

Through Video Conference via CISCO Webex

State vs Sharrif

FIR no. 48/18

PS : Neb Sarai

U/s : 302/201/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Furkan Ahmed, Ld. Counsel for accused-applicant.

The present application was moved on behalf of accused for grant of regular bail. However, ld. Counsel for accused submitted that accused pray for interim bail only for 45 days in view of High Powered Committee directions dated 18.05.2020 of Hon'ble High Court . The report of conduct of accused was called from suppt. Jail on 25-05-2020. Admittedly, the report was called from Superintendent Jail, but the same has not been received, so far.

Let the good conduct report as well as copy of custody warrants of accused be called from the Superintendent Jail, concerned, for 01.06.2020.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

for 01.06.2020.

Through Video Conference via CISCO Webex

State vs Vishal @ Lali

FIR no. 360/17

PS : Amb. Nagar

U/s : 302 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.Pawan Gupta, Ld. Counsel for accused-applicant.

The present application has been moved in view of High Powered Committee Meeting dated 18.05.2020 of Hon'ble High Court, wherein, it has been, inter alia, held that under trial prisoners (UTPs) facing trial, inter alia, u/s 302 IPC who are in jail for more than two years with no involvement in any other case may be released on interim bail for 45 days, subject to providing the certificate of good conduct during his custody period, issued by the Superintendent Jail concerned.

The copy of custody warrants alongwith letter date 29-05-2020 of Superintendent Jail concerned has been received, wherein, it has been mentioned that the conduct of accused/UTP is unsatisfactory and as per custody warrant the punishments have been awarded to the accused on different occasions. Considering the report, the accused/UTP does not qualify the conditions laid down by High Powered Committee of


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Hon'ble High Court. Hence, the present interim bail application stand dismissed.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Badshah @ Shaukeen

FIR no. 359/18

PS : Neb Sarai

U/s : 302/307/120B/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.Mohd.Tahir, Ld. Counsel for accused-applicant.

The Superintendent Jail has sought two days more time to file the report called by my Ld. Predecessor Court in view of order dated 26.05.2020. Allowed.

Let the report in view of order dated 26.05.2020 be filed by the Superintendent Jail concerned, on 02.06.2020.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

the Superintendent Jail
Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Avneesh Arora @ Pishu

FIR no. 138/17

PS : Amb. Nagar

U/s : 302/307/427/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Jitender Tyagi, Ld. Counsel for accused-applicant.

Report qua conduct of accused not received from the Superintendent Jail, so far.

Let Superintendent Jail concerned to file the report qua conduct of accused as well as copy of his custody warrants, on NDOH.

Put up this application for arguments, on 03.06.2020.

(Bhupesh Kumar)

24/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Sandeep

FIR no. 67/20

PS : Tigri

U/s : 328/376/506/34 IPC & Sec 6/17 POCSO Act

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. S.D.Singh, Ld. Counsel for accused-applicant.

IO/SI Shalu also present

IO seeks some more time to produce the complainant/her authorized representative through VC, on NDOH.

Heard. Allowed.

Put up this application for arguments, on 30.05.2020.

(Bhupesh Kumar 29/5/20)

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Johnson

FIR no. 574/16

PS : Amb. Nagar

U/s : 302/147/149/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Jitender Tyagi, Ld. Counsel for accused-applicant.

The report of Superintendent Jail has been received.

However, in report, the name of accused has been mentioned as Jaswant s/o REwad Ram but the name of accused for which present application has been moved is Johnson s/o Juneas.

Let fresh report of Superintendent Jail be called if Jaswant is the same person qua which report has been filed and report in this respect be also called from the IO, for NDOH.

Put up the application for arguments, on 03.06.2020.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Nadeem @ Abid @
Faisal

FIR no. 69/19

PS : Tigri

U/s : 307/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Atul Gupta, Ld. Counsel for accused-applicant.

In view of last order of Ld. Predecessor Court, the report qua status of trial and examination report of witnesses etc. not received.

