

FIR No. 432/2019
PS Paschim vihar
U/s 306/34 IPC
State Vs Karuna Prashar

31.08.2020

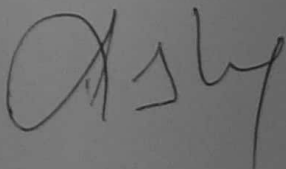
The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar Singh, learned Additional Public Prosecutor for State.

Order on the bail application of accused/applicant
Karuna Parashar

Arguments on the bail application were heard on 29.08.2020.

This is an application for grant of anticipatory bail to the applicant Karuna Parashar *inter alia* on the ground that applicant is an innocent lady and has been falsely implicated in the present case. Applicant is having small kids and her husband is doing a private job. Further, the first anticipatory bail application was inadvertently and wrongly dismissed by the Ld. ASJ West on 15.07.2020 mainly on two grounds i.e. applicant was not found residing at the address given in the application and that she did not join the investigation. Further, the applicant left the address at Paschim Vihar 15 days prior to the death of the deceased and residing with her father-in-law at Amritsar, Punjab and her husband had started a small private job in Noida, UP and had no sufficient accommodation to live. The said address was given by the applicant during the course of investigation to the IO at police station being instructed by the IO. The applicant now has been shifted with her son in Kaushambi, Noida,



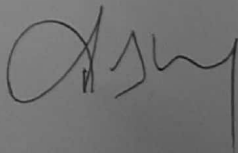
U.P. It is also stated that applicant who herself joined the investigation and had sought the protection from any coercive steps from the court as she had no dealing with the deceased. It is specific in the FIR that she had taken loan of Rs. 5 lacs from three ladies namely Sandhya, Archna and Kusum, who allegedly increased the rate of interest upto 25% and on 23.08.2019 soon before the alleged suicide two ladies Archna and Kusum had visited the house of deceased and then left abusing her in filthy language and the deceased thereafter committed suicide. It is also stated that applicant is ready to join the investigation as and when required by the investigating agency. It is prayed that as applicant is having clean antecedents, she may be granted anticipatory bail.

Reply filed.

Ld. Additional Public Prosecutor has vehemently opposed the bail application stating that the allegations are serious in nature and the investigation is still going on. He has further stated that her anticipatory bail application is already dismissed and there is no ground to move this application again.

In the reply filed by the Investigating Officer, in response to the present bail second bail application, it is stated by the IO that in the suicide note deceased has blamed / alleged that one lady Karuna tortured her for money which she had taken from accused Karuna. It is also submitted that the address given by the accused in the bail application was verified but she was not residing there and vacated the rented premises. Further, as per court direction, accused Karuna joined the investigation on 20.03.2020 and on 20.05.2020 but during the course of investigation, accused Karuna Parashar did not cooperate in the investigation and also that she is not a permanent resident of Delhi.

I have gone through the records of the case. The deceased had blamed the applicant in her suicide note and her writing has been verified. The previous anticipatory bail application was dismissed on 15.07.2020.

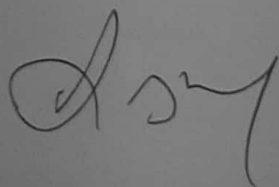


The Hon'ble Supreme Court in **Kalyan Chandra Sarkar Vs Rajesh Ranjan @ Pappu Yadav & Anr CrI. 1129 of 2004** decided on 18th January 2005 observed that though an accused has a right to make successive application for grant of bail the court entertaining such subsequent bail applications has duty to consider the reasons and grounds on which the earlier bail applications were rejected and in such cases the court also has a duty to record what are the fresh grounds which persuaded it to take a view different from the one taken in the earlier applications.

Regarding anticipatory bail applications, the full bench of Hon'ble Rajasthan High Court in **Ganesh Raj Vs State of Rajasthan & Ors 2005 Cr.LJ 2086** has observed that the second and subsequent bail application u/s 438 Cr.P.C can be filed if there is a change in the fact situation or in law which requires the earlier view be interfered with or where the earlier finding has become obsolete. This is the limited area in which an accused who has been denied bail earlier can move a subsequent application. Second or subsequent anticipatory bail application shall not be entertained on the ground of new circumstances, further developments, different consideration, some more details, new documents or illness of the accused. Under no circumstances, the second or successive anticipatory bail application shall be entertained by Sessions Judge/ Additional Sessions Judge.

The only ground taken in the bail application is that the earlier order was wrongly passed. However, the reply of the IO again reiterates that the address given by the applicant was verified but she was not found residing there and vacated the rented premises and that she has not cooperated in the investigation.

