

Bail Appl. No. 136/2020

FIR No. 208/2020

PS : Prasad Nagar

U/S : 376 IPC

State Vs. Rakesh Kumar Shah

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Naresh Kumar, Ld. Counsel for the applicant/ accused.

IO and the complainant are absent.

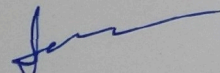
The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 being the first link court to the court of Sh. Lovleen, Ld. P.O.-MACT-02 (Central), THC, Delhi, who is stated to be on leave today.

Reader of this Court make a call from his mobile phone to the mobile number of the IO, but her phone is not reachable. Ld. Counsel for the applicant/ accused has submitted that the directions have been issued on the last date of hearing to the IO to ensure the presence of the complainant to conclude the hearing of this bail application, but IO and the complainant intentionally and deliberately neither appeared in the Court nor joined the meeting through Cisco Webex app.

Heard. In view of the submissions made by the Ld. Counsel for the applicant/ accused and in the interest of justice, be put up on **28.08.2020**. Notice be

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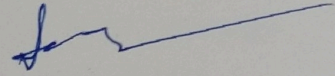
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FIR No. 208/2020

State Vs. Rakesh Kumar Shah

also issued to the IO/ SHO PS Prasad Nagar with the directions to ensure the presence of the complainant either in the Court or through Video Conferencing.

Be put up for arguments on **28.08.2020**.



(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 84/2020

FIR No. 148/2020

PS : I.P. Estate

U/S :186/353/332/323/224/34 IPC

State Vs. Arjun @ Chinky

26.08.2020

Fresh application for modification of the order dated 17.08.2020 has been moved on behalf of the applicant/ accused.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

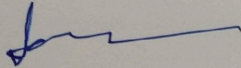
Sh. Sumit Gaba, Ld. Counsel for the applicant.

IO SI Deepak Punia, PS I.P. Estate is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

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It is submitted by the Ld. Counsel for the applicant that he wants to withdraw the present application. Accordingly, the present is hereby dismissed as withdrawn. File be consigned to record room, as per rules.


(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 984/2020

FIR No. 436/18

PS : Karol Bagh

U/S : 395/397/120B/34 IPC

State Vs. Pankesh

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Sintu Kumar, Ld. Counsel for the applicant/ accused Asif Ali.

IO SI Gautam, PS Karol Bagh is present.

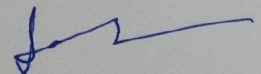
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It is submitted by the Ld. Counsel for the applicant/ accused that the accused has been falsely implicated and he has nothing to do with the alleged offences.

It has been further submitted by the Ld. Counsel for the applicant/ accused that there were total five accused persons which were apprehended by the police in the present case FIR no. 436/18 and out of 05, four accused persons have been released on bail. When the Court asked the IO SI Gautam about bail of the four accused persons, then he sought time to clarify the same.

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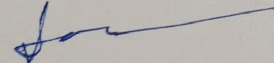


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FIR No. 436/18

State Vs. Pankesh (Asif Ali)

Heard. In view of the submissions, be put up on **27.08.2020**. IO is directed to file the reply positively in respect of the bail order passed by the different Courts of the co-accused persons.



(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 991/2020

FIR No. 234/2020

PS : Lahori Gate

U/S : 379/411 IPC

State Vs. Vicky

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Pradeep Kumar, Ld. Counsel for the applicant/ accused.

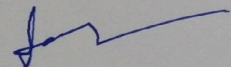
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It is submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the present case FIR. It has been further submitted that applicant/ accused has nothing to do with the alleged offences. It has been further submitted that the mobile phone, which allegedly shown to be recovered from the possession of the applicant/ accused has been planted and the same was not stolen by the accused. Ld. Counsel for the applicant/ accused make a request that the interim bail may kindly be granted to the applicant/ accused.

Ld. APP for the state has vehemently opposed the bail application.