At this stage, Ld. Counsel for accused submits that accused is facing trial u/s 307 IPC and he is in JC since 14.03.2019. It is further submitted that in view of directions dated 18.05.2020 of High Powered Committee of Hon'ble High Court, the accused can be granted interim bail for 45 days and there is no need to see how many witnesses have been examined etc.

Heard. In view of directions of High Powered Committee of Hon'ble High Court, UTPs/accused who are facing trial u/s 307 IPC and is in JC for more than six months, and is not involved in

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any other case, may be released on interim bail for 45 days due to spread of COVID-19. I find substance in the contentions of Ld. Cl for accused that there is no need to see how many witnesses have been examined etc.

As per report of Superintendent Jail, accused is in JC since 14.03.2019 and his conduct has been mentioned as good and satisfactory. It has been further mentioned in said report that no other criminal case is pending against accused. Under these circumstances, it is found that case of the present accused Nadeem @ Abid @ Faisal qualifies the conditions laid down by the Hon'ble High Court in High Powered Committee dated 18.05.2020. Considering the entire facts and circumstances, accused Nadeem @ Abid @ Faisal is granted interim bail for 45 days from the date of his release, subject to his furnishing personal bond in sum of Rs.25,000/- with one surety of like amount with direction to surrender before the Superintendent Jail concerned before expiry of 45 days of his release. Accused is further directed not to threaten or contact any public witness in any manner till he is on interim bail. The application stands dispose off accordingly.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Samraj @ Faadu

FIR no. 796/14

PS : Amb. Nagar

U/s : 302/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Arun Sharma, Ld. Counsel for accused-applicant.

Report of Jail Superintendent received, wherein, it has been mentioned that conduct of accused for the last one year is satisfactory.

Let fresh report qua the conduct of accused since he is lodged in jail and the report that if any, punishment has been awarded to him in the jail for violations of any jail rules and if so how many and when, be called from the Superintendent Jail concerned for NDOH.

Put up the application for arguments, on 01.06.2020.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Gaurav

FIR no. 891/14

PS : Amb. Nagar

U/s : 302/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.Pankaj Srivastava, Ld. Counsel for accused-applicant.

The present application has been moved in view of High Powered Committee Meeting dated 18.05.2020 of Hon'ble High Court, wherein, it has been, inter alia, held that under trial prisoners (UTPs) facing trial, inter alia, u/s 302 IPC who are in jail for more than two years with no involvement in any other case may be released on interim bail for 45 days, subject to providing the certificate of good conduct during his custody period, issued by the Superintendent Jail concerned.

Heard and record perused .The copy of custody warrants alongwith letter dated 27.05.2020 of Superintendent Jail no.3 has been received. In the letter , it has been mentioned that the conduct of accused/UTP is unsatisfactory. Further as per custody warrant the punishments were awarded to the accuse on various occasions. Considering the report, the accused/UTP does not qualify the conditions

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laid down by High Powered Committee of Hon'ble High Court on 18-05-2020P. Hence, the present interim bail application stand dismissed.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Somvir Singhal @
Sonu & ors.

FIR no. 141/19

PS : Neb Sarai

U/s : 302/201/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Abhishek Kukkar, Ld. Counsel for accused-applicant.

Ld. Counsel for accused submits that he does not press for regular bail for accused, but his prayer for interim bail for 45 days may be considered. Ld. Counsel for accused submits that mother of accused was having tumor in uterus which has been removed and she has been discharged from the hospital, however she is still having pain. It is further submitted that even the Aunty (Tai) of accused who also lives with the family of accused has only one kidney as she has donated one kidney to her son in the month of December, 2019 and even she does not keep good health. On the basis of these submissions prayer has been made to grant interim bail to the accused.


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On the other hand, Ld. APP for State submits that medical documents i.e. discharge slip of mother of accused is dated 02.01.2017 and Aunty of accused donated her kidney in the month of December, 2019. It is further submitted that no fresh/latest documents of mother or his Aunty have been filed to show that they need immediate care of accused and as such accused is not entitled for interim bail, as prayed.

