


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

FIR No. 326/19
PS: Hari Nagar
U/s 307/34 IPC, 25/54/59 Arms Act
State Vs. Amrit Singh @ Shanky

22.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mahesh Kumar Patel, Ld. Counsel for applicant.

Counsel for applicant submits that this application falls under the criteria laid down by Hon'ble High Court as per notification dated 16.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at 1.00 pm.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No. 854/16
PS: Nihal Vihar
U/s 302/120B/506/34 IPC
State Vs. Shamshad @ Salman & Ors.

22.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mahinder Singh, Ld. Counsel for applicant.

Counsel for applicant submits that this application falls under the criteria laid down by Hon'ble High Court of Delhi as per notification dated 16.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at **1.00 pm**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

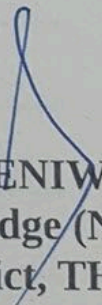
**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 381/19
PS: Nihal Vihar
U/s 307/120B IPC
25/54/59 Arms Act
State Vs. Manjeet Saini**

22.05.2020

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

Counsel for applicant submits that this application falls under the criteria laid down by Hon'ble High Court of Delhi as per notification dated 16.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at **1.00 pm**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020**

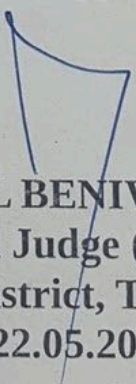
**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**Application No. 1103
FIR No. 74/20
PS: Ranhola
U/s 324/195A/506 IPC
State Vs. Harvinder Singh**

22.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Kumar, Ld. Counsel for applicant.

Counsel for applicant submits that this application falls under the criteria laid down by Hon'ble High Court as per notification dated 16.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at 1.00 pm.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020**

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

**Application No.09
FIR No.555/2018
PS : Nihal Vihar
u/s 376 & Sec. 6 POCSO Act
State v. Deepak**

22.05.2020

**Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Sh. Alamine, Ld. Counsel for the accused/applicant Deepak.**

**Issue notice to the IO/SHO concerned through Nodal Officer to
appear before the court with case file for 23.05.2020.**

**(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020**

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

Application No.10

FIR No.378/16

PS : Anand Parbat

u/s 363/366/366A/370/376/34 IPC & Sec. 17 of POCSO Act

State v. Meenu

22.05.2020

**Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Sh. N.C. Chauhan, Ld. Counsel for the accused/applicant Meenu.**

**Issue notice to the IO/SHO concerned through Nodal Officer to
appear before the court with case file for 23.05.2020.**

**(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020**

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

FIR No. 797/17
PS: Ranhola
U/s 498A/304B/306/34 IPC
State Vs. Manoj Kumar

22.05.2020

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

Mr. Akash Arora, Ld. Counsel for applicant through Video Conferencing.

Reply to bail application filed.

Counsel for applicant submits through video conferencing that this application falls under the criteria laid down by Hon'ble High Court as per notification dated 18.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at 2.30 pm.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No. 162/19
PS: Mundka
U/s 304B/498A/34 IPC
State Vs. Pradeep Drall

22.05.2020

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

Mr. Pradeep Rana, Ld. Counsel for applicant through Video Conferencing.

Reply to bail application filed.

Counsel for applicant submits through video conferencing that this application falls under the criteria laid down by Hon'ble High Court as per notification dated 18.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at 2.00 pm.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No. 267/19
PS: Hari Nagar
U/s 302/307/506/201/34/120B IPC
25/54/59 Arms Act
State Vs. Keemat Singh

22.05.2020

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

By this order, I shall decide the application of applicant/accused Vikas Sharma @ Vicky for grant of interim bail. Ld. Counsel has submitted that accused was arrested on 12.06.2019 and since then he is in judicial custody. Applicant has been falsely implicated in this case and has not committed any offence. Police custody remand was taken but nothing was recovered from police custody remand of the applicant/accused. Police had also seized the footage but nothing came on record that offence was committed by accused/applicant. Health of father of accused is critical because he fell down from the stairs and sustained injury. After X-ray, doctor told him about the dislocation of hip joint. He was further told to admit in hospital on 24.05.2020 and surgery will be conducted on 25.05.2020. Other sons of applicant are living separately in Punjab and have nothing to do with the father of the applicant. Father of the applicant is old person. The case is at the stage of framing of charge. Other two co-accused are already on regular bail. It is therefore, prayed that the accused be granted interim bail for two months.

IO has filed reply to this bail application. Ld. Additional Public Prosecutor has opposed the bail application stating that during the commission of offence, present applicant was in regular touch with other co-accused persons as per the call detail records. The main accused Kimat disclosed that he alongwith other co-accused including present applicant hatched conspiracy to kill Mani Nasa and on 10.06.2019 he alongwith his associates Prince and Harpreet came to Ashok Nagar. Co-accused Prince was having pistol with which he fired Mani Nasa who died because of injuries. Accused had refused his TIP

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PS: Hari Nagar

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proceedings but he was correctly identified by the complainant during the course of investigation. The medical documents in respect of Gurmukh Singh issued by NC hospital have been found genuine but the same have been issued from a private nursing home. However, other family members were available for taking care of father of accused. Co-accused Harpreet is still at large and evading arrest. PO proceedings have been initiated against him. Applicant has been seen in CCTV footage of the alleged incident and the cap and clothes worn by the applicant/accused have been recovered from him.