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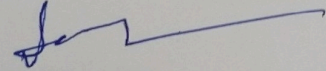


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FIR No. 234/2020

State Vs. Vicky

Having heard the submissions made by the Ld. Counsel for the applicant/ accused, Ld. APP for the state, perusal of the reply filed by the IO, this Court of the considered view that the applicant/ accused is in JC since 08.08.2020 and the alleged stolen mobile has already been recovered from the possession of the accused. The investigation qua the accused is almost complete and there is a pandemic of COVID-19. Therefore, in the facts and circumstances of the case, the applicant/ accused **Vicky** is admitted to interim bail on furnishing personal bond of Rs. 5,000/- to the satisfaction of the Jail Superintendent concerned. The present bail application stands disposed of accordingly.



(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

FIR No. 188/2020

PS : Rajinder Nagar

U/S : 498A/406/34 IPC

State Vs. Sukhsharan Kaur (Bail Appl no. 988/2020)

State Vs. Manjyot Singh (Bail Appl. No. 987/2020)

State Vs. Angad Singh (Bail Appl. No. 986/2020)

State vs. Kripal Singh (Bail Appl. No. 985/2020)

26.08.2020

Fresh applications U/s 438 CrPC has been moved on behalf of the applicants/ accused persons for grant of anticipatory bail. It be checked and registered.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Pradeep Khatri, Ld. Counsel for the applicants/ accused.

Sh. R. Kartikey, Ld. Counsel for the complainant.

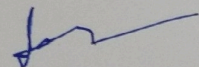
IO SI Parveen, PS Rajinder Nagar is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 being the first link court to the court of Sh. Lovleen, Ld. P.O.-MACT-02 (Central), THC, Delhi, who is stated to be on leave today.

It is submitted by the Ld. Counsel for the applicant/ accused that the dowry articles have already been handed over to the complainant and all the accused persons have been involved in the false case and make a submission that IO has not supplied copy of the FIR because of the reason that he could not file the same alongwith the present bail application.

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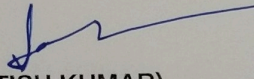
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FIR No. 188/2020

**State Vs. Sukhsharan Kaur, Manjyot
Singh, Angad Singh, Kripal Singh**

Heard. In view of the submissions, IO SI Parveen is directed to supply the copy of the FIR to the Ld. Counsel for the applicant/ accused Sh. Pardeep Khatri on his whatsapp no. **9811981111** today itself. Ld. Counsel for the applicant/ accused is directed that after receiving the copy of the FIR, he shall file the same.

At the request of the Ld. Counsel for the applicant/ accused, adjourned for **27.08.2020** for further arguments.


(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 989/2020

FIR No. 210/2020

PS : Sarai Rohilla

U/S : 186/353/307/34 IPC & 27/54 Arms Act

State Vs. Salman Khan

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Suraj Prakash Sharma, Ld. Counsel for the applicant/ accused.

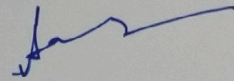
IO SI Pushpender, PS Sarai Rohilla is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

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It is submitted by the Ld. Counsel for the applicant/ accused that there were two FIRs i.e. 210/2020 U/s 186/353/307/34 IPC & 27/54 Arms Act and another FIR no. 211/2020 U/s 394/427/506/34 IPC and in the FIR no. 211/2020, the accused Salman Khan has been released on bail. It has been further submitted by the Ld. Counsel for the applicant/ accused that in the case FIR no. 210/2020, only allegations against the applicant/ accused Salman Khan are that he was only pelting stones and he has been falsely implicated in the present case FIR and the police has

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FIR No. 210/2020

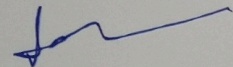
State Vs. Salman Khan

got involved the accused in a false case just to satisfy their ego and make a submission that the applicant/ accused Salman Khan may kindly be released on bail.

Ld. APP for the state has vehemently opposed for grant of bail to the applicant/ accused. IO has also opposed the bail application.