Heard. Material perused.

The prayer in the application for grant of regular bail stands dismissed as withdrawn.

In respect to prayer qua interim bail to accused, I find substance in the contention of Ld. APP for State that in absence of fresh/latest medical documents of mother of accused or his Aunty, he is not entitled for interim bail. Hence, the prayer qua grant of interim bail to accused also, stands dismissed.

Application stands disposed of accordingly.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webe

State vs Subhash Chand

FIR no.286/20

PS : Neb Sarai

U/s : 354/323/509/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Vikas Yadav, Ld. Counsel for accused-applicant.

Reply to the present anticipatory bail application filed by the IO.

Ld. Counsel for accused submits that regular bail application of co-accused is pending for consideration before the Ld.MM and he intends to argue the present application after disposal of the said application before the Ld.MM.

As prayed, put up this application for arguments, on 01.06.2020.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Kapil

FIR no. 241/19

PS : Tigri

U/s : 302/120B/201/34 IPC


29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Jitender Jha, Ld. Counsel for accused-applicant.

Arguments on present bail application heard.

Ld. Counsel for accused submits that accused is innocent and falsely implicated in this case. Accused is young person 23 years of age. It has been vehemently contended that as per case of prosecution, the complainant Wasim is the eye-witness in this case but no reliance can be made on this witness. It has been contended that FIR registered on the basis of statement of Wasim, inter alia, that the present accused Kapil was carrying pistol in his hand and has fired on the deceased, whereas in his statement recorded u/s 161 Cr.P.C., he has stated that present accused was carrying knife. It has been further submitted that in his initial statement, Wasim has not stated the role played by another eye witness Vijay@


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Chucha who was along with him and the victim when they were returning their homes after smoking. But in his subsequent statement he has stated that Vijay@ Chucha accompanied him to hospital when they took deceased to hospital. It has been further argued that place of incident is public place but no independent witness was joined by the IO to investigation. It has been further argued that as per site plan, there is substantial difference of distance between the place where deceased was shot and the place from where deceased was taken to hospital. It has been further submitted that as per complainant Wasim, at the time of incident when the deceased was fired upon, he ran away from the spot and came back to the place of incident from other side of park and then he found that deceased was bleeding from his stomach. On the basis of these submissions, it has been stated that no reliance can be made on the statement of complainant and accused may be released on bail.

On the other hand, Ld. APP for State has submitted that allegations against accused are serious in nature. The FIR against present accused is by name. In respect to reliability of testimony of complainant/eye-witness, it has been stated that the contradictions, if any, cannot be looked into at this stage as it is matter of trial. On the basis of these submissions, prayer has been made to dismiss the bail application.

Heard. Material perused.

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As per submissions of Ld. APP for State, the chargesheet has been filed in this matter, but charges have not yet been framed. Further as per FIR, on 28.08.2019 at about 10.45 PM, the complainant / eye-witness Wasim alongwith deceased Rohit and one more boy namely Vijay @ Chucha were returning to their home from JJ Park after smoking and when they reached near Mochi Wala Mandir, they found from the side of Chhoti Masjid, B Block, Tigri, the present accused alongwith Aakash, Aman and other assailants were coming. There was enmity between deceased and co-accused Aakash. Then Aakash raised alarm and asked his other remaining co-accused persons to kill deceased. Accused Aakash and Kapli were carrying country made pistol and accused Aman and remaining accused persons were carrying knife in their hands. Then accused Aakash and Kapil fired upon deceased Rohit and accused Aman gave knife blow to him. He ran from the spot and came back to spot from other side and found that Rohit was lying at spot and bleeding profusely. Then Rohit was taken to hospital where was declared clinically brought dead.

