

FIR No. 43/2018
PS: Sadar Bazar
State Vs. Ravi Kohli
U/s 302/34 IPC

05.08.2020

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

Sh. Sunil Tiwari, Counsel for accused (through video conferencing)

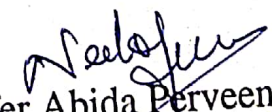
Hearing is conducted through video conferencing.

This is third application under Section 439 CrPC for grant of interim bail of 45 days filed on behalf of accused Ravi Kohli in case FIR No.43/2018 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic.

Conduct report and custody certificate were called for from Jail Superintendent concerned. As per report, accused-applicant is in judicial custody since 23.02.2018, however his conduct is reported to be unsatisfactory as on 13.02.2020, he has been awarded punishment for abusing and scuffling with other inmates at the Court Lockup. The accused-applicant Ravi Kohli therefore, falls short on the criteria of good conduct in custody laid down under guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020. No other ground is raised for grant of interim bail except guidelines issued by the



High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic. Ld. Counsel has relied upon judgment passed by Hon'ble High Court in B. A. No. 1464/2020 titled as Kuldeep v. State decided on 17.07.2020. In the said case, punishment was accorded for jail offence that accused-applicant was found in possession of one tablet, however, in the present case the jail offence is of abusing and scuffling with other inmates in Court Lockup, indicating disorderly behaviour during custody. The judgment cited by Ld. Counsel was ~~filed~~ ^{no} _{based} under Section 439 CrPC read with Section 482 CrPC. Moreover, it is not for this Court to dilute the criteria as has been laid down under guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic. As accused does not fulfill^{no} all the criteria, the present application of accused Ravi Kohli in case FIR No. 43/2018 for grant of interim bail is dismissed.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
05.08.2020

FIR No. 91/2018

PS: Kotwali

State Vs. Mohsin Alam

U/s 342/395/397/412/120B IPC and 25/27/54/59 Arms Act

05.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Akram Khan, Counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

This is an application for extension of interim bail on behalf
of accused Mohsin Alam in case FIR No. 91/18.

Ld. Counsel seeks time to verify if Hon'ble the High Court of
Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt.
of NCT Delhi & Anr. has passed any directions regarding further extension
of interim bail of UTPs which was listed on 04.08.2020 before the Hon'ble
High Court of Delhi.

For consideration, put up on **07.08.2020**.

Nalofur
(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.08.2020

FIR No. 243/2017

PS: Burari

State Vs. Deepak

U/s 302/380/411/201/120B/34 IPC & 25 Arms Act

05.08.2020

Present: None.

Today, the matter is fixed for orders on bail application. However, the citations relied upon by Ld. counsel accused-applicant could not be located on email ID of the Court. Attempt was made to contact Ld. Counsel for accused-applicant on phone but could not be contacted.

Ld. Counsel for the accused-applicant be contacted and intimated that citations be sent afresh on the email ID of the Court.

For orders, put up on **07.08.2020**.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

05.08.2020

FIR No. 243/2017 & 245/2017
PS: Burari
State Vs. Sahib Khan @ Bunty
U/s 302/201/34 IPC

05.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Javed Alvi, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This common order shall dispose of two applications filed under Section 439 CrPC for grant of interim bail of 45 days on behalf of accused Sahib Khan @ Bunty in case FIR No. 243/2017 & 245/2017 on the ground of illness of his wife.

Ld. Counsel for the accused-applicant ~~is~~ contended that accused-applicant has been falsely implicated in the present case and is in JC since 24.04.2017. That wife of the accused is seriously ill requires surgery and is hospitalized and the presence of accused-applicant is required for looking after the minor child attending to the ailing wife.

Ld. Addl. PP, on the other hand, submitted that present case pertains to murder of six members of family in which two decomposed dead bodies were recovered from Delhi and three recovered from Meerut, UP at the instance of the accused-applicant. However, medical documents of Smt. Shabana, wife of the accused of Yogmaya Hospital, Mehrauli are

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verified to be genuine and concerned doctor has certified that wife of the accused is admitted in hospital since 24.07.2020 and after investigative tests wife of the accused may go under cardiac surgery.

Herad.

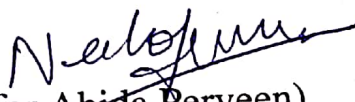
As per certificate issued by concerned doctor, wife of the accused-applicant is suffering from heart ailment and is admitted in hospital on 24.07.2020 and after confirmation, wife of the accused-applicant is to undergo cardiac surgery. Taking into consideration that the wife of the accused-applicant is admitted in hospital for heart ailment and may require surgery for the same and presence of the accused is required to take ^{care} care of her and minor child and for arranging funds, **both the applications are allowed and accused-applicant is Sahib Khan @ Bunty S/o Akhtar Khan is granted interim bail for 30 days in case FIR No. 243/2017 and 245/2017 for treatment of his wife subject to furnishing personal bond in the sum of Rs.50,000/- each with two sureties in the like amount and subject to the condition that he shall mention his mobile phone number, which number it shall be ensured by the accused remains switched on mode throughout the period of interim bail with location activated and shared with the IO at all times. Moreover, once in 24 hours every day, accused-applicant through said mobile phone shall telephonically inform the IO about his whereabouts. That accused shall not threaten, intimidate witnesses or interfere with the course of justice or tamper with the evidence in any manner. That accused-applicant**

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shall not leave the Delhi NCT without the prior permission of the Court.