In view of afore-discussed facts and circumstances, since the allegations against the applicant are quite serious, I do not deem it fit to grant anti-



patory bail to applicant, at this stage. Accordingly, the anticipatory bail application of accused/applicant Karuna Parashar stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

29.08.2020

FIR No. 130/20
PS Punjabi Bagh

In the Court of Dr. Samar Vishal, Addl. Sessions Judge, West District, THC, N.D.
U/s 307/34 IPC & 25/27 Arms Act

Dated 11.02.2020

FIR No. 130/2020

Police Station : Punjabi Bagh

Under section : 307/34 IPC and 25/27 Arms Act

State vs Karan

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar, learned Additional Public

Prosecutor for State.

Learned counsel for the applicant / accused through video-conferencing (CISCO Webex).

Reply to the interim bail application received from the investigating officer.

This is an application seeking extension of interim bail moved on behalf of applicant / accused Karan. It is stated in the bail application that the applicant / accused was granted interim bail vide order dated 18.08.2020. now he further wants to extend interim bail.

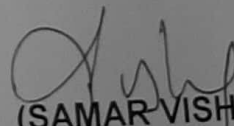
Since all the interim orders have been extended till 31.10.2020 by the Hon'ble High Court of Delhi in W.P.(C) 3037/2020 dated 24.08.2020, the interim bail of the applicant / accused is extended till 31.10.2020.

The applicant shall however surrender before the Jail Superintendent concerned on 01.11.2020.

The application stands disposed off accordingly.

Copy of this order be sent to the Jail Superintendent concerned.

Copy of order be given dasti to the counsel for applicant.



(SAMAR VISHAL)

Addl. Sessions Judge-08

West District, THC Delhi

31.08.2020

1

FIR No. 511/2020
Police Station : Paschim Vihar East
Under section : 186/353/307/34 IPC
and 25/27 Arms Act
State vs Man Mohan

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public Prosecutor for State.

Sh A.K. Jain learned counsel for the applicant / accused.

18

This is an application for grant of bail to the applicant / accused Manmohan. The bail application is moved on the ground that the accused has been falsely implicated in the present case and is in judicial custody since 14.08.2020. It is stated that he is innocent and falsely implicated and that he was arrested by the police on 12.08.2020 at 4 pm from his house and later on implicated in this case. The family of the applicant is respectful and his father had served Indian Army. The police officials tried to extort money from the applicant and then implicated him in this case.

Reply to the bail application filed by the investigating stating that on 13.08.2020 a secret informer informed to HC Rajneesh that three boys who were carrying illegal arms will come from Khyala side and further will go towards Meera Bagh Jhuggi and these boys have done immoral acts with several girls in parks and other crimes previously also. On this information, a raiding party comprising Inspector K.B. Jha, SI Neeraj, SI Dipender, HC Rajneesh, HC Jitender, HC Vijay, HC Rupesh, HC Krishan, Ct. Ajay Kumar, Ct. Pawan, Ct. Ajay and Ct. Bijender was constituted. When team reached at Ganda Nala near Meera Bagh Jhuggi, three boys came on a motorcycle without a number plate. When raiding team tried to stop them they fall down from the motorcycle and tried to run from there in different directions. Thus,

A. S. J.

2-8
the raiding team chased and overpowered them. But before their overpowering, the accused Anil took out his loaded Desi Katta and fired a gun shot upon Ct. Ajay but he was wearing bullet proof jacket so the bullet could not hit him and got stuck in the bullet proof jacket. Second accused Manmohan (the present applicant) also trying to take out his loaded desi katta but he was overpowered by the raiding team well in time. Third accused Deepak Kr. Sharma was also overpowered who was found in possession of a buttondar knife. The said motorcycle on which they were riding was found to be stolen vide e-FIR No. 045135/2019 under section 379 IPC, PS Ranhola, Delhi. Subsequently, this case was registered in which one desi katta alongwith one live and one empty cartridge from accused Anil, one desi katta alongwith one live cartridge from accused Manmohan and one buttondar knife from accused Deepak were recovered and above said stolen motorcycle from them was also recovered. Further all the three accused were arrested.