As pointed out by Id. Counsel for accused, there appears to be some contradictions between the statement of complainant/victim recorded on 28.08.2019 on the basis of which FIR was lodged and his statement recorded u/s 161 Cr.P.C. qua the role of another witness Vijay @ Chucha and the weapon used by present accused person in commission of crime. Under what

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some contradictions between the statement of

present accused person in commission of crime.

circumstances, the said contradictions appear is matter of trial. But at this stage it cannot be ignored that FIR against the present accused is by name and the allegations against present accused are serious in nature. The complainant/eye-witnesses have not yet examined in this matter and there is likelihood that in case the present accused is released on bail at this stage, he may tamper with public witnesses. Considering the entire facts and circumstances and gravity of offence, no good ground is found to allow the application. Hence the present bail application stands dismissed.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Abhishek Handa

FIR no. 91/20

PS : Amb. Nagar

U/s : 373/321/506 IPC & 4/12 POCSO Act

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Prayas Aneja, Ld. Counsel for accused-applicant.

Ld. APP for State submits that report has been filed by the IO WSI Mukesh, but the notice of present application not issued to victim.

Let notice of the present bail application be issued to complainant /victim through IO, for 02.06.2020.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Vinay @ Rohit

FIR no. 415/18

PS : Sangam Vihar

U/s : 363/376 IPC & 4 POCSO Act

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.M.S.Karwasara, Ld. Counsel for accused-applicant.

Ld.APP for State submits that reply to the present application has been filed by the IO, but notice of present application not issued to the victim/her authorised representative.

Let notice of the present application be issued to the victim/her authorized representative through IO, for NDOH.

Put up the application for arguments, on 03.06.2020.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Vikash

FIR no. 680/14

PS : Sangam Vihar

U/s : 302/377 IPC & Sec 6 POCSO

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.Mithun Sharma, Ld. Counsel for accused-applicant.

Report of IO not received. Let report of IO be called for NDOH and notice of the present application be also issued to the victim/authorized representative of victim through IO, for NDOH.

Put up the application for arguments, on 03.06.2020.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Subhash Pareva

FIR no.--

PS : Tigri

U/s : --

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Vinay Kumar, Ld. Counsel for accused-applicant.

Ld. APP for State submits that as per report of IO, no FIR has been lodged against the present accused so far, however, the complaint has been received from the CAW Cell. At this stage, Ld. Counsel for accused submits that since no FIR has been lodged, he may be allowed to withdraw the present application, however, some protection may be granted to the accused-applicant.

Heard. Considering the facts and circumstances the present application stands dismissed as withdrawn, however, the IO is directed to give three days prior notice to the accused-applicant Subhash Pareva in the event of his arrest. Application stands disposed of accordingly.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Mohit Giri

FIR no. 332/19

PS : Tigri

U/s : 363/343/376/506 IPC & Sec 6 POCSO

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Ajay, Ld. Counsel for accused-applicant.

IO seeks some more time to produce the complainant/her authorized representative through VC, on NDOH.

Heard. Allowed.

Put up this application for arguments, on 01.06.2020.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Heard. Allowed.

Through Video Conference via CISCO Webex

State vs Suraj @ Karan

FIR no. 151/20

PS : Amb. Nagar

U/s : IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr. Arun Sharma, Ld. Counsel for accused-applicant.

Arguments heard on the present bail application.

Ld. Counsel for accused submits that accused is innocent and falsely implicated in this case. He is in JC since 03.03.2020. It is further submitted that intermediate recovery of 3.8 KG Gaanja was recovered from the accused. It is further submitted that the Chargesheet in this matter has already been filed on 27.04.2020. On the basis of these submissions, prayer has been made to allow the application.

On the other hand, Ld APP for State has submitted that this is third bail application of accused. The first bail application was filed on 14.04.2020 before filing of the chargesheet. However, on

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02.05.2020 after filing of the chargesheet ,another bail application of accused was dismissed by the Court. At this stage, ld. Counsel for accused submits that the application which was declined on 02.05.2020 was for interim bail of the accused.