I have heard arguments from both the sides. At this stage, case and evidence against the present accused/applicant appears to be overwhelming. As per the record, he was in constant touch with other co-accused during the commission of offence as per call detail records. Even the complainant has identified the accused in the video footage. Co-accused is still absconding and evading process of the court. There is every possibility that the present applicant may try to threaten the prosecution witnesses and tamper with the case of the prosecution. There is also a strong possibility that applicant may run away from the process of the court and jump bail in order to evade the trial. Moreover, as per the reply, other family members are available for taking care of father of the applicant. Therefore, in view of the above-mentioned observations and discussions, the application for interim bail of accused/applicant Vikas Sharma is rejected.

Copy of this order be given dasti to counsel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

**Application No.14
FIR No.0390/18
PS : Hari Nagar
u/s 302/201/34 IPC
& 25/54/59 Arms Act
State v. Bhola @ Bholu @ Virus**

22.05.2020

Matter was heard in the open court via Video Conferencing.

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ld. Counsel for applicant/accused Bhola @ Bholu @ Virus.

Arguments have been heard through Video Conferencing by Ld. Counsel for the applicant/accused.

Vide this order, I shall dispose off the bail application of accused Bhola @ Bholu @ Virus. Facts as stated in the application as well as arguments advanced by the Ld. Counsel for the applicant are as follows.

That the accused is facing trial for offence u/s 302/201/34 IPC & 25/54/59 Arms Act. That the accused is in JC since 21.12.2018. It is submitted that the applicant is an innocent and has not committed any offence. It is submitted that the present application has been moved not on merits but on

Contd.....2/-

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the urgent grounds that wife of the applicant is not well and her condition is serious. It is submitted that the wife is having continuous bleeding from her private parts as there is infection. It is submitted that the doctors have advised her for the operation and as per the doctors, presence of the husband is necessary. Husband is the applicant in the present case. It is submitted that there is no one else to look after the family. It is submitted that the applicant is the only person in the family to make arrangement for the operation and other necessary items. It is submitted that the investigation in the present case is over and accused is no more required. Family of the applicant is at the verge of starvation. There is danger of Corona Virus in the jail. Therefore, applicant may be released on interim bail. Applicant is ready to comply any terms & conditions.

Ld. APP for the State has strongly opposed the application on the following grounds. That the bail application of applicant have already been dismissed earlier and the interim bail application was withdrawn / dismissed by the Hon'ble Delhi High Court. It is submitted that the applicant on the intervening night of 02/03.09.2018 along with six associates as named in the reply inflicted knife injuries to one Vishal Rawat in the area of Vikas Nagar because of which he succumbed from the injuries and thereafter, they dumped his body behind Deen Dayal Upadhaya Hospital. The complainant i.e. mother of deceased has stated in her statement that present applicant had taken the

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deceased Vishal Rawat from his house on 02.09.2018, who was later on found murdered.

During course of investigation, CDR analysis and local enquiry, it was found that the deceased was taken from his home by the present applicant and co-accused Pradeep Sharma. That the present applicant was the one who had inflicted the fatal stab injuries upon the deceased. Applicant was absconding evading his arrest and later on, he was arrested on 21.12.2018. The weapon of offence i.e. knife was recovered at his instance. It is submitted that applicant Bhola is a very desperate criminal and he has no permanent residence in Delhi and is involved in 46 other criminal cases. He has threatened the family of the deceased with dire consequences. The wife of the accused is living at her parental home since long and during pregnancy, she was being cared at her parental home and she is the well looked after by her parental family. In these circumstances, it is quite possible that applicant may abscond and pressurize the family of the deceased. Moreover, co-accused Rizwan is still absconding evading his arrest. Moreover, the applicant has not filed any medical documents along with bail application.

I have heard the arguments on both the sides. I have also gone through the record. In view of reply that the accused is a very desperate criminal & 46 other criminal cases are pending against him and he has also threatened the family of the deceased with dire consequences, as also he

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PS : Hari Nagar
State v. Bholu @ Bholu @ Virus

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has no permanent residence in Delhi and also, in view of the fact that the applicant has not filed any medical document of his wife with the investigation office for verification of the fact that the wife of accused is suffering from ailments and residing with his parents, the present application is rejected as there is possibility that the accused may run away from the process of the court and evade trial. There is another possibility that the accused may try to threaten the family of the complainant and he may try to tamper the case of the prosecution. Therefore, the present bail application of the accused is rejected. Copy of this order be given dasti, upon request.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020

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

FIR No. 128/20
PS: Hari Nagar
U/s 304B/498A/406/34 IPC
State Vs. Ritu Choudhary

22.05.2020

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

By this order, I shall decide the anticipatory bail application moved on behalf of applicant Ritu Choudhary. Facts stated in the application are as follows:-