18
In a supplementary reply, it is stated that apart from the above said incidents, the accused persons have disclosed that they have committed many gang rapes on gun point with the girls in parks and also robbed their costly belongings after commission of gang rapes. Some victims have accepted sexual assault with them in the parks of Paschim Vihar but they had not come forward for registration of case due to social disrespect. However a victim has come forward and a case regarding gang rape was registered in PS Paschim Vihar West vide FIR No. 705/2020, under section 376D/397/506/34 IPC & 25 Arms Act, Police Station Paschim Vihar West against the present applicant. Further, the applicant / accused is previously involved in the following criminal cases :

1. FIR No. 128/2013 under section 394/354/34 IPC, PS Paschim Vihar West, Delhi (convicted vide order dated 16.02.2018)
2. FIR No. 253/2011 under section 308/34 IPC, PS Paschim Vihar West, Delhi (Pending Trial)
3. FIR No. 176/2017 under section 392/170/34 IPC PS Paschim Vihar East, Delhi (Pending Trial).

Asky

1878/200

Vs. Karan

FIR No.130/2020

U/s 307/34 IPC & 25/27 A.Act

P.S. Punjabi Bagh

INDEX

Particulars	Page No.
Application u/s 439 Cr.P.C. for extension of interim alongwith supporting affidavit	1-5
<u>Annexure-A</u>	
of order 18.08.2020	
<u>Annexure-B</u>	

According to this reply the applicant is convicted in FIR No.253/2011 Police Station Mianwali Nagar under section 325/308/34 IPC and is punished with imprisonment of two years vide order dated 16.02.2018.

Learned Additional Prosecutor Shri Santosh Kumar has opposed the bail application stating that the offences are grievous in nature and investigation is going on. Further, he has stated that the applicant/accused has criminal history and involved in various heinous cases.

I have gone through the records of the case. Undoubtedly, the applicant is a convict in another grave case under section 308 IPC and was served with two year imprisonment. He has other cases against him also.

The allegations in the present case are serious in nature and the investigation is in the initial stage. The applicant is already a convict which shows his criminal propensity. Releasing the applicant on bail at this stage may prejudice the investigation. Hence, no ground is made out to release the applicant. Accordingly, the bail application is dismissed.

Copy of this order be given dasti to the counsel for applicant/accused.

Intimation be also sent to the investigating officer/SHO.



(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

31.08.2020

Bail application no. 1425
FIR No. 683/2019
Police Station : Punjabi Bagh
Under section : 376(2)(1)/376(2)(n)/506 IPC
State vs Pawan

31.08.2020

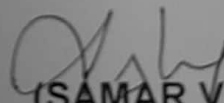
The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar, learned Additional Public
Prosecutor for State.

Sh. Madhav Chaudhary Learned counsel for the applicant /
accused through video-conferencing (CISCO Webex).

Sh. R.P. Sarwan learned Legal Aid Counsel for applicant /
accused.

This is an application for regular bail to the applicant / accused
Pawan. Since interim bail of the applicant was extended vide order
dated 29.08.2020 till 31.10.2020 accordingly, let this application be
considered on 26.10.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

Bail application no. 1307
FIR No. 121/2020
Police Station : Paschim Vihar East
Under section : 354/323/509/506/34 IPC
State vs Manmohan Juneja

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar, learned Additional Public
Prosecutor for State.

Sh. H.S. Sodhi Learned counsel for the applicant / accused
through video-conferencing (CISCO Webex).

Complainant/victim Ms. Neha Duggal through video-
conferencing (CISCO Webex).

Complainant Neha Duggal stated that she be assigned a legal
aid counsel as she has no means to engage a counsel. She is advised
to approach the office of the Legal Service Authority West District for
this purpose as being a woman she is entitled for free legal aid.

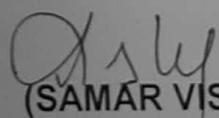
She submits that applicant is her father in law and some
settlement talks are going on between them.

According to applicant's counsel, her husband was granted
anticipatory bail.

It is submitted by the Nayab court that investigating officer is not
present as he is infected with COVID-19.

In these circumstances, interim protection is extended to the
applicant till next date of hearing and the hearing of the application is
deferred for 05.10.2020.

Put up for consideration on the application on 05.10.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

2

Bail Application No. 1653
FIR No.24/2020
Police Station : Patel Nagar
Under section : 406/448 IPC
State vs Krishan Kumar

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. P.K. Garg and Kapil, learned counsels for the applicant /
accused.

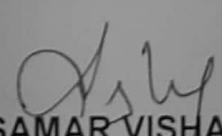
Investigating officer is not present.

Information regarding investigating officer SI Manoj Kumar is on
leave received from SHO Patel Nagar. Let investigating officer be
summoned for the next date.

The applicant / accused is directed to join the investigation as
and when called by the investigating officer.

Till then, interim protection to continue in terms of order dated
20.08.2020.

