

Bail Application No.1192/2020
FIR No.391/2020
PS:Karol Bagh
U/s:186/353/506/34 IPC
State Vs. Jawahar Lal

15.09.2020

This is 2nd application u/s 438 Cr.PC seeking anticipatory bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ SI Gautam.
Sh. O.P. Mishra, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

At the outset, Id. Addl. PP has raised an objection as to the maintainability of second anticipatory bail application on the ground that first anticipatory bail application of present applicant was dismissed on merits by Sessions Court on 07.09.2020, which fact is mentioned in the present bail application also.

Counsel of applicant/ accused is called upon to advance arguments on the maintainability of the present bail application in view of the aforesaid objection raised on behalf of State.

Counsel of applicant/ accused has requested to grant permission for advancing arguments on the aforesaid issue by way of physical hearing.

In the interest of justice, the request is allowed and the bail application is adjourned to **17.09.2020** for arguments on the issue of maintainability by way of physical hearing.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.1018/2020
FIR No.21/2020
PS:Sarai Rohilla
U/s:186/353/307/147/148/149/379/34 IPC &
Sec. 27/54 Arms Act.
State Vs. Mohd. Fardeen

15.09.2020

This is an application u/s 438 Cr.PC seeking anticipatory bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ SI Pushpender.
Sh. Suraj Prakash Sharma, Advocate for applicant/ accused.


Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application already filed. Copy thereof already supplied to Id. Counsel of applicant electronically.

As per report of IO, the birth certificate of applicant could not be got verified from concerned Authority and one weeks time is sought for the said purpose.

In view of above, IO is directed to verify the relevant document and to conduct age inquiry with regard to age of applicant and to submit his report in terms of last order, on next date.

Put up on 22.09.2020 for arguments on bail application.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

15.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
SI Pushpender on behalf of IO.
Mohd. Imran, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Additional reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Arguments on bail application heard. Reply perused.

The applicant/ accused is charged with offences punishable u/s 379/411/34 IPC on the allegations that he along with co-accused Sagar Roy got recovered the stolen car of the present case. As per additional reply filed today, co-accused Sagar Roy has already been granted regular bail in this case. Hence, the present applicant also deserves to be granted bail on the ground of parity. Moreover, he is shown to be in custody since 04.08.2020. Alleged recovery has already been effected and applicant is no more required for the purpose of investigation.

After considering the overall facts and circumstances of the case including nature of offences charged against the present applicant/ accused and in the light of discussion made herein above, applicant/ accused namely **Mohd. Habibur Rahman** is admitted to bail subject to furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of Ld. MM/ Ld. Duty MM/ Ld. Link MM and shall be subject to the following conditions:

1. During the period of bail, the accused/ applicant shall not try to contact or influence, directly or indirectly, either the victim or any other witness of the present case.



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Bail Application No.1171/2020
FIR No.004961/2020
PS:Sarai Rohilla
State Vs. Mohd. Habibur Rahman

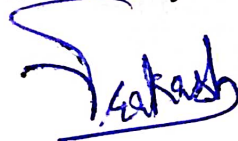
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2. The accused shall not misuse the benefit of bail by indulging in commission of similar offence in future.
3. The applicant shall join the investigation as and when directed to do so and
4. The applicant shall intimate the Court in case of change of his address.

The present bail application stands disposed of accordingly.

Copy of this order be given dasti to both the sides electronically, as per rules.

Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for being delivered to the applicant/ accused and for necessary compliance.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.916/2020
FIR No.176/2020
PS: Sarai Rohilla
U/s: 392/394/397/34 IPC
State Vs. Mohd. Hassan

15.09.2020

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ ASI Suman Prasad.
Sh. Nagendra Singh, Advocate for applicant/ accused.

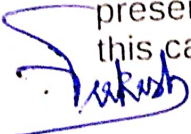
Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Arguments on bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, it is argued by Id. Counsel of applicant/ accused that he is totally innocent and has been falsely implicated in this case; he is in custody since 18.05.2020 and nothing has been recovered either from his possession or at his instance. It is further argued that applicant is having clean antecedents and he is a young boy having bright future ahead and he is no more required for the purpose of investigation and thus, no useful purpose shall be served by keeping the applicant behind the Jail. It is therefore, urged that the applicant may be granted bail on such terms and conditions as may be deemed fit by the Court.

