Counsel for applicant is physically present in the court and prays for *dasti*. Copy of this order be given *dasti* to Ld. counsel for applicant as prayed for.

Copy of this order be also sent to IO/SHO, complainant/prosecutrix, Jail Superintendent and Ld. Additional Public Prosecutor on their e-mail IDs if provided and found to be correct, through proper channels.

(SUNIL BENIWAL)  
ASJ/Spl. Judge (NDPS)  
West District/THC/Delhi  
09.07.2020



**FIR No. 444/15**  
**PS : Khyala**  
**U/s 328/379/34 IPC**  
**State Vs. Manoj @ Tufani**

**09.07.2020**

Arguments heard on bail application through videoconferencing connected by Ahlmad of the court.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.  
Shri Gautam Kumar, Ld. counsel for applicant/accused through videoconferencing.

By this order, I shall decide the present bail application requesting grant of bail to applicant Manoj @ Tufani. Facts as stated in the bail application are as follows :

Ld. counsel for applicant has submitted that the applicant is innocent and has been falsely implicated. It is submitted that nothing has been recovered from the possession of the applicant/accused. It is submitted that applicant shall abide-by all the terms & conditions if bail is granted.

Reply to bail application has been received.

Learned Addl. Public Prosecutor has strongly opposed the present bail application in view of reply filed by the IO.

It is submitted that there are direct allegations of commission of offence against the applicant and evidence against the applicant are very strong. Moreover, as per previous conviction and involvement report, applicant was found to be involved in two other criminal offences including U/s 302 IPC and the other under Arms Act.

I have heard arguments from both the sides.

Considering the previous involvement of the applicant in serious cases like U/s 302 IPC and considering the fact that the applicant also jumped parole when the same was previously granted on humanitarian ground. It is not advisable to grant bail to the applicant as there is a strong possibility that applicant will jump bail and may also threaten the prosecution witnesses. Therefore, the present bail application is rejected.

The application stands disposed of accordingly.

Copy of this order be sent to counsel for applicant, IO/SHO concerned, Ld. Additional Public Prosecutor and Jail Superintendent concerned on their e-mail IDs if provided and found to be correct, through proper channels.

(SUNIL BENIWAL)  
ASJ/Spl. Judge (NDPS)  
West District/THC/Delhi  
09.07.2020

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 114/20  
PS: Paschim Vihar  
U/s 323/308/341/506/509 IPC  
State Vs. Gajender @ Rahul**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
Mr. Sanjeev Sharma, counsel for applicant through video conferencing.

By this order, I shall decide the present application for anticipatory bail on behalf of accused/applicant **Virender Yadav** It is stated that the applicant is young boy aged about 22 years and is studying. That one of the accused namely Gajender @ Rahul is on bail vide order dated 05.05.2020. That on 05.07.2020, matter was settled between the parties and accused persons had paid Rs.2,10,000/- to the complainant and both the parties are ready to file quashing petition before the Hon'ble High Court of Delhi. That applicant/accused is neither previous convict nor habitual offender.

Ld. APP for the state has opposed the bail application.

I have heard arguments from counsel for accused as well as Ld. APP for the state.

Ld. Counsel has stated at bar that main co-accused has already been granted bail vide order dated 04.05.2020 and he also claims bail for the applicant on parity ground.

In view of the submissions, the applicant is granted bail on the grounds of parity subject to the following terms:-

1. That applicant shall furnish a sound surety of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned court/duty MM.

**FIR No. 114/20**

-2-

**PS: Paschim Vihar**

**U/s 323/308/341/506/509 IPC**

**State Vs. Gajender @ Rahul**

2. *That the applicant shall not jump bail and attend court on each and every date of hearing.*
4. *That applicant shall not influence or tamper with the case of prosecution in any manner.*
5. *That the applicant shall not commit any other offence while being out on bail.*

Under these conditions, applicant is granted bail. The prosecution or concerned IO/SHO shall be at liberty to move cancellation of bail application if the applicant violates any of the conditions of bail, so granted.