Put up on 29.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

Bail Application no. 1803
FIR No. 31/20
PS Ranjit Nagar
U/s 324/354/34
State Vs 1. Laxmi Narayan
2. Vikas @ Gunga

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

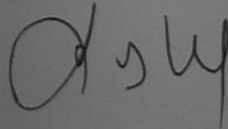
Present : Shri Santosh Kumar, learned Additional Public Prosecutor for State.
Victim in person with IO SI Sompal Singh.
Shri C.S Rathore, Ld. Counsel for accused/applicant through video- conferencing (CISCO Webex).

This is a joint application for grant of anticipatory bail to accused/ applicant Laxmi Narayan and Vikas @ Goonga on the ground that applicant have been falsely implicated in the present case. Further the present FIR is not only false and fabricated but also counter blast of FIR no. 32 dated 06.02.2020 PS Ranjit Nagar already registered against the complainant and her family members for pressurizing the applicants to withdraw the said FIR. Further, one of the co-accused has already been granted bail. It is prayed that since both the applicants are innocent, they may be released on bail.

Reply to the bail application filed.

Ld. Additional Public Prosecutor has opposed the bail application stating that the allegations against the applicants are serious.

As per reply of IO, present FIR has been registered against the applicants on the statement of complainant Santosh. Complainant has also corroborated



PS: Patel Nagar
U/s: 406/448 IPC
State Vs. Krishan Kumar

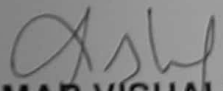
ed has been appointed as Duty Additional Sessions Judge,
ted 16.08.2020 of Ld. District & Sessions Judge, West, Tis
up for hearing through Video Conferencing

rated her statement before the Ld. Magistrate. Further, both the applicants are also having previous criminal involvements and both are deliberately evading their arrest.

Keeping in view the fact that, both the accused are habitual offenders and both are having previous criminal involvement, I do not deem it fit to grant anticipatory bail to applicants, at this stage. Accordingly, bail application of applicants Vikas @ Gunga and Laxmi Narayan stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

Bail Application 1779
FIR No. 183/2020
PS Paschim Vihar East
U/s 376/328/366/34 IPC
State Vs Amit Kumar

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor for State.

Complainant in person with Ld. Counsel.

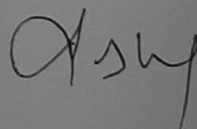
Shri P.K Garg, Ld. Counsel for the applicant/accused.

This is an application for grant of interim bail of 45 days to accused/applicant on the ground that accused has been falsely implicated in the present case is in judicial custody since 19.05.2020. Further, accused is the only bread earner of his family. It is also stated that there is danger to the life of applicant from Covid-19 as the disease is spreading in the jail premises. It is prayed that since accused is not a previous convict or habitual offender, he may be granted interim bail.

Reply to the bail application filed.

Ld. Additional Public Prosecutor has vehemently opposed the bail application stating that the allegations against the accused are serious and he may threaten the complainant, if released on interim bail.

Complainant, who is present in the court has also opposed the bail application stating that applicant may not be released on interim bail.



Application No. 1803
FIR No. 31/20
PS: Ranjit Nagar
U/s: 324/354/34 IPC
State Vs. Laxmi Narayan @ Anr.

Application for bail received. Be checked and reg
signed has been appointed as Duty Additiona
r dated 31.08.2020 of Id. District & Sessions

It is a settled law that the interim bail can be only granted in exceptional circumstances.

In the present case no such circumstance has been made out. The allegations against the applicant are serious, I do not find any justifiable ground to grant interim bail to applicant, at this stage. Hence, the application for grant of interim bail to accused/applicant Amit Kumar stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

West/2020 Dated 16.08.2020.
matter taken up today by Video Conferencing in view of
pandemic and suspension of physical hearings in view of

Amul Mail

31/8/2020

FIR No. 352/2020
Police Station : Patel Nagar
Under section : 498A/406/34
State vs Amit Kumar

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. Akhil, learned counsel for the applicant / accused.

Fresh application under section 438 Cr.PC for grant of anticipatory
bail to the applicant / accused received.

Let a reply of the application be called from the investigating officer for
10.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. 114/2020
Police Station : Nangloi
Under section : 20/61/85 NDPS Act
State vs Kamal

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. Pranay Abhishek, learned counsel for the applicant /
accused alongwith accused in person.

This is an application seeking extension of interim bail moved on behalf
of applicant / accused Kamal. It is stated that the applicant / accused is
already on interim bail and now he further wants to extend his interim bail.

Reply to the bail application received from the investigating officer.

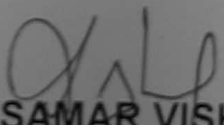
Since all the interim orders have been extended till 31.10.2020 by the
Hon'ble High Court of Delhi in W.P.(C) 3037/2020 dated 24.08.2020, the
interim bail of the applicant / accused is extended till 31.10.2020.

