

FIR No. 32/2019

PS: Prasad Nagar

State Vs. Kamal Kishore

U/s 302/323/341/147/148/149 IPC and 25 Arms Act

18.08.2020 Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing).

Sh. Vineet Jain, Counsel for accused-applicant
(through video conferencing)

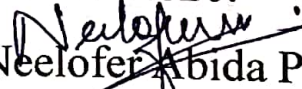
Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of extension of interim bail on behalf of accused Kamal Kishore in case FIR No. 32/2019.

Ld. Counsel for the accused-applicant submits that the accused-applicant was granted interim bail for treatment of his sister and that now his sister has recovered though still has pain in her leg but his mother has taken ill and requires treatment. Ld. Counsel also relies upon order dated 13.7.2020 passed by the H'ble High Court of Delhi in WP(C)No.3037/2020.

Though the matter was listed for orders however it emerges that report in respect of the medical record would be necessary towards a just disposal of the application. Let the medical record annexed with the application be verified before the next date of hearing. Interim bail is extended till the next date of hearing on the same bonds.

For report and consideration , put up on 26.8.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
18.08.2020

FIR No. 85/2020
PS Crime Branch
State v. Gajinder Nayyar
U/s 420/467/468/471/474/120B IPC

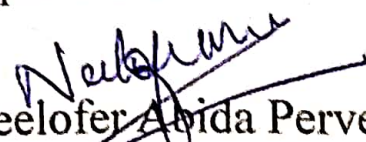
18.08.2020

Present: SI Arun Ahlawat, STARS -II Crime Branch (through VC)

An application is moved by the SI for providing copy of bail/interim bail/parole petition filed by the accused Parveen Kumar @ Pummy in case FIR No. 245/2018 U/s 302 IPC.

It is submitted that in pursuance to the directions of Hon'ble High Court of Delhi, an inquiry is initiated in respect of medical documents issued by Dr. Gajinder Nayyar and during investigation it is found that accused Parveen Kumar @ Pummy had filed such documents before this Court in FIR No.245/18, u/s302IPC, PS Nabi Karim.

In such facts and circumstance, taking into consideration the directions passed by H'ble the High Court of Delhi and in order to facilitate the enquiry/investigation, it is directed that copy of the applications for grant of interim bail filed by accused Praveen Kumar @ Pummy in case FIR No. .245/18, u/s302IPC, PS Nabi Karim alongwith all annexures be supplied to the Applicant- Investigating Officer as per rules.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.08.2020

FIR No. 214/2014
PS: Crime Branch
State Vs. Gulshan etc.
U/s 20/29 NDPS Act

18.08.2020

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

Sh. Atul Guleria, 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 the accused-applicant Gulshan Kumar in case FIR No. 214/2014.

Ld. Counsel for the accused-applicant has contended that accused-applicant is innocent and is in JC since 05.12.2017 i.e. more than two years. That provisions of Section 50 & 55 NDPS Act have not been complied with. That one eye of the accused-applicant is completely damaged and other eye is infected and needs proper care, treatment and correctional therapy. That applicant has lost his entire set of teeth and is having great difficulty in having meals and even speaking and requires dental implant which entails a cumbersome procedure practically not possible in jail.

In compliance of directions for filing of report in respect of health status of the accused-applicant, the Jial Superintendent concerned has filed a comprehensive report in respect of the accused-applicant from

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the year 2017, since the date of his incarceration. As per medical health report received from Jail dispensary, the accused-applicant came to jail dispensary on 21.12.2017 with complaint of defective vision wherein he was reviewed by Medical Officer on duty and was provided necessary treatment. That he was reviewed by Senior Resident Ophthalmology on 28.02.2020 for the said complaint. That he was diagnosed as a case of right blind eye with left eye pseudophakia. That he was explained the nil visual prognosis of right eye and was advised to use spectacles for left eye. That he came to jail dispensary for review by SR Ophthalmology for the said complaints on 11.01.2018, 22.02.2018, 12.04.2018, 19.07.2018 and 28.03.2019. That accused-applicant last came to jail dispensary on 20.02.2020 wherein he as reviewed by SR Ophthalmology as a follow up case of right pthisical eye with left pseudophakia. That vision in his left eye was 6/12. He was advised to use spectacles for left eye and gain nil visual prognosis of right eye was explained to him. That accused-applicant came to jail dispensary on 23.02.2018 and 06.04.2018 with complaint of decreased hearing in right ear and gave history of surgery of right ear around one year back. That he was reviewed in DDU Hospital/ENT Department on 09.03.2018, 12.03.2018 and 15.03.2018 wherein his Audiometry test was carried out on 15.03.2020. He was diagnosed as a case of mixed hearing loss in right ear and was advised to use hearing aid machine for right ear. Accordingly, he was provided hearing aid machine from the jail dispensary itself on 14.09.2018 and 17.04.2020. That accused-applicant came to jail dispensary on 08.03.2018, 03.01.2019, 10.01.2019, 28.03.2019, 04.04.2019,

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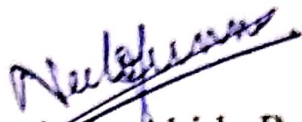
02.05.2019 and 03.01.2020 with complaint of dental pain and multiple missing teeth for which he was reviewed by jail dentist and was provided necessary treatment. Extraction of his lower left third molar tooth was carried out in jail dispensary on 10.01.2019. That accused was reviewed in DDU Hospital/Dental Department on 19.01.2019, 25.01.2019 and 01.02.2019 wherein extraction of his right lower incisor tooth and left lower incisor and first canine teeth was carried out. That at present the general condition and vitals of the accused-applicant are stable and satisfactory.

