

INTERIM BAIL APPLICATION

State Vs. Tannu Chalwa
FIR No. :2/2014,
PS: Kamla Market
U/S: 302/34 IPC

Dated:12.06.2020.

Present:Mr. Manoj Garg,Ld. Addl. PP for the State through VC.
Mr.Diwakar Chaudhary, Ld. Counsel from DLSA for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Reply filed by the IO through electronic mode.
3. Arguments heard.
4. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than *two years* (which fact is now even verified by IO in his report).

Further, a copy of certificate of conduct as well as copy of custody warrant is enclosed with such interim bail application. As per report from jail supdt. concerned ,conduct of the accused during custody in jail is *unsatisfactory* and there is punishment during his judicial custody in jail.

5. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such

State Vs. Tannu Chalwa
FIR No. :2/2014,
PS: Kamla Market
U/S: 302/34 IPC

accused. *Further, it is stated that offenses alleged against accused is under Section 302/34 IPC.*

6. In view of report by jail supdt concerned , reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is not covered under directions as passed by Hon'ble High Court, as mentioned above ,**as conduct of the accused during custody in jail is unsatisfactory .**

As such, in the above position, facts and circumstances of present case and the directions by Hon'ble High Court, applicant/accused can not be given benefit of interim bail for a period of 45 days *under directions as passed by Hon'ble High Court, as mentioned above. Accordingly the present application is dismissed .*

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

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/12.06.2020

INTERIM BAIL APPLICATION

State Vs. Tashi Dhundup
FIR No. : 285/2016,
PS: Timarpur
U/S: 302 IPC

Dated:12.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for
Accused through VC.

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

2. Reply filed by the IO through electronic mode.

3. Arguments heard.

4. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than *two years* (which fact is now even verified by IO in his report). **Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.**

5. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offences alleged against accused is Section 302 IPC.**

6. In view of report by jail supdt concerned , reply given by

State Vs. Tashi Dhundup
FIR No. : 285/2016,
PS: Timarpur
U/S: 302 IPC

IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than *two years* at present.

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

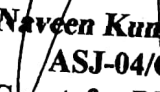
5.1. In the facts and circumstances of present case and the reply filed by the IO/SHO following conditions are also imposed on present accused for such interim bail :

- i) *applicant shall not flee from the justice;*
- ii) *applicant shall not tamper with the evidence;*
- iii) *applicant shall not threaten or contact in any manner to the prosecution witnesses ,*
- iv) *applicant shall not leave country without permission;*
- v) *applicant shall convey any change of address immediately to the IO and the court;*
- vi) *applicant shall also provide his/her mobile number to the IO;*
- vii) *applicant shall mark his /her attendance before concerned IO (and if IO is not available then to concerned SHO) every alternative /second day through mobile by sharing his/her location with the SHO concerned;*
- viii) *applicant shall further make a call, preferably by audio plus video mode to concerned IO, (and if IO is not available then to concerned SHO) once a week, preferably on Monday between 10 a.m. to 5 p.m.*
- ix) *Applicant shall keep her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.*

7. The present application stands disposed off accordingly.

: 3 :

Both side are at liberty to collect the order dasti or through electronic mode. ***Further a copy of this order be sent to the IO/SHO concerned by electronic mode through Prosecution Branch /Concerned nodal officer of Delhi Police.***


(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/12.06.2020

INTERIM BAIL APPLICATION

State Vs. Ashok Kumar@ Puskar S/o Kalyan
FIR No. : 532/2014,
PS: Subzi Mandi
U/S: 302/307/34 IPC

Dated:12.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for
Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
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4. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than *two years* (which fact is now even verified by IO in his report). **Further, a copy of certificate of good conduct** as well as copy of **custody warrant** is enclosed with such interim bail application.
5. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offences alleged against accused are, inter-alia, under Section 302/34 IPC.**
6. In view of report by jail supdt concerned , reply given by

State Vs. Ashok Kumar@ Puskar S/o Kalyan
FIR No. : 532/2014,
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IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than *two years* at present.

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

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

- i) applicant shall not flee from the justice;
- ii) applicant shall not tamper with the evidence;
- iii) applicant shall not threaten or contact in any manner to the prosecution witnesses ,
- iv) applicant shall not leave country without permission;
- v) applicant shall convey any change of address immediately to the IO and the court;
- vi) applicant shall also provide his/her mobile number to the IO;
- vii) applicant shall mark his /her attendance before concerned IO (and if IO is not available then to concerned SHO) every alternative /second day through mobile by sharing his/her location with the SHO concerned;
- viii) applicant shall further make a call, preferably by audio plus video mode to concerned IO, (and if IO is not available then to concerned SHO) once a week, preferably on Monday between 10 a.m. to 5 p.m.
- ix) Applicant shall keep her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.

7. The present application stands disposed off accordingly.

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