The applicant shall however surrender before the Jail Superintendent
concerned on 01.11.2020.

The application stands disposed off accordingly.

Copy of this order be sent to the Jail Superintendent concerned.

Copy of order be given dasti to the counsel for applicant.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. 352/2020
Police Station : Patel Nagar
Under section : 498A/406/34
State vs Veena

31.08.2020

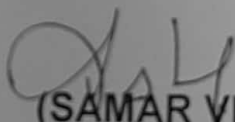
The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. Akhil, learned counsel for the applicant / accused.

Fresh application under section 438 Cr.PC for grant of anticipatory
bail to the applicant / accused Veena received.

Let a reply of the application be called from the investigating officer for
10.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. 141/2018
Police Station : EOW
Under section : 420/406/467/468/471/34/120B IPC
State vs Bablu Bharti

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. Manish Sharma Learned counsel for the applicant /
accused.

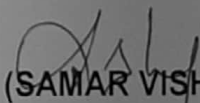
Sh. Chirag Mudgal learned counsel for complainant.

This is an application under section 439 Cr.PC for grant of bail
moved on behalf of applicant/accused Bablu Bharti.

Vakalatnama is filed on behalf of complainant. It be taken on
record.

Let investigating officer be called alongwith the reply of the bail
application for the next date.

Put up consideration of bail application on 01.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

Bail application no. 1104
FIR No. 61/2020
Police Station : Paschim Vihar West
Under section : 328/392/411/120B/34 IPC
State vs Mohd. Akhtar.

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

None for the applicant / accused

Put up for consideration on 10.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. WD-RG-000525/2020
Police Station : E-Police Station
(Rajouri Garden)
Under section 379 IPC
State vs Vishal @ Pawan @ Colour

31.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present :Sh. Santosh Kumar Singh, learned Additional Public
Prosecutor for State.

Sh. Manoj Kumar Duggal Learned counsel for the applicant /
accused through video-conferencing (CISCO Webex).

This is an application under section 438 Cr.PC for grant of
anticipatory bail moved on behalf of applicant / accused.

It is submitted by learned counsel for accused/applicant that he
does not want to press the anticipatory bail application and wants to
withdraw the same as the accused has been arrested in another case.

In view of submission, the bail application of accused is
dismissed as withdrawn.

Anticipatory bail application stands disposed off accordingly.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. Not known
Police Station : Khyala
Under section : not known
State vs Beeru

28.08.2020

The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar, learned Additional Public
Prosecutor for State.

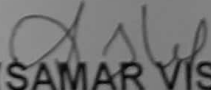
Sh. Rahul Tiwari learned counsel for the applicant/accused.

Reply to the anticipatory bail application received from the
investigating officer stating that no complaint has been received
against the Beeru.

It is submitted by learned counsel for accused/applicant that he
does not want to press the anticipatory bail application and wants to
withdraw the same.

In view of submission, the bail application of accused is
dismissed as withdrawn.

Anticipatory bail application stands disposed off accordingly.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

Bail application no.1367
FIR No. 247/2020
PS Moti Nagar
U/s 498A/406 IPC
State Vs Ashish Upadyay

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor
for State.

Shri Narender Yadav , Ld. Counsel for the applicant/accused.

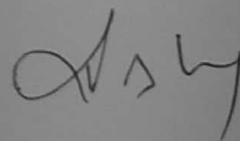
Complainant in person with Ld. Legal Aid Counsel Shri R.R Jha.

This is an application for grant of anticipatory bail to accused / applicant Ashish Upadhyay on the ground that applicant/accused has never harassed or ill-treated the complainant at any point of time. The applicant has been falsely implicated in the present case and the allegations made in the FIR are false and frivolous. It is stated that applicant has apprehension of arrest as police officials from PS Moti Nagar has called him. It is prayed that accused is ready to join the investigation as and when required by investigating agency, he may be granted anticipatory bail.

Reply filed.

It is submitted by the complainant that she has received all the articles as claimed by her.

Ld. Counsel for accused/applicant submits that since applicant has handed over all the articles to the complainant, he may granted anticipatory bail.



Present is a matrimonial dispute between the parties.

Keeping in view the facts & circumstances of the case, I deem it fit to grant anticipatory bail to accused/applicant. In the event of arrest, accused/applicant be admitted to anticipatory bail on his furnishing personal bond in the sum of Rs. 20,000/- with one surety of the like amount subject to conditions that applicant/accused shall appear before the Investigating Agency as and when required and that he will not indulge in any such activity which shall be prejudicial to the fair investigation/trial of the case. Applicant/accused shall not change his address without prior intimation to the court.

