

INTERIM BAIL APPLICATION

FIR No. : 402/2017
PS: Burari
State v. Umesh Saw
U/S: 302 IPC

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for
Accused through VC.

1. Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.

Reply filed by the IO. Same is taken on record.

2. Arguments heard.

3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of **custody warrant** is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offence alleged**

FIR No. : 402/2017
PS: Burari
State v. Umesh Saw
U/S: 302 IPC

against accused is under Section 302IPC.

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a **period of 45 days** from the date of release on furnishing personal bond *in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.*

5.1. But in the reply filed by the IO it is stated that statement U/s 164 Cr.P.C of the children of deceased/accused have also been recorded by Ld. MM in which they supported the prosecution. As such, it is following additional conditions are imposed on present accused for such interim bail :

- i) After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly;
- ii) applicant shall not flee from the justice;
- iii) applicant shall not tamper with the evidence;
- iv) applicant shall not threaten or contact in any manner to the prosecution witnesses ,including his children ;
- v) applicant shall not leave country without permission;
- vi) applicant shall convey any change of address immediately to the IO and the court;
- vii) applicant shall also provide her mobile number to the IO;
- viii) applicant shall mark his attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his location with the SHO concerned;

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ix) applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. To 5 p.m.

x) Applicant shall keep his such mobile number 'Switched On' at all the time and particularly between 8 am to 8 pm everyday.

6. It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in *Suo Moto W.P.(C) No. 01/2020* as well as relevant directions issued by Hon'ble High Court of Delhi in *W.P. (C) No. 2945/2020* in case titled as '*Shobha Gupta and Ors. v. Union of India & Ors.*' and thereafter from time to time as mentioned above.

7. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/05.06.2020

FIR No. : 402/2017
PS: Burari
State v. Umesh Saw
U/S: 302 IPC

INTERIM BAIL APPLICATION

FIR No. : 356/2015

PS: Rajinder Nagar

STATE v. Pagari Lal

U/S: 302/34 IPC and 25/27 Arms Act.

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

Reply filed by the IO. Same is taken on record.

2. Arguments heard.
3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offence alleged against accused is under Section 302/34 IPC and 25/27 Arms**

Act.

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.**

6. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

7. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/05.06.2020

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INTERIM BAIL APPLICATION

FIR No. : 356/2015
PS:Rajinder Nagar
State v. Lallu ram
U/S: 302/34 IPC and 25/27 Arms Act

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for
Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

Reply filed by the IO. Same is taken on record.

2. Arguments heard.
3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record

FIR No. : 356/2015
PS:Rajinder Nagar
State v. Lallu ram
U/S: 302/34 IPC and 25/27 Arms Act

of such accused. **Further, it is stated that offence alleged against accused is under Section 302/34 IPC and 25/27 Arms Act.**

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.**

6. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

7. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/05.06.2020

INTERIM BAIL APPLICATION

FIR No. : 647/2016
PS: Sarai Rohilla
State v.Nitu Singh
U/S: 302 r/w 120B IPC

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for Accused through VC.

1. Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.

Reply was filed by the IO on the last date of hearing .
But matter was kept for further argument and order for today.

2. Arguments heard.

3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record

FIR No. : 647/2016
PS: Sarai Rohilla
State vs.Nitu Singh
U/S: 302 r/w 120B IPC

of such accused. **Further, it is stated that offence alleged against accused is under Section 302IPC.**

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a **period of 45 days** from the date of release on furnishing personal bond *in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.*

5.1. But in the reply filed by the IO it is stated that statement U/s 164 Cr.P.C of the children of deceased/accused have also been recorded by Ld. MM in which they supported the prosecution. As such, it is following additional conditions are imposed on present accused for such interim bail :

- i) After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly;
- ii) applicant shall not flee from the justice;
- iii) applicant shall not tamper with the evidence;
- iv) applicant shall not threaten or contact in any manner to the prosecution witnesses ,including her child ;
- v) applicant shall not leave country without permission;
- vi) applicant shall convey any change of address immediately to the IO and the court;
- vii) applicant shall also provide her mobile number to the IO;
- viii) applicant shall mark her attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing her location with the SHO

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INTERIM BAIL APPLICATION

FIR No. : 160/2016
PS: Bara Hindu Rao
State v.Amar Pal @ Fauji
U/S: 302 IPC

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

Reply filed by the IO. Same is taken on record.

2. Arguments heard.
3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated, that offence alleged**

FIR No. : 160/2016
PS: Bara Hindu Rao
State v.Amar Pal @ Fauji
U/S: 302 IPC

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against accused is under Section 302 IPC.

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.**

6. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

7. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court for DLSA matters
Central District/05.06.2020

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INTERIM BAIL APPLICATION

FIR NO. 678/15,
PS: SUBZI MANDI, DELHI
STATE Vs Sudhir Pal
U/S 302/306/120B/34 IPC

05.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
VC
Mr. Diwakar Chaudhary, Ld. Counsel from DLSA for
Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

Further reply filed by the IO in terms of direction by Hon'ble HC . Same is taken on record.

2. Arguments heard.

3. Present application through electronic mode is filed by DLSA through Jail Superintendent concerned. It is stated that accused is in JC since for more than **two years** (which fact is now even verified by IO in his report).

Further, a copy of certificate of good conduct as well as copy of custody warrant is enclosed with such interim bail application.

4. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record

FIR NO. 678/15,
PS: SUBZI MANDI, DELHI
STATE Vs Sudhir Pal
U/S 302/306/120B/34 IPC.

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of such accused. **Further, it is stated that offences alleged against accused are, under Section 302/306/120B/34 IPC**

5. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.**

6. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

7. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District/05.06.2020

FIR NO. 678/15,
PS: SUBZI MANDI, DELHI
STATE Vs Sudhir Pal
U/S 302/306/120B/34 IPC,