That the applicant is married and was sister-in-law of the deceased Smt. Rachna. That applicant was married on 30.11.2017 and was living separately from her parents since the time of her marriage. Applicant had not visited her parent's house occasionally. In the month of February 2020, father of the applicant was not feeling well because of fever and knee pain and was on medical leave. Applicant has been teaching disabled persons and had gone to her parent's house on 16.03.2020 to inquire about her unwell father and ill mother. (Copies of medical documents enclosed). Applicant had gone to her parent's house for 2-3 days and the deceased Rachna had returned from her father's house after Holi on 16.03.2020. That applicant was on good terms with the deceased. In the intervening night of 19/20.03.2020, applicant awoke with noises and saw deceased in un-responsive condition and they took her to DDU hospital emergency. Deceased Rachna was declared brought dead. It is unknown as to what happened to the deceased but whatever happened took place between the deceased Rachna and Yatish, her husband only. Father of deceased made false allegations against the applicant for

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U/s 304B/498A/406/34 IPC

State Vs. Ritu Choudhary

demand of dowry and cruelty. The allegations of cruelty and demand of dowry against the applicant are false. Applicant is a married lady and does not reside permanently in the house of the deceased. Husband of the deceased is already in custody. There is no previous complaint of any kind by anyone. No complaint was ever made to the police by the deceased during her life time. There are no allegations of pre marriage demand of dowry. There are no allegations of body physical assault upon the deceased. All these circumstances negate the presumption of Section 113B of Indian Evidence Act against the applicant. Judgment of the Apex Court titled as Narender Singh Arora vs State cited as 2010 (173) DLT 244 has been cited. Applicant is having clean antecedents. Applicant is post graduate and is studying a diploma course in special education. She is having good social status and there is no apprehension of her absconding if she is ordered to be released on bail. Nothing has to be recovered from the custody of the applicant. Applicant undertakes to join the investigation as and when required.

Ld. APP has opposed the bail application stating that on 20.03.2020 an information about MLC in respect of deceased Rachna was received at the police station where the deceased was declared brought dead. IO reached the hospital where on the MLC it was mentioned that patient was found unconscious and unresponsive state and bodily injury was observed as abrasion over neck extending from midline of neck anteriorly to posterior angle. Death of deceased had taken place under abnormal circumstances within two months of her marriage.

Sh. Chander Pal, father of deceased in his statement to SDM alleged that during Roka ceremony conducted on 17.01.2020, cash amount of Rs.10 lacs and 15 tola gold was given to the husband of the deceased and his family members.

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U/s 304B/498A/406/34 IPC
State Vs. Ritu Choudhary

Complainant alleged that on 20.01.2020 when her daughter returned to parental house for performing rituals, she told that her husband and in laws are not satisfied with the dowry given to them. When she returned to her in-law's house, it has been alleged that she was subjected to mental harassment and her husband, mother-in-law, father-in-law and sister-in-law used to taunt her for less dowry and she was not allowed to take food in peace. On 29.02.2020 Rachna (deceased) was left alone at Laxmi Nagar by her husband and was later on taken back to her parental house. It is alleged that Rachna was mentally tortured by her husband and in-laws but her family members used to encourage her by saying that everything will be fine with passage of time and they preferred not to lodge any complaint as the marriage was solemnized recently. Thereafter, Rachna returned to her matrimonial house on 16.03.2020 and on 17.03.2020 she made call to her parents that her Nanad (sister-in-law/applicant) namely Ritu Choudhary is also residing in the same flat and was taunting her for not fulfilling the demand of dowry. Thereafter, Rachna again made video call to her parents and told them that her husband, father-in-law, mother-in-law and sister-in-law are making quarrels for not fulfilling their demand of dowry and are threatening of dire consequences. In the fateful morning, they got the news that the deceased was dead. Case was registered and investigation was taken up.

Applicant is married and residing with her husband at Padpadganj but on 16.03.2020 i.e. three days before the incident, she had come to her parental house i.e. staff police quarters, Hari Nagar, Delhi. During the course of investigation, accused Yatish, husband of deceased disclosed that he and his family including the applicant were not satisfied with dowry and used to taunt and torture

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the deceased to fulfill the demand of Rs.20 lacs and one car. During investigation, postmortem report of deceased was obtained as per which cause of death is due to asphyxia caused by manual strangulation and manner of death is homicidal. During investigation, mobile phone from which calls were made by deceased has been seized and sent to FSL for expert opinion. However, screen shots of whatsapp call made by Rachna have been placed on file. Moreover, a transcript of call between Sunita, mother-in-law of deceased and Anjali (real sister of deceased) has been placed wherein there are conversations about demand of money for the marriage.

The bail application has been opposed on following grounds:-

1. On the alleged day of incident hot arguments had taken place between deceased Rachna and her husband, mother-in-law, father-in-law and sister-in-law (Nanad) for not fulfilling their demand of cash of Rs.20 lacs and one car.
2. The deceased Rachna was strangled to death by her husband Yatish and prior to this hot arguments had taken place with deceased Rachna, her husband, mother-in-law, father-in-law and Nanad/sister-in-law Ritu.
3. As per MLC of deceased Rachna the bodily injury has been found mentioned i.e. Abrasion over neck extending from midline of neck.
4. As per PM report, the cause of death is due to asphyxia caused by manual strangulation (throttling) and manner of death is homicidal.
5. The death of Rachna has taken place within two months only of her marriage.
6. The deceased was subjected to harassment by her husband, mother-in-law, father-in-law and Nanad/sister-in-law since her marriage.