Having heard the submissions made by the Ld. Counsel for the applicant/ accused as well as Ld. APP for the state and after gone through the facts and circumstances of the present case, this Court is of the considered view that the allegations against the applicant/ accused Salman Khan are very serious in nature as he had been a part of unlawful assembly and one of the persons of the unlawful assembly has also fired from the weapon upon the police officials and four police officials sustained grievous injuries upon their persons. The investigation of the present case FIR is still under progress as there are total 10 accused persons and out of them, only 06 have been arrested and 04 accused persons are still absconding and proceedings U/s 82 CrPC have been initiated against the accused persons, who are absconding. The charge-sheet in the present FIR is yet to be filed. Therefore, in the facts and circumstances, this Court is not inclined to grant bail to

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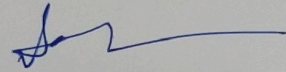


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FIR No. 210/2020

State Vs. Salman Khan

the applicant/ accused Salman Khan. Hence, the present bail application is hereby dismissed. File be consigned to record room, as per rules.



(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 990/2020

FIR No. 191/19

PS : Lahori Gate

U/S : 498A/406/34 IPC

State Vs. Manoj Kumar Sharma

26.08.2020

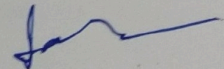
Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. A.K. Pandey, Ld. Counsel for the applicant/ accused.
Sh. Vishal Vimal, Ld. Counsel for the complainant.
IO SI G.N. Tiwari, PS Lahori Gate is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 being the first link court to the court of Sh. Lovleen, Ld. P.O.-MACT-02 (Central), THC, Delhi, who is stated to be on leave today.

It is submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused Manoj Kumar Sharma is the brother-in-law of the husband of the complainant (Jijja) and he has been falsely implicated in the present case FIR and he has nothing to do with the present case FIR and the main accused, who is Jitesh Kaushal is the husband of the complainant, has already been arrested on 19.08.2020 and was released on bail on 24.08.2020 by the Ld. MM and make a submission that the accused may be released on bail.

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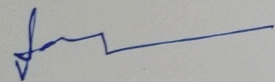
FIR No. 191/19
State Vs. Manoj Kumar Sharma

Per contra, Ld. APP for the state has vehemently opposed the bail application and has submitted that the allegations are very serious in nature and therefore, bail application of the applicant/ accused Manoj Kumar Sharma may kindly be dismissed.

Complainant with Ld. Counsel Sh. Vishal Vimal has submitted that the accused has tried so many times to outrage her modesty and insulted her on the demand of dowry. Ld. Counsel for the complainant has further submitted that earlier anticipatory bail application of the applicant/ accused Manoj Kumar Sharma has already been dismissed and there is no change of circumstances and there is a concealment of fact and secondly anticipatory bail application is not permissible.

Having heard the submissions of the Ld. APP for the state, Ld. Counsel for the applicant/ accused as well as Ld. Counsel for the complainant and the complainant and after going through the facts and circumstances of the present case, this Court is of the considered view that the husband Sh. Jitesh Kaushal has already been arrested and was released on bail by the court of Ld. MM. The earlier anticipatory bail application of the applicant/ accused Manoj Kumar Sharma was dismissed on 19.12.2019 and that was dismissed because of the reason that none of the accused had joined the investigation nor anyone of them was arrested and dowry

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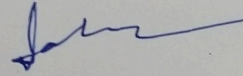
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FIR No. 191/19

State Vs. Manoj Kumar Sharma

articles were not returned back. But now, the husband of the complainant has been arrested and he has been released on bail and there are change of circumstances, the second anticipatory bail application is maintainable. Moreover, the applicant/ accused Manoj Kumar Sharma, who is *Jijja* of the husband of the complainant is residing separately. Therefore, in the facts and circumstances, be put up on **26.09.2020**. In the meantime, IO/SHO/CAW Cell is directed not to take any coercive action against the applicant Manoj Kumar Sharma till next date of hearing. However, applicant/ accused is directed to join the investigation as and when required by the IO/SHO/CAW Cell PS Lahori Gate.

Be put up on **26.09.2020**.