Copy of this order be sent to counsel for applicant, Ld. APP for state, to the concerned IO/SHO as well as concerned Jail Superintendent on their e-mail IDs and through proper channel.

**(SUNIL BENIWAL)**  
**ASJ/Special Judge (NDPS)**  
**West District, THC**  
**Delhi/09.07.2020**

**09.07.2020**

Arguments heard on the bail application in the open court.

Present: Shri Parvesh Kumar Ranga, Learned Addl. PP for State.

Shri Vikas Sharma, Ld. counsel for applicant/accused.

By this order, I shall decide the present bail application requesting for grant of regular/interim bail to applicant Birju Jha. Facts as stated in the bail application are as follows :

It is submitted that applicant is innocent, falsely shown recovery has been planted upon the applicant and he has been falsely implicated in the present case. That applicant has no concern with the alleged offence and the applicant has not committed any offence. That the main accused Tinkle Chauhan and other co-accused Sachin Bhati & Ravi Kushwaha have been granted bail by Hon'ble High Court of Delhi. That all the accused persons were arrested on the ground of suspicion and police has not found any relevant ground/evidence against the accused. That in FIR, complainant has stated that only two persons committed the loot whereas on the grounds of suspicion arrested four persons. The arrest has not yielded any results or progress in the case. That the charge-sheet has been filed, the investigation has been completed and the applicant is no more required for any interrogation or enquiry and no purpose would be served by keeping the applicant behinds the bars. That father of accused is suffering from HIV, acute disease and his condition is not good and there is no one to take care of him and therefore, applicant is required to be at home to take care of his father. That allegations levelled against the applicant are false & baseless.

Learned Addl. Public Prosecutor has strongly opposed the bail application in view of reply filed by the IO.

Ld. Additional Public Prosecutor has further submitted that applicant has criminal involvement in many other criminal cases and it is not advisable to grant bail to the applicant as he may commit more offences if granted bail. It is submitted that in the present case, there are direct allegations against the applicant by the complainant and the evidence against the applicant is very strong. It is submitted that even the Call Detail Records of both the accused persons are found at the scene of crime at the time of commission of offence. It is submitted that it was the applicant Ravi who has fired the pistol in order to frighten and intimidate the complainant for the commission of the offence U/s 392 IPC & 397 IPC.

I have heard arguments from both the sides.

There are direct allegations against the applicant of firing the weapon of offence. Role of the present applicant is much more serious and sinister than the other accused persons. There is every possibility that if applicant is granted bail, he may threaten & intimidate the complainant and may also harm the complainant. Evidence against the present applicant appears to be very strong and there are direct allegations against him of firing the pistol in the air. Therefore, in view of the seriousness of the offence and direct allegations against the applicant, present bail application is rejected.

Copy of this order be sent to counsel for applicant, IO/SHO concerned, Ld. Additional Public Prosecutor and Jail Superintendent concerned on their e-mail IDs if provided and found to be correct, through proper channels.

(SUNIL BENIWAL)  
ASJ/Spl. Judge (NDPS)  
West District/THC/Delhi  
09.07.2020

IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI

FIR No. 424/20  
PS: Tilak Nagar  
U/s 376 IPC  
State Vs. Akshayjeet @ Akshay Paul

09.07.2020

**Arguments heard through video conferencing connected by court official.**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Rajiv Mohan, counsel for accused/applicant through video conferencing.

Complainant/prosecutrix in person.

Mr. Abhay Gupta counsel for complainant through video conferencing.