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State Vs. Ritu Choudhary

7. Statements of relatives of deceased have been recorded by SDM/West wherein specific allegations have been made regarding cruelty and harassment for demand of dowry from Rachna by Yatish, Sunita, Surender Pal and Ritu Choudhary.
8. On the alleged day of incident the accused/applicant Ritu was present in the house and her arguments had taken place over not fulfilling the demand of dowry by her. Moreover, as per CDR the location of Ritu and other alleged persons has been found near place of incident.
9. The alleged persons i.e. father-in-law, mother-in-law and Nanad/sister-in-law are willfully absconding and evading their arrest and have not joined the investigation.
10. As per disclosure of Yatish (husband of deceased) he had strangulated Rachna at about 3 pm on 19/20.03.2020 and it came into knowledge of alleged Sunita, Surender Pal and Ritu despite the fact Rachna was taken to DDU hospital at about 6 am.
11. The exhibits i.e. mobile phone, clothes of deceased and viscera have been deposited at FSL but the report of deceased is still awaited. Moreover, investigation of the case is in progress.

I have heard arguments from both the sides. Admittedly, there appears to be no direct evidence against the present applicant at this stage apart from the disclosure statement of the main co-accused i.e. husband of the deceased. Apart from this, there are allegations of demand of dowry from the side of applicant allegedly made to the family members of the deceased. Although it is correct that as per the MLC, deceased was unfortunately expired because of asphyxia caused by

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manual strangulation but at this stage, there appears to be no direct or indirect evidence against the present applicant that she was actually involved in the fateful incident. Admittedly, applicant is a married lady living with her husband. The story of the applicant is that she was visiting her mother and father who were suffering from various ailments. Necessary medical documents to support the arguments have also been filed alongwith present bail application. Counsel has also filed and relied upon judgment of Hon'ble High Court titled as Gursharan Kaur & Anr. Vs The State (NCT of Delhi), more specifically para 4, 5 and 6. Counsel has also filed and relied upon judgment titled as Sarla Devi vs State of NCT of Delhi in support of the present application. Counsel has also filed judgment titled as Savitri Agarwal vs State of Maharashtra of Hon'ble Supreme Court of India. Para no. 5 of the judgment titled as Narender Singh Arora vs State has already been discussed above.

After hearing arguments, this court is of the opinion that at this stage, there is no direct evidence against the applicant has per record filed before me today. It is true that there are allegations of demand of dowry alleged to have been made by the applicant upon the deceased, but in view of the judgments cited by counsel for applicant, these bald allegations at this stage are not become a ground for the accused/applicant to be committed to the rigorous of the police procedures especially when the applicant is a married lady and does not appear to have any direct involvement or connection at this stage with the alleged offence.

In view of the discussions above as well as judgments filed by counsel for applicant cited above, applicant is granted anticipatory bail and it hereby ordered that in the event of her arrest, applicant shall be released on personal bond along

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State Vs. Ritu Choudhary

with one surety bond in the sum of Rs.50,000/- with one surety to the satisfaction of concerned SHO/IO and subject to condition that she will join the investigation as and when directed by the police and shall not contact prosecution witnesses.

Any comments or remarks in this order are not any reflection of any kind in any future investigation or decision upon the merits during the trial of this case.

Application is disposed off. Copy of this order be given dasti to counsel for the applicant and one copy be sent to concerned IO/SHO.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No. 245/18

PS : Anand Parvat

u/s 307/326/341/34 IPC

25/27/54 Arms Act

State v. Kunal @ Neeraj @ Narender

22.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ld. counsel for the applicant.

By this order, I shall decide the bail application of applicant accused Kunal son of Shri naresh Kumar. Facts as stated in the bail application and heard during the course of arguments are as follows. Applicant was arrested on 22 October 2018. It is submitted that the mother of the applicant is diabetic and is suffering from chronic diabetic infection. It is further submitted that the accused is the only reliable member of his family and is not a habitual offender and is not wanted in any other case except one case under section 392/397/411/34 IPC pending in another court of learned additional sessions judge. It is submitted that the accused has already been granted bail in the above-mentioned case. It is submitted that accused is innocent and has been falsely implicated. Investigation of the case is complete and accused is not required for the purpose of custodial investigation or interrogation. No fruitful purpose would be served by keeping the accused in custody. Applicant has clean antecedents and belongs to a poor but respectable family. Even

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PS : Anand Parvat

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otherwise no reliable evidence has been placed on record against the accused by the prosecution. Applicant is ready to comply all directions and conditions.