Per contra, the bail application is opposed by Id. APP on behalf of State on the ground that the allegations against the applicant are grave and serious. It is argued that the present applicant along with his associate committed robbery of mobile phone, bag and purse against victim at the point of knife and robbed mobile phone is recovered from the possession of present applicant. It is further submitted that investigation is still going on in this case. It is therefore, urged that the bail application may be dismissed.



Contd.....2

Bail Application No.916/2020
FIR No.176/2020
PS:Sarai Rohilla
U/s:392/394/397/34 IPC
State Vs. Mohd. Hassan

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During the course of arguments, Counsel of applicant submitted that before the Court that the applicant was previously kept in Observation Home and after conducting his age inquiry by concerned JJB, he has been held to be more than 18 years of age and he has already been shifted to Tihar Jail and is presently lodged there. Although, he was directed to submit copy of the relevant order passed by JJB concerning age inquiry of applicant on dedicated mail of this Court but same has not been submitted by him.

Be that as it may, the allegations against present applicant are that he along with his associates had committed robbery of valuable articles i.e. mobile phone, bag purse of complainant at the point of knife on 19.05.2020 at 08.30 pm. The robbed mobile phone is alleged to have been recovered at the instance of present applicant. Investigation is stated to be still going on in this case.

After considering the overall facts and circumstances of this case including the nature of allegations and the manner in which offences are alleged to have been committed and in the light of discussion made herein above, Court is of the view that no ground is made out at this stage for grant of bail to the present applicant/ accused. Accordingly, the present bail application is hereby dismissed.

Copy of this order be given ~~asti~~ to both the sides electronically, as per rules.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.895/2020
FIR No.265/2020
PS:Saria Rohilla
U/s:326/341/34IPC
State Vs. Mohd. Jahid

15.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
SI Pushpender on behalf of IO/ ASI Ashok Kumar.
Sh. Birender Sagwan, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application already filed. Copy thereof already supplied to Id. Counsel of applicant electronically.

IO/ ASI Ashok Kumar is stated to be out of Delhi concerning investigation of some other case. The last reply dated 03.09.2020 of IO recites that result on MLC of victim is yet to be received.

SI Pushpender submits that he is not aware as to whether result on MLC of victim has been received or not.

In view of above, IO is directed through SI Pushpender to file additional reply in this regard on or before next date. He is also directed to appear through Video Conferencing on next date.

Put up on 17.09.2020 for arguments on bail application.

(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.1193/2020
FIR No.394/2020
PS:Karol Bagh
U/s:420/406/506 IPC
State Vs. Nitin Agarwal

15.09.2020

This is an application u/s 438 Cr.PC seeking anticipatory bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ SI Shri Narayan.
Sh. Naveen Sharma, Advocate for complainant.
Sh. Vijay K. Gupta, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Arguments on bail application heard.

IO is directed to produce police file of the case by appearing physically before the Court for perusal on 17.09.2020 at 12.30 pm.

Put up on 17.09.2020 at 04:30 pm for orders on the bail application.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.984/2020
FIR No.436/18
PS:Karol Bagh
U/s:395/397/120B/34 IPC
State Vs. Pankesh (Applicant-Asif Ali)

15.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ SI Gautam is present.
LAC Ms. Kanchan Dewan, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

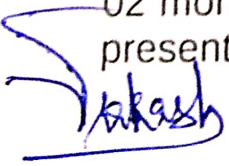
Reply of bail application already filed. Copy thereof already supplied to Id. Counsel of applicant electronically.

TCR has also been received for today.

Heard on the application. Record perused.

At the outset, Id. Counsel of applicant/ accused confines the prayer made in bail application to the extent of grant of interim bail on the ground of parity with co-accused persons namely Sunil and Ajab Singh who have already been granted interim bail in this case. Said request is allowed.