Applicant-accused to surrender on expiry of the interim bail period.

Both applications in case FIR No. 243/2017 and 245/2017 stand disposed of.


(Neelofer ~~Abida~~ Perveen)
ASJ (Central)THC/Delhi
05.08.2020

FIR No. 27/2019

PS: Wazirabad

State Vs. Vijay @ Sunil @ Munna

U/s 15/61/85 NDPS Act

05.08.2020

ORDER

This is an application for grant of regular bail filed on behalf of accused Vijay @ Sunil @ Munna in case FIR No. 27/2019.

Ld. Counsel for the accused-applicant contended that accused has been falsely implicated in the present case and is in JC since 05.02.2019. That nothing has been recovered from the possession of the accused-applicant. That investigation is completed, chargesheet has been filed and charge has already been framed. That the case pertains to recovery of intermediate quantity of the contraband and case of the accused-applicant is on similar footing. That co-accused Sunny Sharma is already on bail. That accused-applicant has clean antecedents and has family to support consisting of his old aged mother and father, wife and minor daughter.

Ld. Addl. PP, on the other hand submitted that the case pertains to the recovery of total 1000 Kgs of 'doda' (Poppy Straw) i.e. commercial quantity as 25 kgs of doda was recovered from the possession of accused Vijay @ Sunil @ Munna and co-accused Sunny Sharma and 975 kgs of doda was recovered in 39 plastic bags from a godown at the instance of accused persons.

Heard.

The case of the prosecution is that on 05.02.2019 Ct. Robin Malik alongwith Ct. Kamaljit and Ct. Naushad was on patrolling duty in the area of a

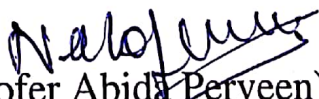
Naushad

Wazirabad and at around 6 pm when they were near Sangam Vihar roundabout, two persons on a motorcycle no. DL 8SVL 8959 splendor black colour and silver were seen with one blackish grey plastic bag placed in between them, coming from the side of Jagatpur village and upon sighting the police party hurriedly began making U-turn rousing the suspicion of the police officials, who intercepted the motorcycle and asked them to show the contents of the plastic katta. The katta was in a sealed condition and when it was attempted to open it, it got torn in the process and it was found to contain poppy husk. It was weighed and found to be weigh 25 kgs. On the disclosure of the accused persons, further 975kgs and 500 grams of poppy straw were recovered from a godown. This godown however is not alleged by the prosecution ^{to be} belong to accused-applicant. It is related to one Vikas who is absconding.

In such facts and circumstances, taking into consideration that the recovery alleged to be effected from the conscious possession of the accused applicant is 25 kgs of poppy straw which falls under intermediary category of contraband and as, co-accused Sunny Sharma has already been granted bail and case of the accused-applicant is on similar footing and also as accused-applicant has clean antecedents and trial is at an initial stage and conclusion of trial likely to take some time particularly in the unpredictable situation in the wake of outbreak of covid-19 pandemic. The present application for regular bail is allowed and it is ordered that accused-applicant Vijay @ Sunil @ Munna be released upon furnishing personal bond in the sum of Rs.50,000/- with two sureties in the like amount to the satisfaction of the Court/Ld. Duty MM and subject to the condition that prior to his release, accused-applicant shall deposit his passport if he holds one with the IO. That accused shall mention his mobile

N. Singh

phone number besides that of the sureties on the bonds and accused shall ensure that the mobile phone numbers provided remain throughout on switched on mode with location activated and shared with the IO. That accused-applicant shall confirm his location telephonically with the IO after every 15 days. That the accused-applicant shall not leave the territorial limits of NCT Delhi without the prior intimation to the IO. That he shall scrupulously appear on each and every date of hearing before the court so as not to cause any obstruction or delay to its progress and he shall not interfere with the proceedings in any manner, that he shall not engage in any criminal activity, that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such facts to the Court or to any police officer or tamper with the evidence. That accused and sureties shall not change their mobile phone numbers and addresses without prior intimation to the IO and that accused and sureties shall also intimate the IO in the event of change of address. That accused-applicant Vijay @ Sunil @ Munna shall mark his presence before the SHO PS Wazirabad on the 1st of each month. Application stands disposed of accordingly.


(Neelofer Abida Perveen)
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FIR No. 91/2018

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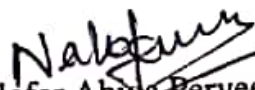
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