As against this Learned Additional Public Prosecutor has opposed this bail application on the following grounds. It is submitted that the complainant was followed by the present applicant and other co-accused when he was going towards his house. Two co-accused got hold of the complainant and another co-accused tried to kill the complainant with a knife wound on his neck. Blood started coming out from the neck of the complainant and complainant managed to free himself from the clutches and ran away. As per the opinion of the MLC, nature of injury is grievous and accordingly section 326 IPC was invoked. Weapon of offence has been recovered. It is submitted that the grounds mentioned in the bail application are baseless. Accused is a habitual criminal having criminal record against him. Allegations against the present applicant are very serious in nature. He will commit similar offence if granted bail. He may jump bail and will not attend the court during trial. Therefore the interim bail application is strongly opposed.

I have heard arguments from both the sides. Accused is facing trial in another court of sessions in another serious offence although he has been granted bail in that offence. Allegations against the accused and other co-accused are serious in nature, that the applicant along with other co-accused persons assaulted the complainant with an intention to murder the complainant with the knife and also succeeded in inflicting a knife blow to the neck of the

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PS : Anand Parvat

complainant. There is also a strong possibility that applicant may try to intimidate the witnesses and temper with the case of the prosecution. There is also a strong possibility that accused might jump bail and run away from the process of the court and try to evade his trial. Therefore, in view of the above-mentioned observations, the present bail application is rejected. Copy of order be given by hand to counsel of applicant.

(SUNIL / BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020

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

**FIR No.
PS : Kirti Nagar
u/s 406 IPC
State v. Gaurav Joharwal**

22.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ld. counsel for the applicant.

Arguments on bail application heard by way of video conferencing in open court in the presence of learned additional public prosecutor.

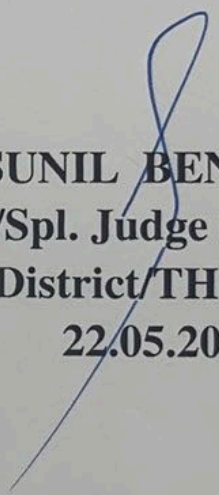
By this order, I shall decide the bail application of the applicant accused requesting for grant of anticipatory bail. Facts as stated in the bail application are as follows. It is submitted that the applicant is a businessman having furniture business. In the usual course of business, the complainant visited for purchasing some furniture. After exploring the whole market, he again gave a call to the applicant and asked to take measurement of sofa in December. Applicant went to the house of the complainant and took the measurement. After bargaining, it was decided that the sofa, centre table, dining table along with 6 chairs will be custom-designed and manufactured for a sum of ₹ 1.2 lakhs. Complainant made advance payment of ₹ 12,000. Applicant started manufacturing. Applicant made a commitment to manufacture by December end but due to unforeseen circumstances like ban on polishing due to extreme pollution, thereafter and because of the passing of

NRC/CAA, petitioner could only complete sofa and requested for some more time. But now the complainant refused to take sofa and started asking back for the advance along with a hefty penalty. He also sent a few police persons asking for the return of money. Now, police officers from the police station has started calling him to visit the police station as complainant is registered against him under section 406 IPC. Hence this application for anticipatory bail. The applicant is praying for anticipatory bail so that he may join the investigation without any fear of being manipulated or harassed by the police officers or the complainant.

Reply has been filed to this application. The learned additional public prosecutor has argued as follows. It is submitted that no fir has been registered in this case to date. A complaint dated 17 February 2020 was received at police station kirti Nagar. Complainant made a deal for purchasing furniture from the applicant. Advance amount of ₹ 40,000 was paid to the applicant. Applicant made a promise to deliver furniture on 19 December 2019 but did not deliver the same. The complainant called the applicant many times but his phone was switched of. When police officer visited the applicant, the applicant did not meet the police. Thereafter the enquiry officer made many calls to the applicant but the applicant did not join the enquiry till date.

I have heard arguments from both the sides. Admittedly no fir has been registered till date. Applicant has the apprehension of being harassed, arrested and pressurised by the police. In view of above mentioned arguments, the applicant is granted protection from any coercive action by the police for a period of 7 days after giving advance notice to the applicant in case the police

registers an FIR and decides to proceed with this case as per law. The investigating officer as well as concerned station house officer shall give an advance notice of 7 days to the applicant petitioner in case the police registers an FIR before taking any coercive action so that the applicant may have an opportunity to avail legal remedies as per law. Ordered accordingly. One copy of this order be given to counsel for applicant and another copy be sent to the concerned station house officer as well as inquiry officer.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020

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

FIR No. 81/19

PS: Mundka

U/s 20 (b) (ii) (B)/34 NDPS Act
State Vs. Devender Rai

22.05.2020

Present:

Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Ld. Counsel for applicant.

By this order, I shall decide the bail application of applicant/accused Devender Rai. Ld. Counsel has submitted that accused is in JC since 27.02.2019. Alleged recovery was planted by the investigating agency. Applicant is innocent. Applicant shall abide by all the conditions if bail is granted. It is therefore prayed that applicant may be granted interim or regular bail for appropriate period.