I have gone through the report as has been virtually reproduced above. It emerges that the accused-applicant had nil vision in his right eye prior to the commencement of his custody, and the vision in the left eye is 6/12, meaning thereby that what a person with normal vision is capable of seeing from at a distance of 12 meters the accused can see the same from at a distance of 6 mts. and for the same spectacle lenses are advised, and it does not at all require any surgical intervention. For the hearing loss the accused has been provided with hearing aids and again no surgical treatment is advised. The accused also has multiple missing teeth and during his custody has undergone extraction of four of his teeth. It is contended for the accused-applicant that he requires implants as due to the missing teeth he is not in a position to eat solid food.

Taking into consideration the submission made in this regard, it is deemed necessary to direct a further evaluation of the dental health status of the accused-applicant at DDU Hospital or any other Dental/Orthodontics Facility with specific report on the aspect as to whether the multiple

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extractions and missing teeth have rendered the accused in custody incapable of eating solid food, whether special diet is prescribed and is made available, whether implants are advised and are capable of being provided for while in custody. For further Report and Consideration, put up on 31.8.2020.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
18.08.2020

FIR No.43/2018
PS Sadar Bazar
State v. Shakir
U/s 302/120B/34 IPC & 25 Arms Act

18.08.2020

ORDER

This an application for interim bail on behalf of accused-applicant Shakir in case FIR No. 43/2018 on the ground of illness of his father.

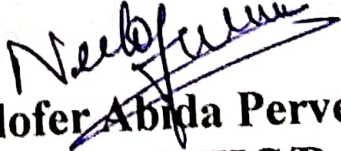
Ld. Counsel for the accused-applicant has contended that accused is in custody since 22.02.2018. That father of the accused-applicant is having severe heart problem Angina and also several medical ailments like difficulty in breathing and is facing problems going to hospitals for regular check-up and the concerned doctor has advised angiography due to the blockage in heart.

Ld. Addl. PP, on the other hand, submitted that accused-applicant has actively participated in the murder of Shoaib @ Gandhi alongwith co-accused Ravi Kohli and gave repeated knife blows and besides statements of last seen witnesses prosecution has relied upon scientific evidence to connect the accused with the commission of the offence, Further it has been verified that father of the accused-applicant is living in the same building alongwith his brother and the father of the accused-applicant was taken for angiography, however angiography could not be conducted for want of bed in the hospital.

Heard.



The case pertains to murder of Shoaib @ Gandhi, whose body was recovered with slit throat and multiple knife injuries and accused-applicant is alleged to have actively participated in the commission of offence by giving repeated knife blows and weapon of offence also is recovered at the instance of the accused-applicant. The present is an application for grant of interim bail on the ground of treatment of father. As per report angiography has been advised and the same could not be performed due to non availability of bed. So far as the family status is concerned the brother of the father of the accused-applicant is reported to be living in the same building. Angiography in itself is an investigative procedure to determine if there is any blockage that would require any kind of surgical procedure. At this stage no surgical procedure has been advised/scheduled, father of the accused applicant is not stated to be hospitalized, the brother of the father of the accused lives in the same premises, the applicant is an accused in a case of gruesome murder. In the totality of the circumstances on the sole ground that the father of the accused-applicant is scheduled for an angiography, it is not sufficient a ground for grant of interim bail. This application for interim bail on behalf of accused-applicant Shakir in case FIR No. 43/2018 is therefore dismissed.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
14.08.2020

FIR No. 245/2018
PS: Nabi Karim
State Vs. Parveen Kumar @ Pummy
U/s 302 IPC

18.08.2020

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. Addl. PP submits that accused-applicant is not covered under the guidelines as the accused-applicant is still short of 5 days period of judicial custody.

Ld. Counsel for accused-applicant submits that accused-applicant is in custody since 27.07.2018 and has availed interim bail on two occasions of 10 days and after deducting the same, the period undergone as on date even, as per the report furnished by Jail Superintendent and the custody certificate, would be two years.

For further consideration as record in respect of the previous bail applications is required to compute the custody, put up on 24.08.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.08.2020

FIR No. 115/2018
PS: Sadar Bazar
State Vs. Anisha Begum
U/s 304B IPC

18.08.2020

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

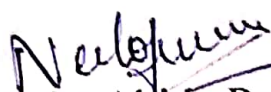
None for accused-applicant.

Hearing conducted through Video Conferencing.

This is an application for release of original documents i.e. registration certificate of sureties namely Zulfikar and Tauqir.

Let report be called from Jail Superintendent whether the accused Anisha Begum has surrendered in jail on expiry of period of interim bail.

For report and consideration, put up on 25.08.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
18.08.2020