By this order, I shall decide the present bail application moved on behalf of accused/applicant Akshayjeet @ Akshay Paul. Facts as stated in the application are as follows:-

Counsel for applicant has submitted that applicant is innocent and has not committed any offence. It is further submitted that admittedly there was friendship and good relations between the accused and complainant. It is submitted that every time there was physical relationship between the applicant and complainant, it was all consensual and the same was never forced upon the prosecutrix in any manner. Ld. Counsel has further submitted that even as per the complaint and the FIR, it is clear that the complainant and the applicant were moving around enjoying their friendship and physical relations without any force or compulsion from any side. Subsequently, the complainant started pressurizing the accused for marriage and upon hesitancy of the applicant, the prosecutrix has lodged this false case in order to pressurize the applicant to marry her. Counsel has

**FIR No. 424/20**

-2-

**PS: Tilak Nagar**

**U/s 376 IPC**

**State Vs. Akshayjeet @ Akshay Paul**

cited a slew of judgments in support of the bail application submitting that Hon'ble High Court of Delhi in various judgments has held that a good healthy relationship between two parties that involves physical relations cannot tantamount to rape if the relations between the parties were consensual.

Ld. Counsel for applicant has cited following judgments in support of his case:-

- 1 *Anurag Soni vs State of Chhattisgarh, MANU/SC/0522/2019*
- 2 *Deepak Gulati vs State of Haryana, MANU/SC/0546/2013*
- 3 *Jai Prakash Singh vs State of Bihar, MANU/SC/0224/2012*
- 4 *Pramod Suryabhan Pawar vs State of Maharashtra, Crl. Appeal No. 1165/2019*
- 5 *Shailendra Kumar Yadav vs state MANU/DE/0292/2012*
- 6 *State vs Sandeep, 2012 SCC Online Del 10332*
- 7 *Vineet Kumar vs State of UP, MANU/SC/0351/2017*
- 8 *Tameezuddin vs State (NCT of Delhi) (2009) 15 SCC 566*

Ld. APP as well as the prosecutrix present in the court and Ld. Counsel for complainant/prosecutrix have vehemently opposed the present bail application. It is submitted that prosecutrix was fooled by the applicant with promise to marry and was enticed to have physical relations several times on the pretext of marriage. It is submitted that the prosecutrix only had physical relations with the applicant as she believed that the applicant would marry her later on when the situation and circumstances were more conducive. Ld. APP has further submitted that all the judgments cited by Ld. Counsel for applicant involved a detailed discussion of the evidence led by the prosecution and the accused in the case which were conducted



**FIR No. 424/20**

**-3-**

**PS: Tilak Nagar**

**U/s 376 IPC**

**State Vs. Akshayjeet @ Akshay Paul**

after trial of the case. In the present case, investigation is still going on and even the charge-sheet has not been filed. Therefore, appreciation of evidence at this stage is neither possible nor desirable in order to decide the present bail application.

I have heard arguments from both the sides.

In this particular matter, the court is inclined to agree with the submissions of Ld. APP. Allegations against the applicant are very grave and serious in nature. Ld. APP has also submitted that taking excuse of covid-19 virus, applicant did not join the investigation and went to his home state where he got lodged an FIR for extortion against the prosecutrix. In the given situation and circumstances, threat and tampering of prosecution witnesses and the complainant/prosecutrix cannot be ruled out from the side of applicant. Moreover, matter is still under investigation. Even, charge-sheet has not been filed. Therefore, in view of the above-mentioned discussions and reasons cited by the prosecution and counsel for complainant, the present bail application is rejected as there does not appear to be any merit in the bail application at this stage.

Copy of this order be sent to counsel for applicant, counsel for complainant, complainant/prosecutrix, Ld. APP, to the concerned IO/SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

**(SUNIL BENIWAL)**  
**ASJ/Special Judge (NDPS)**  
**West District, THC**  
**Delhi/09.07.2020**

IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI

FIR No. 114/20  
PS: Paschim Vihar  
U/s 323/308/341/506/509 IPC  
State Vs. Gajender @ Rahul

09.07.2020

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
Mr. Sanjeev Sharma, counsel for applicant through video conferencing.