IO has filed reply to this bail application. Ld. Additional Public Prosecutor has opposed the bail application stating that on 27.02.2019 HC Pradeep received information of supplying ganja by two persons. Information was conveyed to the SHO. HC Pradeep formed a raiding party and reached at the place of information. At about 4.40 pm after pointing out by the informer, two boys namely Devender Rai and Sandeep came on a scooty without number plate and both were overpowered by HC Pradeep with the help of staff. On search, 12 kg Ganja was recovered from possession of accused in green colour bag. Since the quantity is intermediate in nature, the bail application is opposed.

I have heard arguments from both the sides. 12 kg ganja was recovered from the accused as per the case of prosecution. No special reasons have been shown for grant of either interim or regular bail. There is strong possibility that accused might jump bail and flee from the process of the court. Therefore, bail application of accused is dismissed.

Dasti copy be given to counsel, as prayed for.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No.326/2019

PS : Hari Nagar

u/s 307/34 IPC

& Section 25/54/59 Arms Act

State v. Harpreet Singh @ Tinku

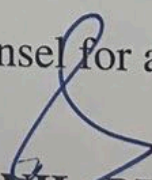
22.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ms. Jyoti Wadhwa, Ld. Counsel for the applicant.

This is an application for clarification/modification of interim bail order dated 21.05.2020 granted by Sh. Samar Vishal, Ld. ASJ-08, West District, THC, Delhi in bail no.1048 under Section 439 Cr.PC on behalf of applicant/accused.

Ld. Counsel for the applicant submits that accused is in JC in FIR No.326/19 PS Hari Nagar u/s 307 /34 IPC & 25/54/59 Arms Act but accused was granted bail u/s 307/34 IPC & Section 25/54/27 Arms Act. Hence, application has been filed for modification of under Section on behalf of the applicant. Application stands allowed on submissions made before the court by the counsel at bar. Application stands disposed off accordingly.

Copy of this order be given dasti to the Ld. Counsel for applicant.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020

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

**FIR No.356/2019
PS : Mudka
u/s 302 IPC
State v. Pradeep Kumar**

22.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ld. Counsel for the applicant/accused Pradeep Kumar.

Vide this order, I shall dispose off the bail application of accused Pradeep Kumar. Facts as stated in the application are as follows.

The first application of applicant was dismissed on 14.02.2020. FIR was registered on statement of Jai Narayan. On 28.09.2019, the complainant along with Manjeet was sleeping on cots. One car towards them and two persons came out from the car and put the pistol on the forehead of the complainant and asked about Manjeet. After asking about other target they fired the gun on forehead of Manjeet. The deceased was taken to hospital by his son and his friend. It is submitted that the applicant had love marriage with the sister of Sudhir, who is one of the accused in the present FIR without the

Contd.....2/-

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consent of the family members. Accused Sudhir took money from his sister Sunita and accused Sudhir was not ready to give the amount which was taken by him from the wife of the applicant because of which there are quarrells between the applicant and sudhir. Because of those money exchanged and quarrels, the applicant has been falsely implicated by Sudhir in the present case. On the day of incident, the applicant was at his house. Therefore, the applicant should be granted bail as he is innocent and does not have previous involvement except of one case of Delhi Excise Act. No fruitful purpose would be served by keeping applicant behind bar. It is, thereafter, prayed that applicant may be released on bail till final disposal of the case or in alternative an interim bail of 60 days may be granted to the applicant.

Reply has been filed to this application. Ld. APP has argued as follows. It is submitted that applicant is one of co-accused in the murder case of deceased Manjeet Singh. After investigation, it was found that about 5-6 days before the alleged incident, some quarrel took place between Manjeet and family members of accused Sudhir due to some money

Contd.....3/-

-3-

dispute and Smt. Jyoti, wife of Sudhir, had lodged a case FIR No.346/19 against Baljeet and his two sons. The present applicant was also found in the conspiracy of taking revenge from the family members of Baljeet. Therefore, he was arrested in this case on 07.10.2019. One mobile phone which was used by the present applicant to take photographs of Narendra in Tis Hazari Courts on 28.09.2019 has also been recovered from him and sent to FSL, Rohini. As per Call Details Report of all accused persons, it was also found that on the day of incident all accused persons were in constant touch with each other and their mobile phone's location found in the area of the alleged incident at the time of alleged incident. But immediately, after the incident their mobile phones were found switched off. Main charge sheet has filed against Sudhir, Devender and Pradeep Kumar. Fourth accused Harish has refused for TIP. On checking of previous record, it was found that the present applicant was involved in other criminal case and declared Proclaimed Offender during the trial of the case by the court of Ld. MM, vide order dated 09.05.2017. Moreover, applicant Pradeep Kumar is not residing at his given address since long and he was

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arrested while he was residing on rent in a village Jhajjar, District, Haryana. In therefore, keeping in view of above facts and circumstances, the present application is strongly opposed.

I have heard arguments from both the sides. Already bail application of the present applicant has been dismissed. No new or fresh grounds have been mentioned in the present application which may entitle the applicant to be released on bail.