(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 983/2020

FIR No. 289/2020

PS : Sarai Rohilla

U/S : 356/379 IPC

State Vs. Anil Kumar @ Prem Rajput

26.08.2020

Fresh application U/s 438 CrPC has been moved on behalf of the applicant for grant of anticipatory bail.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Sintu Kumar, Ld. Counsel for the applicant/ accused.

IO SI Ishwari Prasad, (No. D-4303, PS Sarai Rohilla) is present.

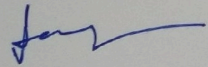
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It is submitted by the Ld. Counsel for the applicant that the name of the applicant is not mentioned in the FIR no. 289/2020 PS Sarai Rohilla and he has nothing to do with the alleged offences. It has been further submitted that because of the some ulterior motive and falsely implicate the applicant, the police is harassing the applicant and make a request that the anticipatory bail may kindly be granted to the applicant.

Ld. APP for the state has vehemently opposed the anticipatory bail application of the applicant.

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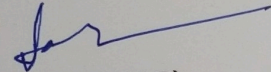


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FIR No. 289/2020

State Vs. Anil Kumar @ Prem Rajput

Having heard the submissions made by the Ld. Counsel for the applicant/ accused, Ld. APP for the state as well as IO and after going through the reply filed by the IO, this Court is of the considered view that the face of the applicant has been reflected in the CCTV footage and same has been shown to the complainant and who has identified the applicant. The recovery of the chain is to be effected from the possession of the applicant/ accused. The investigation is at its initial stage. There are two accused persons and none of the accused persons has joined the investigation till date. No ground is made out for grant of anticipatory bail to the applicant Anil Kumar @ Prem Rajput. Hence, the present anticipatory bail application is hereby dismissed. File be consigned to record room, as per rules.



(SATISH KUMAR)
1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 880/2020

FIR No. 304/2020

PS : Karol Bagh

U/S : 386/392/397/506 IPC & 25/54/59 Arms Act

Keshav Kakkar Vs. State

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

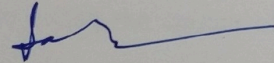
Sh. Kanwar Udaibhan Sehrawat, Ld. Counsel for the applicant/
accused.

IO SI Bajinder Singh, PS Karol Bagh is present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

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At the request of the Ld. Counsel for the applicant/ accused, be put up again on **04.09.2020**.



(SATISH KUMAR)

1st. Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 387/2020

FIR No. 255/19

PS : Rajinder Nagar

U/S : 420/406/120B IPC

State Vs. Shubham Dubey

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Ms. Tanya Bhatia, Ld. Counsel for the applicant/ accused.

Sh. Naveen Gupta, Ld. Counsel for the complainant.

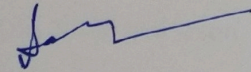
IO SI Ranvir, PS Rajinder Nagar is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

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It is submitted by the Ld. Counsel for the applicant/ accused Shubham Dubey that there is a civil litigation between the parties and during the course of arguments, at the request of the Ld. Counsel for the applicant/ accused as well as Ld. Counsel for the complainant, adjourned for **31.08.2020** for further arguments. IO shall remain present in person or through Video Conferencing on the next date of hearing.

Be put up on **31.08.2020**.



(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 882/2020

FIR No. 137/2020

PS : Rajinder Nagar

U/S : 452/392/34 IPC

State Vs. Ankush

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Anjum Kumar, Ld. Counsel for the applicant/ accused.
IO ASI Daryao Singh PS Rajinder Nagar is present.

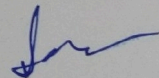
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It is submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the present FIR and that he has nothing to do with the alleged offence.

It has been further submitted that in the year 2011, the accused was falsely implicated by the police of PS Rajinder Nagar and he was released on bail in that case. In the said case, the Hon'ble Court has passed a structure against the IO and to satisfy the ego, police has falsely implicated the accused in another case FIR dated 06.06.2020 and the bail was granted in that case on 27.06.2020 and even furnishing the bail bond, he could be released from jail and thereafter, he has moved

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FIR No. 137/2020

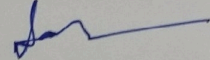
State Vs. Ankush

a contempt application that intentionally and deliberately, the police had implicated the accused in another case FIR bearing no. 137/2020 U/s 452/392/411 IPC PS Rajinder Nagar and make a request that the applicant/ accused may kindly be released on bail.