By this order, I shall decide the present application for anticipatory bail on behalf of accused/applicant **Sonu**. It is stated that the applicant is young boy aged about 22 years and is studying. That one of the accused namely Gajender @ Rahul is on bail vide order dated 05.05.2020. That on 05.07.2020, matter was settled between the parties and accused persons had paid Rs.2,10,000/- to the complainant and both the parties are ready to file quashing petition before the Hon'ble High Court of Delhi. That applicant/accused is neither previous convict nor habitual offender.

Ld. APP for the state has opposed the bail application.

I have heard arguments from counsel for accused as well as Ld. APP for the state.

Ld. Counsel has stated at bar that main co-accused has already been granted bail vide order dated 04.05.2020 and he also claims bail for the applicant on parity ground.

In view of the submissions, the applicant is granted bail on the grounds of parity subject to the following terms:-

1. That applicant shall furnish a sound surety of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned court/duty MM.

FIR No. 114/20

-2-

PS: Paschim Vihar

U/s 323/308/341/506/509 IPC

State Vs. Gajender @ Rahul

2. *That the applicant shall not jump bail and attend court on each and every date of hearing.*
4. *That applicant shall not influence or tamper with the case of prosecution in any manner.*
5. *That the applicant shall not commit any other offence while being out on bail.*

Under these conditions, applicant is granted bail. The prosecution or concerned IO/SHO shall be at liberty to move cancellation of bail application if the applicant violates any of the conditions of bail, so granted.

Copy of this order be sent to counsel for applicant, Ld. APP for state, to the concerned IO/SHO as well as concerned Jail Superintendent on their e-mail IDs and through proper channel.

**(SUNIL BENIWAL)**  
**ASJ/Special Judge (NDPS)**  
**West District, THC**  
**Delhi/09.07.2020**

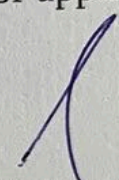
**FIR No. 121/20**  
**PS : Khyala**  
**U/s 302 IPC**  
**State Vs. Md. Sair**

09.07.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.  
Shri A.P Singh, Ld. counsel for applicant/accused through  
videoconferencing.

At request of Ld. counsel, matter is adjourned for **13.07.2020**.

IO is directed to supply copy of reply to Ld. counsel for applicant on his  
email ID.

  
**(SUNIL BENIWAL)**  
**ASJ/Spl. Judge (NDPS)**  
**West District/THC/Delhi**  
**09.07.2020**

**State Vs. Prince Kapoor**  
**FIR No. 127/2020**  
**PS : Rajouri Garden**  
**U/s 21/61/85 NDPS Act**

**09.07.2020**

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.  
Shri Syed Ajmal Hasan, Ld. counsel for applicant/accused.

Reply to bail application has already been received.

During the course of arguments, Ld. counsel for applicant/accused seeks permission to withdraw the present bail application. An undertaking to this effect is given on the application itself by Ld. counsel.

Heard. Permission granted.

The present bail application stands disposed of as withdrawn.

**(SUNIL BENIWAL)**  
**ASJ/Spl. Judge (NDPS)**  
**West District/THC/Delhi**  
**09.07.2020**

IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI

FIR No. 55/16  
PS: Nihal Vihar  
U/s 302 IPC  
State Vs. Jasim Ansari

09.07.2020

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.  
Mr. Anil Kaushik, counsel for applicant.

This is the 4<sup>th</sup> bail application moved on behalf of applicant Jasim Ansari. Facts as stated in the application are as follows:-

That the accused has been falsely implicated and he is in judicial custody since 17.01.2016. The applicant was arrested only on the basis of disclosure statement of PW2 and PW3 and the allegations against the applicant are false and fabricated. There is no independent witnesses in the charge-sheet for the alleged incident and as such the abovesaid facts creates doubt on the prosecution story. That PWs are not supporting the prosecution story specially PW7 Mrs. Nirma. That nothing was recovered from the possession of accused. That the applicant is no more required to keep behind the bar because the charge-sheet has already been filed and matter is under trial. It is therefore, prayed that the applicant may kindly be released on bail till final disposal of the case.

