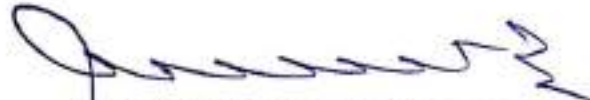


FIR No. 150/19
U/s 307/324/506 IPC
PS Shaheen Bagh
Mohd Sarfaraz Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

At request of Ld counsel for applicant, application to come up for consideration on **27.05.2020**.



(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 916/15
U/s 302 IPC
PS Amar Colony
Mahavir Chauhan @ Rokee Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.
Reply filed by the IO.
Arguments heard on the bail/interim bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that at present he is praying for three months interim bail if the court does not consider his regular bail. He further submits that the mother of the applicant is ill and this fact may be get verified. He further submits that accused was also granted interim bail on two occasions and showing his good conduct, he surrendered in time.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that although as per the verification of the IO, the medical papers of the mother of the applicant were found to be genuine but the mother of applicant has been staying with her five children and as such, there is no need of the applicant to take care of his mother.

Considering the report of the IO that the mother of the applicant is already staying with her other sons, I do not deem it appropriate to grant bail to the applicant for the reason of illness of his mother. The application is accordingly dismissed.



(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:18.05.2020

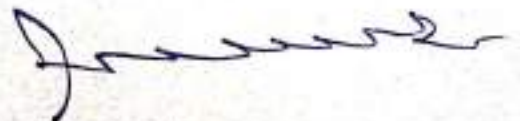
FIR No. 408/19
U/s 307/323/341 IPC
PS Badarpur
Mohit Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.
Reply filed by the IO.
Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the allegation against the applicant is that he just caught hold of the victim and did not stab him. Ld counsel further submits that the applicant is seeking relief on the other ground also i.e. marriage of his cousin sister.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that the victim has made specific allegation against the applicant that the applicant and one more co-accused caught hold of the victim and another co-accused stabbed the victim with *sua*. Ld APP further submits that the fact of marriage of the cousin of the applicant has been verified by the IO and according to verification, matter is schedule for today i.e. 18.05.2020 but it is not necessary for the applicant to attend the marriage of his cousin in the present scenario and restrictions of COVID-19.



Contents of the FIR suggests that the alleged act was committed by all accused persons in connivance of each other. As far as the relief on the ground of marriage is concerned, to the mind of the court, if the marriage was of the real sister of the applicant, the prayer of the applicant would be been considered to some extent. I am satisfied with the submissions of the Ld APP that in the present sections of COVID-19, it is not necessary for the applicant to attend the marriage of his cousin sister.

Considering the whole facts and circumstances, I do not find it a fit case to grant the desired relief to the applicant. The application is accordingly dismissed.



(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 298/19
U/s 143/147/148/149/186/353/332/323/341/308/435/
427/120-B/34 IPC & 3 /4 PDPP Act
PS Jamia Nagar
Mohd Dilshad @ Aman Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.
Reply filed by the IO stating that applicant has already been granted bail earlier.

Ld counsel for applicant prays to withdraw the present application as applicant has already been granted bail earlier.

In view thereof, present application is disposed off as withdrawn.


(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:18.05.2020

FIR No. 79/16
U/s 302/396/120B IPC
PS Badarpur
Aryan Bajpai Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./ Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.
Reply filed by the IO.

The applicant is seeking relief on the ground of medical condition of her mother who is stated to be critical from brain tumor and referred for treatment to Kind George Medical College, Lucknow for neuro surgery.

IO to verify the medical condition of mother of the applicant through any electronic way from the concerned hospital or PS within the jurisdiction of which the mother of applicant resides, as in the present sections of COVID-10, it is not possible for the IO to go at the place of the mother of the applicant physically.

On request, application to come up for consideration on
21.05.2020.



(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:18.05.2020

FIR No. 747/14

U/s 370/376/374 IPC & 26 J J Act & 4 POCSO Act

PS K M Pur

Rajender @ Raj Vs. State

18.05.2020

Present Application is being taken up in terms of Office Order No. JudL/ Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. Further, the applicant is in judicial custody since 2014. He further submits that interim bail of the applicant may be considered if the court does not feel appropriate to grant regular bail to the applicant.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that previous application of the applicants have already been dismissed by the regular court. He further submits that the applicant approached the Hon'ble High Court of Delhi for grant of bail but Hon'ble High Court of Delhi only directed the trial court to proceed the matter expeditiously. Further, the matter is already at the final stage and it would not be appropriate for this court, while dealing only urgent matters, to grant bail to the applicant.

Considering the fact that the matter of the applicant is already pending before the Ld Trial Court and is at the final stage, I do not deem it appropriate to grant either regular or interim bail to the applicant. The application is accordingly dismissed.