At this stage, Ld. Counsel for the applicant/ accused has submitted that the copy of the reply filed by the police has not been supplied to him and sought adjournment.

Heard. In view of the submissions made by the Ld. Counsel for the applicant/ accused, adjourned for **29.08.2020**. The Reader of this Court is directed to send the copy of the reply filed by the police/IO/SHO to the Ld. Counsel for the applicant/ accused through e-mail/whatsapp etc.

Be put up on **29.08.2020** for further arguments on the present bail application.



(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 876/2020

FIR No. 231/2020

PS : Sarai Rohilla

U/s : 323/376/120B/109 IPC

State Vs. Suraj Sharma

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Hemendra Singh Kashyap, Ld. Counsel for the applicant/ accused.

Complainant in person.

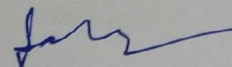
IO SI Soni Siwach, PS Sarai Rohilla is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 being the first link court to the court of Sh. Lovleen, Ld. P.O.-MACT-02 (Central), THC, Delhi, who is stated to be on leave today.

It is submitted by the Ld. Counsel for the applicant/ accused that the complainant/ victim solemnized the marriage with Raman Sharma, son of the present accused Suraj Sharma dated 22.01.2019 and as such, the present applicant is the father-in-law of the complainant/ victim. The allegations against the accused are false, misconceived and concocted story made by the complainant/ victim. It has been further submitted that the accused has nothing to do with the alleged offences and he has never made any physical relation and never tried to touch the complainant/ victim inappropriately.

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FIR No. 231/2020

State Vs. Suraj Sharma

It has been further submitted by the Ld. Counsel for the applicant/ accused that the incident as alleged by the complainant/ victim is of 11.10.2019 and she made a written complaint to the police station on 02.07.2020 and the accused has been arrested on 20.07.2020 and he is in judicial custody for more than one month and made a request that the accused may kindly be released on bail.

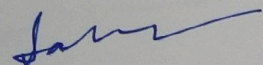
Ld. APP for the state has vehemently opposed for grant of bail to the applicant/ accused.

Complainant has submitted that his father-in-law Suraj Sharma has committed a very wrong act with her and she has opposed the bail application.

Having heard the submissions made by the Ld. Counsel for the applicant/ accused, Ld. APP for the state, complainant/ victim as well as IO and after perusal the bulky documents placed on record by the Ld. Counsel for the applicant/ accused and without commenting upon the merits of the case, this Court is of the considered view that an FIR was registered bearing no. 231/2020 on the written complaint made by the complainant on dated 02.07.2020 and the accused was arrested on 20.07.2020 and till date, accused is in judicial custody.

It is pertinent to mention herein that the prosecutrix and her husband

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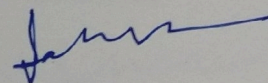


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Raman Sharma, who is co-accused got married by their own free will and consent on dated 17.01.2016. Neither the prosecutrix nor her husband who is co-accused herein Raman Sharma disclosed about the said marriage to their relatives, family members or their respective parents and subsequently, with the consent of their respective family members and their respective parents, they both again solemnized their re-marriage on 22.01.2019. The allegations against the accused are that, who is the father-in-law of the prosecutrix, that on dated 11.10.2019 she was at home and her father-in-law was taken drink at her matrimonial home and he called the prosecutrix and asked to sit with him and tried to touch inappropriately and when she objected, she was forcibly taken by the accused in a room, father-in-law of the prosecutrix and forcibly sexual relationship was established by him with the prosecutrix. When her husband and her mother-in-law came to the house and she narrated the conduct of her father-in-law as well as the incident of establishing sexual relationship forcibly then neither her husband nor her mother-in-law believed her, rather, she was scolded by her husband and thereafter, in January 2020, the complainant/ victim started to live separately with her husband at second floor of the same premises, but, the CDR obtained by the IO during the course of investigation revealed that the location of the prosecutrix till 7:21 pm was of Rajindra Place of New Delhi and she reached with the alleged date i.e. 11.10.2019 on 08:21 pm and it

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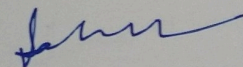
FIR No. 231/2020

State Vs. Suraj Sharma

creates a serious doubt upon the presence of the complainant at the matrimonial home with her alleged father-in-law.

