

FIR No. 248/2018
PS Crime Branch
State v. Surya Mohan @ Suraj @ Raja
U/s 21 NDPS Act

24.08.2020

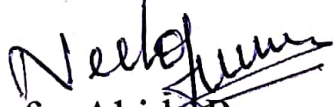
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh.Pramajeet, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This an application under Section 439 CrPC for grant of bail on behalf of accused Surya Mohan @ Suraj @ Raja in case FIR No. 248/2018. Ld. Addl. PP submits that reply has not been filed as FIR number is wrongly mentioned in the bail application. That Surya Mohan is accused in case FIR No. 242/2018 whereas present application has been filed in respect of accused Surya Mohan accused in case FIR No.248/2018.

Office reports that no such case FIR No. 248/2018 has been assigned to this Court and that Surya Mohan is in fact accused in case FIR No. 242/2018. At this stage, ld. counsel for accused-applicant submits that he does not wish to press upon this bail application and that the same may be dismissed as withdrawn. It is ordered accordingly. This application under Section 439 CrPC for grant of bail on behalf of accused Surya Mohan @ Suraj @ Raja in case FIR No. 248/2018 is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
24.08.2020

FIR No. 176/2017
PS DBG Road
State v. Kaushal
U/s 307 IPC

24.08.2020

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

None for applicant


Hearing is conducted through video conferencing.

This is an application for cancellation of bail on behalf of applicant in case FIR No. 176/2017.

Attempts were made to contact Ld. counsel for applicant telephonically but call was not answered by Ld. counsel for applicant.

In the interest of justice, for consideration, put up on

09.09.2020.


(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

24.08.2020

FIR No. 91/2018

PS: Kotwali

State Vs. Sachin

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

24.08.2020

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

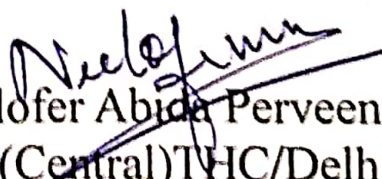
None for accused-applicant

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Sachin in case FIR No. 91/18 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi in order to decongest the prisons due to outbreak of covid-19 pandemic.

Today the matter is fixed for orders, however, on the last date of hearing Ld. counsel for accused-applicant sought time to file judicial pronouncement. Ld. counsel for accused-applicant when contacted on phone submits that he shall forward the judicial pronouncement today.

For orders on bail application, put up on **27.08.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
24.08.2020

FIR No. 24/2016

PS: Crime Branch

State Vs. Vijay Kumar Jha etc. (applicant Guddu Jha)

U/s 20/25/29 NDPS Act

24.08.2020

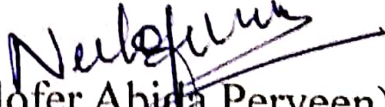
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Piyush Ranjan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused Guddu Jha in case FIR No. 24/16.

After arguing for some time, ld. counsel for accused-applicant submits that he does want to press upon the present bail application and that the same may be dismissed as withdrawn as he intends to file interim bail application on behalf of the accused. **It is ordered accordingly. This application for grant of bail on behalf of accused Guddu Jha in case FIR No. 24/16 is dismissed as withdrawn.**


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
24.08.2020

FIR No. 245/2018

PS: Nabi Karim

State Vs. Parveen Kumar @ Pummy

U/s 302 IPC

24.08.2020

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

Sh. Naveen Gaur, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Parveen Kumar @ Pummy in case FIR No. 245/18 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 due to outbreak of covid-19 pandemic.

Ld. counsel for the accused -applicant has contended that accused has been falsely implicated by the police officials of P.S. Nabi Karim and he is in judicial custody since 27.07.2018 and has now undergone two years in custody in connection with the present case. That accused-applicant is fully covered under the criteria of guidelines of PC of Hon'ble High Court of Delhi dated 18.05.2020, as the accused-applicant has clean antecedents and his conduct during custody has also been good and that on previous occasions he was granted interim bail and had not misused the concession but due to some confusion as he had engaged another counsel in respect of his application for grant of interim bail, he

Naveen Gaur

being an illiterate person surrendered after two days of the expiry of the period of interim bail as his application for extension was pending which came to be dismissed. That it is only owing to the illness of the son and under a misconception that he had surrendered after two days and that he has not wilfully misused the concession and has surrendered of his own volition though after two days. That applicant-accused was released on interim bail twice for a period of 10 days by this Hon'ble court on the ground of medical condition of his elder son. That the family of accused-applicant is residing in surrounding of the containment zone and the accused is only major person of his family who can take all due care of his two minor sons and a old ailing mother, out of which the elder son of the accused is suffering from tumor in his neck and his treatment has been stopped due to pandemic covid-19 and as per advisory of government, the children and old aged persons are not to move outside of house.