Copy of order be sent to the IO for necessary action.

Copy of order be also given Dasti to the accused persons/applicants.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

FIR No. 113/2020
PS Khyala
U/s 376/506 IPC
State Vs Vishnu Verma

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor
for State.

Shri Narender Singh, Ld. Counsel for accused/applicant through
video- conferencing (CISCO Webex).

This is an application for grant of bail to accused/applicant Vishnu
Verma.

Since this is a bail application for the offence punishable u/s 376 , it is
mandatory to issue notice to the complainant/victim. Accordingly, issue notice
to the complainant/victim for the next date.

Bail application be listed on 07.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

Bail Applicant no.1751
FIR No. 13704/2020
PS Rajouri Garden
U/s 379 IPC
State Vs Daulat Singh

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar, learned Additional Public Prosecutor
for State.

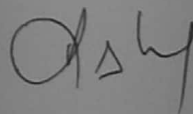
IO/HC Tej Singh.

Shri Tajinder Singh, Ld. Counsel for accused/applicant.

This is an application for grant of bail to accused/applicant Daulat Singh on the ground that applicant is having clean antecedents and is not involved in any other criminal case. It is further stated that accused has no role in the alleged incident and the recovery from the applicant, if any is planted by the police officials. Further, main accused namely Manpreet Singh has been released on bail by the Ld. Magistrate. It is prayed that accused may be released on bail.

Reply to the bail application has been filed by the IO.

Ld. Additional Public Prosecutor has opposed the bail application stating that the stolen vehicle i.e. the motorcycle is yet to be recovered by the Investigating agency for which custodial interrogation of accused/applicant is required. He also submits that opportunity be given to the IO to make efforts to recover the stolen vehicle.



Keeping in view the fact that custodial interrogation of applicant is required for recovering the stolen vehicle, I do not deem it fit to grant bail to accused, at this stage. Accordingly, the bail application accused/applicant Daulat Singh stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.



(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

Bail Applicant nos.1581, 1741 & 1742

e-FIR No.302/2020

PS Moti Nagar

U/s379/406/411/34 IPC

State Vs 1.Satish

2.Meet Singh @ Meeta

3.Shailender Singh @ Bunty

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor
for State.

Shri Naveen Singla, Ld. Counsel for accused/applicant.
IO SI Naresh Kumar.

As per the reply of the IO, the applicants have joined the investigation. Although IO submits that they are not cooperating in the investigation. It appears that as of now there is only disclosure statements against the applicants.

Let the IO further investigate the case.

The applications of anticipatory bail shall be decided on the next date.

Till then, Interim order to continue subject to applicants joining the investigation and cooperating with the Investigating Officer as and when required.

Be listed on 28.09.2020.



(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

FIR No. 900/2020
PS Nangloi
U/s 394/397/34 IPC & 27 Arms Act
State Vs Ravi

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor
for State.

Shri Dilip Kumar Singh through video- conferencing (CISCO Webex).

This is an application for grant of bail to accused / applicant Ravi.

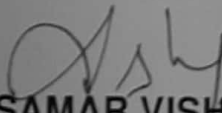
Reply of IO shows that there is one more case of similar nature against the applicant.

The counsel for the applicant states that this is the first case in which the applicant is arrested and he is not aware of any other case against him.

According to the applicant's counsel, the applicant is first offender.

Let the IO to file status report of said case FIR , by the next date.

Bail application be listed on 03.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

Bail Application no.1696
FIR No. 556/2020
PS Tilak Nagar
U/s 354/354A/328 IPC
State Vs Ranjeet Singh

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar , learned Additional Public Prosecutor
for State.

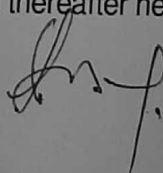
Shri U.K Giri, Ld. Counsel for accused/applicant.

This is an application for grant of bail to accused / applicant Ranjeet Singh on the ground that he has been falsely implicated in the present case and there is no legal evidence against the accused to connect him with the offence alleged. It is stated that applicant is earning his livelihood by plying auto rickshaw and maintaining his family consisting of his wife and two minor children. It is also stated that applicant has no concern with the complainant and he only used to carry her from one place to other in his auto rickshaw as and when called by the complainant. Further, accused is suffering from serious ailment of kidney. It is prayed that since accused is having clean antecedents, he may be granted bail.

Reply to the bail application filed.

Ld. Additional Public Prosecutor has opposed the bail application stating that accused may threaten the complainant if released on bail.