It is also worth mentioning that in January, 2020, her husband told her that she has taken some money from one Sh. Yunit Kumar (who was also co-accused in the present case FIR and was released on bail vide order dated 19.08.2020 by the court of Ld. ASJ) and that her husband was forced her to make a call to said Sh. Yunit Kumar in a very loving and comfortable manner so that the said Sh. Yunit Kumar feel comfort and on dated 02.02.2020, she made a call to said Sh. Yunit Kumar and thereafter, she made calls and received calls several times of Sh. Yunit Kumar and request of pressure made by her husband Raman Sharma, she had visited one hotel i.e. Tivoli with Sh. Yunit Kumar where said Sh. Yunit Kumar established physical relation with her and on the previous dates when the hearing of the bail application were heard by the Court, then Ld. Counsel for the applicant/accused has placed on record whatsapp chat, CDR as well as posts posted on the social media on the record and IO was asked to confront all these whatsapp chat as well as the calls made by the prosecutrix to the said Sh. Yunit Kumar as well as her admission having sexual relation with the said Sh. Yunit Kumar were admitted on the whatsapp made by the prosecutrix to her

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husband Raman Sharma. Today itself, IO has submitted that she has confronted all the whatsapp chat as well as the CDRs and other posts made on the social media has been confronted to the prosecutrix and she has admitted that she has made all the whatsapp chat with her husband Raman Sharma and made a call to said Sh. Yunit Kumar (who is also co-accused and released on bail vide order dated 19.08.2020). Perusal of the whatsapp chat as well as CDR of the prosecutrix and the said Sh. Yunit Kumar reveal that she was in sexual relation by her free consent and will with Sh. Yunit Kumar and she wanted a divorce from her husband Raman Sharma (who is co-accused herein).

Moreover, IO served upon a notice U/s 91 CrPC to the prosecutrix to hand over her mobile phone to conclude the fair investigation of the present case FIR and to verify the whatsapp chat in which she has admitted her physical relation with co-accused Sh. Yunit Kumar to send the same to the FSL but despite receipt of the notice U/s 91 CrPC, she did not hand over her mobile phone to the IO for fair investigation. The whatsapp chat as well as other social media posts, audio, video placed on record are to be sent to the FSL to ascertain their evidentiary value and the prosecutrix refused to hand over her mobile phone to the IO which is to be sent to the FSL to ascertain whether the said chats on the whatsapp were done by the

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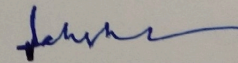
FIR No. 231/2020

State Vs. Suraj Sharma

prosecutrix through her mobile phone to the mobile phone of the co-accused Sh. Yunit Kumar and her husband Raman Sharma and it takes a long time to conclude the investigation. It is also admitted fact that the accused was a Corona positive when he was sent to judicial custody.

It is worthwhile mentioning that the alleged incident of 11.10.2019 and the complainant is a Manager in a reputed bank and is a matured educated lady and she has no explanation as to why she did not make a complaint of the alleged said incident of 11.10.2019 to the police on the same day, or the next day and she also did not make any complaint of the alleged incident of 11.10.2019 till 02.07.2020. Therefore, in the facts and circumstances, the applicant/ accused **Suraj Sharma** is admitted to bail on furnishing a bail bond in a sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of the concerned Ld. MM. The bail application stands disposed of accordingly.

Nothing expressed herein shall not tantamount to an expression on the merits of this case.



(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020

Bail Appl. No. 877/2020

FIR No. 231/2020

PS : Sarai Rohilla

U/s : 323/376/120B/109 IPC

State Vs. Raman Sharma

26.08.2020

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Hemendra Singh Kashyap, Ld. Counsel for the applicant/ accused.