Ld. APP for State has further submitted that when the raid was conducted, the present accused alongwith another woman have attacked the police raiding party qua which another FIR no. 153/20 u/s 33 of Delhi Excise Act and U/s 186/153/332/34 IPC also registered. It is further submitted that accused is involved in two other matters also u/s 25/54/59 Arms Act and u/s 379 IPC. It is further submitted that accused is a desperate criminal and not entitled for bail.

Arguments heard. Material perused.

As per case of prosecution, on 03.03.2020 a raid was conducted by police at house no.265, Madangir and found one lady sitting outside the house and had concealed one carton of liquor bottles under wooden bed. When the police party went inside the house, they found more illicit liquor over there. The present accused was also apprehended inside the house and 3.8 KG Gaanja was recovered from his possession. Considering the entire facts and circumstances, even though the recovery of Gaanja is intermediate, it is found that accused is not entitled for concession of bail at this stage. Hence the present bail application stands

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dismissed.

(Bhupesh Kumar)

29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Kamal Kumar

FIR no. 526/18

PS : Neb Sarai

U/s : 328/376/366A/506 IPC & 6 POCSO

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.
Mr. Vaibhav Kumar, Ld. Counsel for accused-applicant.

Complainant/victim alongwith Mr. Mukesh Chaudhary, LAC
IO/SI Laxman

Reply to the present bail application has already been filed
by the victim through LAC.

Ld. Counsel for accused submits that accused is innocent
and falsely implicated in this case. He is in JC since 18.04.2019.
The mother of accused is suffering from Jaundice and in hospital.
The relationship between accused and victim was consensual. The
complainant has even married accused in Arya Samaj Mandir. On
the basis of these submissions prayer has been made to allow the
application.

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On the other hand, LAC for victim has submitted that accused was already married and has a child. Accused had sexual intercourse with victim when she was in 9th standard and 16 years of age. The victim even sustained infection due to physical relations with accused and she is still suffering from the same.

Ld. APP for State has submitted that after registration of FIR, the accused fled away and was arrested from Goa after some time. On the basis of these submissions, prayer has been made to dismiss the application.

On the other hand, LAC for accused has submitted that
Heard. Material perused.

On query, Ld. Counsel for accused submits that first bail application of accused was dismissed on 14.01.2020, but the copy of earlier bail application has not been filed. However, on query, Ld. Counsel for accused has admitted that the plea of innocence and consensual sex etc. was available to accused when his first bail application was declined. It is well settled law of land that fresh bail application of accused can be considered only on the fresh ground only. The fresh ground as per contention of Ld. Counsel for accused is illness of mother of accused and his length of custody. But no medical document qua illness of mother of accused has been filed. The length of custody cannot be the sole ground to allow the application.

Considering the entire facts and circumstances, it is found

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that allegations against accused are serious in nature and no good ground is found to allow the present application. Hence ,the present bail application stands dismissed.

(Bhupesh Kumar) 29/5/20

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Deepak @ Cheenu

FIR no. 364/18

PS : Neb Sarai

U/s : 302/34 IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Mr.Pawan Kumar, Ld. Counsel for accused-applicant.

IO/Insp. Shishupal also present.

IO submits that he is coordinating with complainant for her appearance before the Court through VC and seeks some more time for the same. Heard. Allowed.

Put up this application for arguments on 30.05.2020, as prayed.

(Bhupesh Kumar)

29/5/20
Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020

Through Video Conference via CISCO Webex

State vs Ankush @ Aniket

FIR no. 197/18

PS : Amb. Nagar

U/s : 302/34/120B IPC

29.05.2020

Present :- Mr. F.M. Ansari, Ld. Addl. PP for State.

Ms. Vaishali Singh, Ld. Counsel for accused-applicant.

On the last date of hearing, my Ld. Predecessor had called the good conduct report of accused from the Superintendent Jail, but the same has not been received.

Let the good conduct report as well as copy of custody warrants of accused be called from the Superintendent Jail concerned for NDOH.

Put up the application for arguments, on 02.06.2020.

(Bhupesh Kumar)

Addl. Sessions Judge (South)

Saket Courts, New Delhi/29.05.2020