Ld. Addl. PP on the other had submitted that the offence committed by the accused-applicant is grave in nature and that accused has misused the concession granted to him and violated the terms and conditions of bail and jumped the interim bail period by two days. The medical documents in respect of son of the accused-applicant were prepared by Dr. Gajender Nayyar, whose registration has been suspended by Delhi Medical Council for preparing forged and fabricated medical papers in order to help the accused persons in jail to get bails.

Heard.

The accused-applicant is in custody in connection with the present case


Neelofar

registered for commission of offence under section 302 IPC, as the accused is alleged to have caused the death of his wife by burning her alive, since 27.07.2018 as per the custody certificate furnished on the record by the jail superintendent concerned. It is also reported that during this period the accused applicant has availed interim bails on two occasions of 10 days each and towards the same was released on 20.4.2019 and readmitted on 1.5.2019 and thereafter on 22.6.2020 and readmitted in Mandoli Jail on 6.7.2018.

Record reveals that on 19.6.2020, the accused-applicant was granted interim bail of 10 days by this court, for the purposes of treatment of his Son on the basis of the medical documents /certificate issued under the signatures of Dr. S.K.Nayar, in pursuance thereto the accused came to be released on 22.6.2020, the accused therefore was required to have surrendered on 2.7.2020. Thereafter the accused-applicant had applied for extension of the interim bail annexing certificate issued by Dr. Gajender Nayar of N.C. Hospital which was dismissed on 30.6.2020 taking into consideration the order passed by H'ble the High Court of Delhi in B. A. No. 865/2020 titled as Abdul Rehman v. State, dated 29.06.2020 directing investigation into the allegations that Dr. Gajender Kumar Nayar had issued several certificates in various criminal cases to enable accused persons to take pleas for grant of bail. The accused again filed application for extension of the interim bail, this time on the ground that he is exhibiting Covid like symptoms without there being any test report or medical certification to this effect, which application was dismissed on 4.7.2020 as the extension of the interim bail was being applied for after the expiry of the period of interim bail and in the face of

Nerlafor

the dismissal of the previous application for extension of interim bail. It cannot be lost sight of that the accused obtained interim bail by relying upon certificate issued from N.C. Hospital and by Dr. Gajender Nayyar, a medical practitioner of considerable disrepute whose license to practice medicine has been suspended, and despite dismissal of one application for extension he preferred subsequent application for extension thereafter on unsubstantiated ground and after the expiry of the period of interim bail. The accused-applicant thereafter surrendered on 6.7.2020, not two but four days after the expiry of the interim bail period and after two days of the dismissal of the second application for extension. The contention raised by the Ld. Counsel for the accused-applicant therefore is rendered untenable in this background. The conduct of the accused-applicant has not been above board, accused has misused the concession on earlier occasion. In such circumstances the report from jail authorities that his conduct in custody has been satisfactory cannot be accepted only for the reason that no punishment ticket is awarded to him. The accused-applicant is charged for the offence u/s 302 IPC, accused-applicant has misused the concession willfully on earlier occasion, the accused therefore does not qualify on all the criteria laid down under the Guidelines dated 18.5.2020. The present application for grant of interim bail is therefore dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
24.08.2020

FIR No. 217/2019
PS: Sadar Bazar
State Vs. Uttam Gupta & Ors.
U/s 308/354/354B/34 IPC

24.08.2020

Present: None for applicant-accused.

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

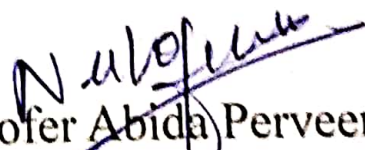
Hearing conducted through Video Conferencing.

This is an application for issuance of directions to the Passport Authority to issue new passport on behalf of accused Uttam Gupta in case FIR No. 217/2018.

Ld. counsel for accused-applicant is connected through Webex, however, audio is not available from his side.

Let reply be called, in the meanwhile, from the IO, in respect of the contents of the application.

For consideration, put up on **03.09.2020**.


(Neelofer Abida) Perveen
ASJ (Central) THC/Delhi
24.08.2020

FIR No. 115/2013
PS: Crime Branch
State Vs. Denis Jauregui Mendizabel
U/s 22, 23, 28 & 30 NDPS Act

24.08.2020

Present: Sh. Sunil Upadhaya, counsel for applicant (through video conferencing)

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

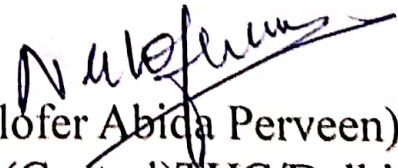
Hearing conducted through Video Conferencing.

This is an application for issuance of new passport on behalf of accused Denis Jauregui Mendizabel in case FIR No.115/2013.

Ld. counsel for applicant seeks some more to time to argue the matter after going the relevant provisions of law.

Office to report in respect of the date of expiry of passport of the applicant lying deposited in the court. State to file reply. Status of the appeal be also called for.

For Reply, report and arguments, through video conferencing, put up on **04.09.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
24.08.2020