Complainant in person.

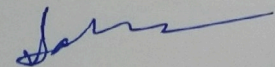
IO SI Soni Siwach, PS Sarai Rohilla is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 being the first link court to the court of Sh. Lovleen, Ld. P.O.-MACT-02 (Central), THC, Delhi, who is stated to be on leave today.

It is submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused Raman Sharma is the husband of the prosecutrix and the allegations against the accused are that her husband Raman Sharma inducted to one Sh. Yunit Kumar and when her husband was not able to repay the debt then she was asked by her husband to take in a very polite manner with said Sh. Yunit Kumar to please him and when she was forced and pressurized by her husband, then she started make a call to Sh. Yunit Kumar and also received his calls.

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FIR No. 231/2020

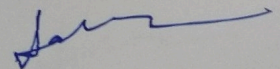
State Vs. Raman Sharma

Ld. Counsel for the applicant/ accused has submitted that the said Yunit Kumar has already released on bail by the court of Ld. ASJ vide order dated 19.08.2020 and made a submission that the accused has nothing committed any wrong and he has never taken any amount from said Yunit Kumar and he has been falsely implicated in the present case FIR by his wife, who is prosecutrix herein as she wanted to get divorce from him and was in physical relation consensually with Yunit Kumar and her wife had admitted in a conversation as well as whatsapp chat made by him with his wife before registration of the present case FIR and made a request that the accused is in JC for more than one month and he may kindly be released on bail.

Ld. APP for the state has opposed the prayer for grant of bail to the applicant/ accused. Prosecutrix has also opposed the bail application.

Having heard the submissions made by the Ld. Counsel for the applicant/ accused, Ld. APP for the state, prosecutrix/ victim as well as IO and after gone through the contents of the bail application as well as other material placed on record by the Ld. Counsel for the applicant/ accused with the bail application and without commenting upon the merits of this case, this Court is of the considered view that the co-accused Yunit Kumar has already been granted bail vide order dated 19.08.2020 by the Ld. ASJ and at the time of hearing on the bail application of co-

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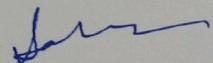
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FIR No. 231/2020

State Vs. Raman Sharma

accused Yunit Kumar, Ld. ASJ Court vide order dated 19.08.2020 passed the specific order and directions was issued to the IO to confront the whatsapp chat, CDR and other posts made on the social media with the prosecutrix and IO has confronted the whatsapp chat and the other conversations made by her through her mobile phone to the mobile phone of the accused, who is her husband and the prosecutrix has admitted that she has done all the whatsapp chat with her husband and perusal of the said whatsapp chat, it reveals that she has admitted that she was in consensual physical relationship with co-accused Yunit Kumar, who has already been granted bail vide order dated 19.08.2020. The whatsapp chat, CDR and other material placed on record by the Ld. Counsel for the applicant/ accused with this bail application and also handed over to the IO for fair investigation of the present case FIR will take a considerable long time as the mobile phones of all the accused as well as the prosecutrix is to be sent to the FSL to prove the same in accordance with law. The prosecutrix did not hand over her mobile to the IO despite receipt of the notice U/s 91 CrPC and it will take a long time to investigate the matter and no purpose would be served to keep the accused in judicial custody particularly, when the pandemic COVID-19 is at its peak. Therefore, in the facts and circumstances, the accused **Raman Sharma** is admitted to bail on furnishing a bail bond in a sum of Rs.

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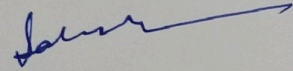
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FIR No. 231/2020

State Vs. Raman Sharma

50,000/- with one surety in the like amount to the satisfaction of the concerned
Ld. MM. The bail application stands disposed of accordingly.

Nothing expressed herein shall not tantamount to an expression on the
merits of this case.



(SATISH KUMAR)

1st Link, Spl. Judge (FTC-2)
(Central), Delhi/26/08/2020