Ld. APP has strongly opposed this bail application on the ground that accused was arrested under the charge of conspiracy to commit murder which is more serious than the offence of murder. There is also a strong possibility that accused might jump bail and run away from the process of the court and try to evade his trial. There is also a strong possibility that applicant may try to intimidate the witnesses and temper with the case of the prosecution. Therefore, in view of the above-mentioned observations, the present bail application is once again rejected. Copy of order be given by hand to counsel of applicant.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS) West
District/THC/Delhi/22.05.2020

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

**FIR No.74/20
PS : Ranhola
u/s 324/195-A/506 IPC
State v. Harvinder Singh**

22.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Sh. Sanjay Kumar, Ld. Counsel for the applicant.

By this order, I shall decide the present application requesting for grant of bail on behalf of the applicant Harvinder Singh. Facts stated in the bail application as well as during the course of oral arguments are as follows. It is submitted that the complainant is the wife of the accused/applicant in the present case. Both are residing at the same address. It is submitted that the present case is a false case and the applicant has been falsely implicated by the complainant. It is submitted that nothing has been recovered from the possession of the applicant. That the complainant has already been examined in case FIR number 89/2019 on 24th February 2020 as prosecution witness

Contd.....2/-

FIR No.74/20
PS : Ranhola

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number 1. Investigation of the above-mentioned case has been completed and applicant is not required for further investigation. It is therefore prayed that the applicant may be released on bail.

Reply has been filed to this application. The learned additional public prosecutor has opposed this bail application on the grounds that earlier also both the complainant and the applicant were involved in a case in which the complainant filed a complaint against the applicant which was registered under section 307 IPC in police station Jahangir Puri. It is alleged that on 28th January 2020, the complainant gave a statement that the present applicant on 24th of January 2020 kept a knife on the neck of the complainant because of which the above-mentioned FIR was registered upon the applicant to force the complainant to compromise the above-mentioned case registered under section 307 IPC. The applicant threatened the complainant to kill the complainant if the complainant did not compromise the above-mentioned case. The knife was also recovered at the instance of the applicant. It is submitted that no one has any control over the applicant and if granted bail he can again threaten and intimidate the complainant.

I have heard arguments from both the sides. As per submissions now there are 2 cases against the applicant filed on behalf of the same

Contd.....3/-

FIR No.74/20
PS : Ranhola

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complainant, that is, his own wife. The 1st case was registered under section 307 IPC. The allegations in the present case are that the applicant threatened the complainant to compromise the above-mentioned case registered under section 307 IPC failing which the complainant was threatened with dire consequences of his life. The present case involves sections 324/195-A/506 IPC. The complainant is the wife of the applicant. If the applicant is granted bail, there is every possibility that he will again try to threaten and intimidate the complainant and even succeed in injuring the complainant as they are both husband and wife and living in the same house. Therefore, it is not desirable to grant bail to the applicant at the stage. Therefore, the present bail application is rejected. One copy of this bail order be given to Counsel of applicant by hand.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.05.2020

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

Application No. 1103
State Vs. Harvinder Singh
FIR No. 74/2020
PS Ranhola
U/s. 324/195A/506 IPC

22.05.2020

The court of undersigned is on duty as Designated Court to hear applications for interim bail preferred by panel lawyers of DSLSA on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present : Ld. Addl. PP for the State.

None for applicant.

Case file received by transfer from Ld. ASJ/Special Judge (NDPS/West).

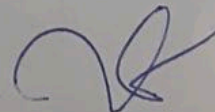
Order sheet perused.

As per application, the accused was arrested on 24/02/2020.

This is not an application for grant of interim bail. Instead, this is an application filed U/s. 439 CrPC for grant of regular bail on merits.

This file is not fit for consideration in this Court as this court has been designated to deal with applications for grant of interim bail in select category of cases covered in guidelines of Hon'ble High Powered Committee of Delhi High Court.

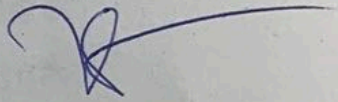
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Application No. 1103
State Vs. Harvinder Singh
FIR No. 74/2020
PS Ranhola
U/s. 324/195A/506 IPC

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Accordingly, case file be sent back immediately to the concerned court of Ld. ASJ/Special Judge (NDPS/West) for consideration.


(VISHAL SINGH)
SPECIAL DESIGNATED
COURT, DELHI
ASJ-03, WEST,
TIS HAZARI COURTS
22.05.2020


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

**Application No. 1103
FIR No. 74/20
PS: Ranhola
U/s 324/195A/506 IPC
State Vs. Harvinder Singh**

22.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Kumar, Ld. Counsel for applicant.

Counsel for applicant submits that this application falls under the criteria laid down by Hon'ble High Court as per notification dated 16.05.2020. In view of his submissions, let this application be placed before Sh. Vishal Singh, Ld. ASJ, West Distt., THC, Delhi, who is dealing with these applications, today itself at 1.00 pm.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020**

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

FIR No. 344/18
PS: Kirti Nagar
U/s 365/392/395/412/34 IPC
State Vs. Ajay Yadav & Anr.

22.05.2020

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

Mr. Sanjay Kumar, counsel for the accused/applicant.

By this order, I shall decide the application of interim bail for a period of two months, filed on behalf of accused Ajay Yadav.