(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 759/17
U/s 376 IPC & 6 POCSO Act
PS Jamia Nagar
Shahzad @ Kalaa Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./ Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld Addl PP submits that as per the last order sheet of the Ld Duty ASJ, the matter was supposed to be put before the regular court but as the lockdown extended, the application has come today.

Ld counsel submits that matter may be kept for 26.05.2020 and if the Ld Presiding Officer of the regular court sits as Ld Duty ASJ or if courts open, he would like to make submissions before him.

At request, bail application to come up on 26.05.2020 for consideration.


(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:18.05.2020

FIR No. 198/19

U/s 307/323/354D/452/506/509 IPC & 10/12 POCSO Act

PS Badarpur

Salman Ansari Vs. State

18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Mr Ajeet Tomar, Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel submits that during the course of proceedings before the regular court, charge under section 307 IPC has not been framed against the applicant.

IO is directed to clarify as to under what provisions of IPC or any other Act, charge has been framed against the applicant. Notice be issued to the IO accordingly and copy of this order be also sent.

Ld counsel to provide copy of FIR to the Bail and Filing Section so that contents of the FIR can be read and the application can be considered accordingly.

Application to come up for consideration on **19.05.2020.**


(**SAMEER BAJPAI**)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 242/2020

U/s 188/269 IPC & 14 Foreigners Act

PS GK-1

Elochukwu Ernest Egbuna @ Prince Vs. State

18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

The report has not come as to whether the passport and visa of the applicant is still valid. IO is directed to take confirmation from the concerned authority regarding the validity of passport and visa of the applicant through electronic mode of communication like email etc. and if possible, give a report to the court tomorrow through the Bail and Filing Section or submit the same to the Prosecution.

Put up for consideration of bail application on **19.05.2020.**



(SAMEER BAJPAI)
Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 247/18
U/s 302 IPC
PS Hazrat Nizamuddin
Adiba Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO stating that he visited the house of the applicant and found her parents there on the address and they revealed that they were suffering from diabetes for last ten years however they did not produce any medical documents.

Ld counsel prays to keep the matter on 20.05.2020 so that in the meantime, medical documents can be procured.

At request, application to come up for consideration on
20.05.2020.


(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:18.05.2020

FIR No. 315/19
U/s 395/397/411/34 IPC
PS Amar Colony
Rahul @ Blacky Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Arguments heard on the interim bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the case against the applicant has been made out only on the disclosure statement of other accused person and the recovery as shown from the applicant is totally false. Ld counsel further submits that he is praying only for interim bail for the reason that applicant got a rod inserted in his leg and needs day to day care and regular check-up. He further submits that the offence alleged against the applicant is punishable with imprisonment only up to 7 years and in terms of guidelines dated 13.04.2020, the applicant should be granted interim bail.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that Rs.30,000/- had been recovered from the applicant which shows his involvement in the alleged act. He further submits that the whole act of the applicant and co-accused person has been

captured in CCTV footage. Further, the phone number location of the applicant has been found near the place of occurrence as per the CDR analysis. He further submits that the medical papers of applicant pertains to year 2018. He further submits that applicant refused to join the judicial TIP proceedings.

As far as the medical ground as taken by Ld counsel is concerned, the applicant has medical record pertaining to year 2018 and has no record of the present medical problem. As such, the applicant does not deserve any relief on the medical ground.

The report of the IO reveals that not only, Rs.30,000/- were recovered from the applicant but he refused TIP also.

Considering the whole facts and circumstances, I do not find it a fit case to grant interim relief to the applicant finding no urgency in the matter. The application is accordingly dismissed.



(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020

FIR No. 37/2020
U/s 376/377/328/384/506 IPC
PS Hazrat Nizamuddin
Mohd Wahidussalam @ Yasir Vs. State
18.05.2020

Present Application is being taken up in terms of Office Order No. Judl./ Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app. Further, date fixed i.e. 17.05.2020 was Sunday.

Present: Ld. Counsel for applicant/accused
Mr A. T. Ansari, Ld. Addl. PP for the State.
Reply filed by the IO.
Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the prosecutrix and the applicant are in relation and the act between them, if any was consensual. Further, the whatsapp messages between the applicant and the prosecutrix clearly show that in fact prosecutrix used to call and send messages to the applicant. Ld counsel further submits that the applicant may be granted at least interim bail for the reason that his mother has been ill.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that without hearing the prosecutrix, the application should not be decided.

This court is convinced with the submissions of Ld APP that the present application should not be decided unless an opportunity is given to the prosecutrix to appear and make her submissions.



The ground of illness of mother of applicant does not seem plausible.

Considering the whole facts and circumstances, I do not wish to allow the application without giving an opportunity to prosecutrix to appear and give her submissions. The application is dismissed accordingly.

The applicant shall be at liberty to move fresh application when the matter can be heard by the regular court and the prosecutrix can be called and heard.



(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:18.05.2020