Ld. APP for the State has opposed the bail stating that the public witnesses supported the prosecution case during their deposition in the court. The weapon of offence was also got recovered by the accused during investigation and thereafter, the subsequent opinion of the concerned doctor was also obtained regarding the consistency of injuries on the deceased with the above-mentioned

**FIR No. 55/16**

**PS: Nihal Vihar**

**U/s 302 IPC**

**State Vs. Jasim Ansari**

-2-

weapon of offence. The case is at the stage of PE and IO of the case is yet to be examined. The whole case is based on circumstantial evidence and therefore, each witness is material witness for the prosecution.

I have heard arguments from both the sides.

Trial is almost complete and evidence of last seen and the motive of murder appears to be very strong. Only the IO is left to be examined. There is a strong possibility that applicant might jump bail and ran away from the process of the court in order to frustrate the trial and conclusion of evidence. Therefore, keeping in view the above-mentioned discussions and observations, it is not advisable to grant bail to applicant at this stage. Hence, the present bail application is dismissed.

Copy of this order be sent to counsel for applicant, to the concerned IO/SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

**(SUNIL BENIWAL)**  
**ASJ/Special Judge (NDPS)**  
**West District, THC**  
**Delhi/09.07.2020**

**IN THE COURT OF SH. SUNIL BENIWAL  
ASJ/SPECIAL JUDGE (NDPS), WEST  
TIS HAZARI COURTS, DELHI**

**FIR No. 40/17**

**PS: Mundka**

**U/s 302/307/506 IPC & 25/54/59 Arms Act  
State Vs. Muni Ram**

**09.07.2020**

**Present:** Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Naveen Gaur, counsel for applicant through video conferencing.

This is the application for extension of interim bail for a further period of 45 days on behalf of applicant Muni Ram. Facts as stated in the application are as follows:-

That the applicant is innocent and has not committed any offence and has no connection with the alleged offence. That applicant had filed interim bail application under the criteria laid down by HPC dated 18.05.2020 and the same was allowed for a period of 45 days. During the interim bail, applicant never misused the benefit of interim bail. That after framing of charge, material witnesses i.e. complainant and eye witness have been examined and cross examined but nothing incriminating has come on record. That deposition of PW3 Sunita creates a very serious doubt upon the story of the prosecution. That PW2 (complainant) became hostile and cross examined by Ld. APP but nothing incriminating has come out against the applicant. That prosecution failed to establish the role of the present applicant as no sufficient document has been placed on record. That remaining PWs are formal and therefore, trial will take long time. That accused/applicant is sole bread earner of his family and due to his detention, his family would be at the verge of starvation. That investigation has been completed on the part of applicant, hence,



PS: Mundka

U/s 302/307/506 IPC & 25/54/59 Arms Act

State Vs. Muni Ram

he is no more required for any custodial interrogation. That co-accused namely Subhash was already granted bail and the accused/applicant is in JC since his arrest. It is therefore, requested that the present application be allowed.

Ld. APP for the State has opposed the bail stating that Smt. Sunita supported the prosecution case during her deposition in the court and she withstood by her statement even during her cross examination. The case is at the stage of PE and other public witnesses are yet to be examined. It is also reported by the IO that though there is no direct threat by the accused to the witness Smt. Sunita but still she and her family members are under fear.

I have heard arguments from both the sides.

Report has been received from the IO that when the applicant was out on interim bail, he has not threatened or intimidate any of the prosecution witnesses. Since applicant was granted interim bail for a period of 45 days under the criteria laid down by Hon'ble High Powered Committee of Hon'ble High Court of Delhi, his interim bail is extended for another 45 days due to the present Covid-19 pandemic situation but subject to the condition that he shall not threaten, intimidate or harm any of the prosecution witnesses and shall attend court on each and every date of hearing and subject to the extension of same bail bond as was furnished earlier.

Copy of this order be sent to counsel for applicant, to the concerned IO/SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)  
ASJ/Special Judge (NDPS)  
West District, THC  
Delhi/09.07.2020