It is stated the accused has preferred this application seeking interim bail for two months to look after his ailing wife. That the other co-accused have already been granted interim bail. That the present applicant is falsely implicated in this case. That wife of accused/applicant is suffering from high fever, vomiting and loose motion and there is no one in her family to take care of her and her son who is of five years. That the accused/applicant will not misuse the liberty bestowed upon him and will not violate any condition imposed upon him. Accused/applicant will timely surrender before the concern authority after expiry of interim bail granted to him. That the applicant undertakes to abide by the condition imposed upon him. That the accused/applicant is a permanent resident of Delhi and there is no chance of his fleeing away if enlarged on bail. Applicant/accused is sole bread earner of his family. Accused/applicant undertakes not to tamper with the evidence or influence the witnesses at any point of time. It is therefore, prayed that the accused/applicant be granted interim bail for a period of 60 days.

IO has filed reply to this bail application. Ld. Additional Public Prosecutor has opposed the bail application stating that case was registered on statement of Sh. Amardeep who stated that he was coming from Bangalore on a

FIR No. 344/18
PS: Kirti Nagar

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truck and truck was loaded with Supari sacks. When he reached Delhi, driver of white colour car indicated to stop the truck and in order to stop the same, driver of the car suddenly drove his car in front of truck. He applied breaks and two persons came out of the car and climbed in the cabin of the truck and hijacked the same truck. Thereafter, they took him away to an unknown location in their car and threw him out. He also looted his mobile phone and documents. IO followed the trail of GPS location and gone to Bawana industrial area. Later on, ASI Jai Prakash arrested accused Ajay Yadav. They confess the committal of crime. It is further submitted that during the course of investigation, car no. DL-10CB-5498 (Beat) was recovered on the instance of accused Ajay Yadav. The looted mobile phone of complainant was also recovered from the house of accused Ajay Yadav. It is further submitted that the accused is an habitual offender and has previously been involved in many serious offences.

Arguments from both the sides have been heard at length.

The present interim bail application has been filed on behalf of accused on ground of severe illness of his wife. However, medical documents could not be verified by IO as mentioned in his supplementary reply. Therefore, in absence of verification of medical documents, I am not inclined to grant interim bail to accused at this stage. The interim bail application is therefore, dismissed.

Dasti copy be given dasti to counsel, as prayed for.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020

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

FIR No. 344/18
PS: Kirti Nagar
U/s 365/392/395/412/34 IPC
State Vs. Raja & Anr.

22.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Kumar, counsel for the accused/applicant.

By this order, I shall decide the application of interim bail for a period of two months, filed on behalf of accused Raja.

It is stated the accused has preferred this application seeking interim bail for two months to look after his ailing mother. That the other co-accused have already been granted interim bail. That the present applicant is falsely implicated in this case. That mother of accused/applicant is suffering from high fever, vomiting and loose motion and there is no one in the family to arrange funds and to take care of her of his ailing wife and four minor children. That the accused/applicant will not misuse the liberty bestowed upon him and will not violate any condition imposed upon him. Accused/applicant will timely surrender before the concern authority after expiry of interim bail granted to him. That the applicant undertakes to abide by the condition imposed upon him. That the accused/applicant is a permanent resident of Delhi and there is no chance of his fleeing away if enlarged on bail. Applicant/accused is sole bread earner of his family. Accused/applicant undertakes not to tamper with the evidence or influence the witnesses at any point of time. It is therefore, prayed that the accused/applicant be granted interim bail for a period of 60 days.

IO has filed reply to this bail application. Ld. Additional Public Prosecutor has opposed the bail application stating that case was registered on statement of Sh. Amardeep who stated that he was coming from Bangalore on a truck and truck was loaded with Supari sacks. When he reached Delhi, driver of white colour car indicated to stop the

FIR No. 344/18
PS: Kirti Nagar

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truck and in order to stop the same, driver of the car suddenly drove his car in front of truck. He applied breaks and two persons came out of the car and climbed in the cabin of the truck and hijacked the same truck. Thereafter, they took him away to an unknown location in their car and threw him out. He also looted his mobile phone and documents and truck alongwith supari sacks.

It is submitted that SI Nasib Singh followed the trail of GPS location and gone to Bawana industrial area. It is further submitted that during investigation, accused/applicant Raja was arrested and TIP was conducted by the complainant. During TIP, complainant correctly identified the accused Raja. It is therefore requested that accused may not be released on interim bail as he can jump the bail.

Arguments from both the sides have been heard at length. Accused/applicant was arrested on 09.09.2018. He has spent one year and eight months in judicial custody. His custodian interrogation is no longer required. Further, the other co-accused namely Sunil @ Guddu who was also involved in commission of the offence, has already been granted interim bail. Moreover, his medical documents are also verified. Therefore, under the facts and circumstances, applicant/accused Raja is granted interim bail for a period of two months subject to furnishing bail bond in the sum of Rs.30,000/- with one surety of like amount and subject to the condition that he shall appear before the court on each and every date alongwith his counsel without seeking any exemption and shall not jump bail at any point of time. Accused is also directed not to tamper with the prosecution evidence.

Dasti copy be given to counsel, as prayed for.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.05.2020