As per record, the present FIR has been registered against the applicant on the complaint of complainant and thereafter he was arrested.

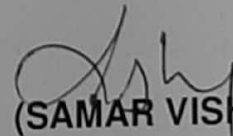


One representation dated 11.08.2020 of the complainant duly addressed to Lt. Governor of Delhi is and forwarded to Commissioner of Police is also annexed with the bail application in which complainant has resiled from her earlier allegations. Further, complainant has not even supported her allegations in her statement u/s 164 Cr.P.C before the Ld. Magistrate.

Keeping in view the afore-discussed facts and circumstances of the case, ***I deem it fit to grant bail to accused/applicant. Hence, the bail application is allowed and accused/applicant Ranjeet Singh is admitted to regular bail subject to furnishing of personal bond of Rs. 20,000/- to the satisfaction of Duty Magistrate (West)/ Jail Superintendent.***

Application stands disposed off accordingly.

Copy of this order be sent to the Jail Superintendent concerned.



(SAMAR VISHAL)

Addl. Sessions Judge-08

West District, THC Delhi

31.08.2020.

Bail Application No. 1677
FIR No. 372/2018
Police Station : Khyala
Under section : 406/424 IPC
State vs Rohit Kumar Rathore

31.08.2020

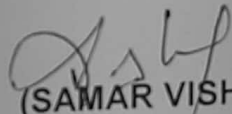
The Court of undersigned is having duty today as per Circular /
Duty Roster dated 16.08.2020.

Present : Sh. Santosh Kumar, learned Additional Public Prosecutor
for State.
Sh. Yudhvair Singh Chaudhan Learned counsel for the
applicant / accused through video-conferencing (CISCO
Webex).

Reply to the bail application received from the investigating
officer.

Arguments heard on the anticipatory bail of the applicant /
accused Rohit Kumar Rathore.

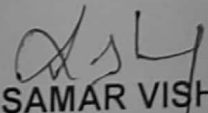
Put up for orders at 4:00 pm


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

At 4:00 pm

No time left as the undersigned is dictating bail order in
other case.

Put up for orders on 01.09.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020

FIR No. 425/2020
PS Tilak Nagar
U/s 307/34 IPC
State Vs Inder Singh

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

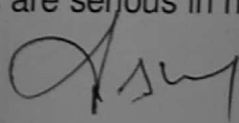
Present : Shri Santosh Kumar Singh, learned Additional Public Prosecutor for State.

Shri Mahender Singh, Ld. Counsel for the applicant.

This is an application for grant of anticipatory bail to accused Inder Singh @ Tinku *inter alia* on the ground that complainant has lodged a false and frivolous complaint against the applicant. Further, daughter of applicant is suffering from stone pain and having high fever while the mother of accused is suffering from old aged ailments and also from heart disease and there is no one to look after them. It is also stated that application has nothing to do with the offence alleged and has been falsely implicated in the present case with ill motive. It is further stated that earlier application of applicant for grant of anticipatory bail was dismissed by the Ld. ASJ vide order dated 25.07.2020. It is stated that applicant is ready to join the investigation as and when required by the IO. It is prayed that since applicant has apprehension of arrest, he may be granted anticipatory bail.

Reply filed.

Ld. Additional Public Prosecutor has vehemently opposed the bail application stating that the allegations are serious in nature and the investigation is



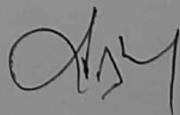
still going on. He has further stated that her anticipatory bail application is recently dismissed and there is no ground to move this application again.

As per reply of IO, application is also previously involved in similar kind of offence. Further, the injury caused to the complainant was opined to be Dangerous in nature. The applicant was clearly visible in CCTV footage which was collected from the scene of crime. It is also stated that applicant is deliberately trying to escape from joining the investigation.

I have gone through the records of the case. .

The Hon'ble Supreme Court in **Kalyan Chandra Sarkar Vs Rajesh Ranjan @ Pappu Yadav & Anr Crl. 1129 of 2004** decided on 18th January 2005 observed that though an accused has a right to make successive application for grant of bail the court entertaining such subsequent bail applications has duty to consider the reasons and grounds on which the earlier bail applications were rejected and in such cases the court also has a duty to record what are the fresh grounds which persuaded it to take a view different from the one taken in the earlier applications.