It is submitted on behalf of applicant/ accused he is custody since 01.11.2018 and charge-sheet has already been filed in this case before the Court of Id. MM but same has not yet been committed to the Court of Sessions, which clearly shows that there is no possibility of completion of trial in near future in this case due to pandemic situation on account of COVID-19. It is further argued that co-accused Sunil has already been granted interim bail for a period of 04 months by Hon'ble Delhi High Court vide order dated 28.05.2020 and another co-accused namely Ajab Singh has already been granted interim bail for 02 months vide order dated 14.07.2020 and another co-accused namely Veer Bahadur has already been granted interim bail for 02 months vide order dated 01.07.2020 by Sessions Court and therefore, the present applicant may also be granted interim bail on the ground of parity.



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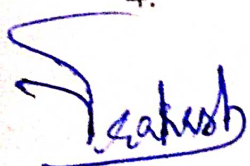
Per contra, the application is strongly opposed by Id. Addl. PP on the ground that the allegations the present applicant are grave and serious. It is argued that trial is yet to commence and all the material witnesses are yet to be examined and therefore, the bail application may be dismissed.

On query, IO has informed that weapons of offence were used by co-accused Sunil and Ajab Singh, who have already been granted interim bail in this case. As per submission of IO, offence u/s 397 IPC is not attracted against the present applicant, who is stated to be suffering from mild paralysis and shown to be custody since 01.11.2018 i.e. for a period of about 22 months or so. As already noted above, the aforesaid three co-accused persons have already been granted interim bail while considering the pandemic situation and the fact that jail is no possibility of completion of trial in near future.

Without going into merits of the case and purely on humanitarian ground, while keeping in view the period of incarceration of applicant/accused, it being for about 22 months and in the light of discussion made herein above, the applicant / accused is admitted to interim bail **for a period of 02 months from the date of his release** subject to furnishing personal bond in the sum of Rs.25,000/- with one local surety of like amount to the satisfaction of Ld. MM/ Ld. Link MM/ Ld. Duty MM and shall be subject to the following conditions:

1. During the period of bail, the accused/ applicant shall not try to contact or influence, directly or indirectly, either the victim or any other witness of the present case;
2. The accused shall not misuse the benefit of bail by indulging in commission of similar offence in future;
3. The applicant shall mark his presence before duty officer of concerned PS on every Monday between 05.00 pm to 06.00 pm during the period of interim bail;
4. The applicant shall intimate the Court in case of change of his address; and

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FIR No.436/18
PS:Karol Bagh
State Vs. Pankesh (Applicant-Asif Ali)

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5. After completion of the interim bail period, the applicant shall directly surrender before concerned Jail Superintendent.

The present bail application stands disposed of accordingly.

Copy of this order be given dasti to both the sides electronically, as per rules.

Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for being delivered to the applicant/ accused and for necessary compliance.

TCR be sent back along with copy of this order.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.1194/2020
FIR No.45/2020
PS:Prasad Nagar
U/s:380/457/411/34 IPC
State Vs. Rajbir Singh Chauhan

15.09.2020

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/SI Sanjay Kumar.
Sh. Himanshu, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

It is informed that charge-sheet has already been filed in this case on 03.09.2020.

Let TCR be called through robkar for next date.

Put up on **21.09.2020** for arguments on bail application.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.1191/2020
FIR No.291/2020
PS:Sarai Rohilla
U/s:394/397/34 IPC
State Vs. Satyam Shivam @ Shivam Kumar

15.09.2020

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
Sh. Anuj Kumar Garg, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Heard on the application. Reply perused.

After addressing brief arguments, Id. Counsel of applicant/ accused seeks permission to withdraw the present bail application with liberty to file fresh before appropriate forum at appropriate stage.

In view of above-said facts and circumstances, and the submissions made by counsel of applicant/ accused, the present application is dismissed as withdrawn, with liberty as prayed.

Copy of this order be given dasti to both the sides electronically, as per rules.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020

Bail Application No.1190/2020
FIR No.132/2020
PS:Sarai Rohilla
U/s:392/397/411/34 IPC
State Vs. Shivam

15.09.2020

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/ ASI Devender Kumar.
Sh. A.R. Sharma, Advocate for applicant/ accused.

Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

Counsel of applicant/ accused seeks adjournment on the ground that he is not feeling well today due to kidney problem.

Put up on 19.09.2020 for arguments on bail application.



(Vidya Prakash)
Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
15.09.2020