Regarding anticipatory bail applications, the full bench of Hon'ble Rajasthan High Court in **Ganesh Raj Vs State of Rajasthan & Ors 2005 Cr.LJ 2086** has observed that the second and subsequent bail application u/s 438 Cr.P.C can be filed if there is a change in the fact situation or in law which requires the earlier view be interfered with or where the earlier finding has become obsolete. This is the limited area in which an accused who has been denied bail earlier can move a subsequent application. Second or subsequent anticipatory bail application shall not be entertained on the ground of new circumstances, further developments, different consideration, some more details, new documents or illness of the accused. Under no circumstances, the second



or successive anticipatory bail application shall be entertained by Sessions Judge/ Additional Sessions Judge.

In view of afore-discussed facts and circumstances, since the allegations against the applicant are quite serious and there are also previous involvements of applicant, I do not deem it fit to grant anticipatory bail to applicant, at this stage. Accordingly, the anticipatory bail application of accused/ap-plicant Inder Singh @ Tinku stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.

Bail Application no. 1583
FIR No. 664/2020
PS Rajouri Garden
U/s 498A/377/323/506/406/34 IPC
State Vs Nikhil Bhatia

31.08.2020

The Court of undersigned is having duty today as per Circular / Duty Roster dated 16.08.2020.

Present : Shri Santosh Kumar Singh, learned Additional Public Prosecutor for State.

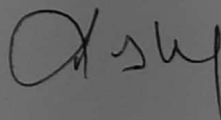
Order on the bail application of accused/applicant
Nikhil Bhatia

This is an application for grant of anticipatory bail to accused / applicant Nikhil Bhatia.

Arguments of Ld. Counsels for parties, submissions of complainant as well as Investigating Officer were heard on 29.08.2020.

Also heard the arguments on behalf of Ld. Additional Public Prosecutor through video- conferencing (CISCO Webex), who has vehemently opposed the bail application stating that the allegations against the applicant are quite serious.

It is stated in the application that the contents of FIR registered on the complaint of complainant are false and frivolous and the purpose of filing of the same is just to falsely implicate the applicant and his family members in a false case. Further, the real facts are concealed by the complainant. It is stated that applicant or his family members have never harassed or tortured the com-



plainant at any point of time and all the allegations are levelled only to extort money. It is stated that the applicant is a law abiding citizen and having clean antecedents. It is also stated that applicant has been cooperating in the investigation and undertakes not to abscond or influence the witnesses, if granted anticipatory bail.

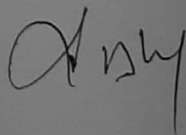
Reply to the bail application filed by the IO.

During the course of arguments, Ld. Counsel for applicant/accused has relied on judgment of Hon'ble High Court titled as *Udit Raj Poonia Vs State (Govt of NCT of Delhi)* Bail application no. 135/2017 dated 16th Feb, 2017 and *Ishwar Singh & Anr Vs State* Bail Application no. 276,277 & 310 of 2017 dated 02.11.2007 as well as judgment passed by the Hon'ble High Court of Punjab & Haryana in case titled *Deepak Sharma Vs State of Punjab & Anr* CRM. M-45295/2016 dated 20.02.2018.

On the other hand, Ld. Counsel for the complainant relied on judgment of the Hon'ble Delhi High Court in case titled as *Kumar Nikhil @ Saroj Kumar Shukla @ Jhunnu Vs State of NCT of Delhi* Bail Application no. 704/2013 dated 31.05.2013 as well as of Hon'ble High court of Punjab & Haryana in *Vikas Nassa Vs State of Haryana in CrI. Misc No. M-4828 of 2015* and *Ranjit Singh Vs State of Punjab in CrI. M No. 15491/20*.

Ld. Counsel for the complainant argued that a huge amount was spent by the parents of complainant in the marriage ceremony and Stridhan which is primarily jewellery articles amounting to Rs. 1.5 crore was given to the complainant at the time of marriage, which are still lying in the possession of applicant. The bills of these articles are also provided to the investigating agency.

To this, accused out rightly denied having in possession of any Stridhan.



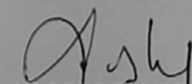
On being enquired, IO submits that there are certain bills of jewellery which have been verified, however none of the bills are in the name of the complainant and are old. IO also submits that custodial interrogation of application is required for making recovery of Stridhan of the complainant which is a huge amount.

The the allegations are serious in nature which requires detailed investigation to unearth the truth. Releasing the applicant on bail at this stage, may derail the investigation and cause prejudice to the victim.

Keeping in view the facts and circumstances of the case, as the custodial interrogation of applicant is required for further investigation of the case and the valuable Stridhan articles of the complainant are yet to be recovered from him, I do not deem it fit to grant anticipatory bail to applicant, at this stage. Accordingly, the application for grant of anticipatory bail to accused Nikhil Bhatia stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.


(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi
31.08.2020.