Through mail Por

FIR No. 535/2020
Police Station : Paschim Vihar West
State vs Atul Shokeen
Under Section : 307 IPC and 25/27 Arms Act

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster No. 403/9004-9086/Misc/Gaz/DJ West/2020 dated 15.07.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
Sh. Ashok Chhikara Learned counsel for applicant / accused through video-conferencing (CISCO Webex).

This is an application for grant of bail under section 439 Cr.PC to the applicant / accused Atul Shokeen.

Reply to the bail application received from the investigating officer.

The bail application was dismissed by the learned Sessions Court and Hon'ble High Court. However, those orders are not filed by the learned counsel. He seeks some time to file the same. At request of learned counsel for applicant, put up on **31.07.2020.**

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No.627/2020
Police Station :Punjabi Bagh
State Vs.Raju
Under section : 376(2)(n)/366/366(A)
/365/323/506/120B/115/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster No. 403/9004-9086/Misc/Gaz/DJ West/2020 dated 15.07.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
Sh. Ajesh Kumar Shamra Learned counsel for applicant / accused through video-conferencing (CISCO Webex).

Investigating officer has not filed the reply in this case. Complainant is also not present.

Issue notice to the complainant for the next date of hearing.

Let medical documents be verified by the investigating officer for the next date of hearing.

Let investigating officer to appear in person alongwith case diary on **04.08.2020.**

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No.181/2019
Police Station :Punjabi Bagh
State Vs. Bunty Roy
U/s 376/313/506/509 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster No. 403/9004-9086/Misc/Gaz/DJ West/2020 dated 15.07.2020.

Present : Sh. Santosh Kumar Singh, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
None for applicant / accused.

Status report received.

Put up for consideration on **04.08.2020.**

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 942/97
Police Station : Rajouri Garden
State Vs. Vijay Rai
U/s 307/302/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Harsh Hardy, Ld. Counsel for accused/applicant. through video-conferencing (CISCO Webex).

This is an application for grant of interim bail to accused Vijay Rai in view of the guidelines passed by the High Powered Committed vide order dated 18.05.2020.

Status report of accused/applicant has been received from the Jail Superintendent as per which accused/applicant has been sentenced to undergo rigorous imprisonment for life & fine of Rs. 2000/- and in default 4 moths simple imprisonment on 22.01.2001 in case FIR No. 942/1997 u/s 302/307/34 IPC PS Rajouri Garden. The criminal appeal no. 543/2001 was dismissed by the Honble High Court of Delhi on 16.09.2009, but the applicant did not surrender after dismissal of appeal and was declared proclaimed offender in this case. He was arrested on 06.08.2019 in another case FIR no. 325/2019 u/s 174A IPC and was convicted in that case also on 20.08.2019 passed by Shri Ashish Aggarwal, Ld. ASJ.

Since the applicant is a convict and punished with life imprisonment, this court has no jurisdiction to release him on interim bail. Moreover, parole can be granted to him by the competent authority and it is stated in the reply of the jail su-

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perintendent that the applicant moved one application for grant of emergency parole on the ground of pandemic of Covid-19 and the same has been processed to be considered by the competent authority.

Therefore, the court does not have any jurisdiction to grant bail to accused/applicant. Hence, the bail application of accused / applicant Vijay stands dismissed.

At request, copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 554/2020
Police Station : Rajouri Garden
State Vs. Suraj
U/s 376(2)(n)/506/328 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
Victim / complainant in person with IO SI Babita.
Shri Dharmender Kumar, Ld. Counsel for accused/applicant.

This is an application for grant of bail to accused / applicant Suraj Kumar.

Reply filed.

Heard.

It is submitted by the victim that although she wants to marry the accused , but the accused used to beat her and she wants an undertaking from the accused and his family that she will not be beaten or tortured in future and that this marriage is not under any pressure of getting out of the jail but on the free will of the applicant.

It is submitted by Ld. Counsel for accused/applicant that he does not want to press the present bail application and wants to withdraw the same.

In view of submission of Ld. Counsel, the bail application of accused Suraj stand dismissed as withdrawn.

At request, copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 014675/2020
Police Station : Tilak Nagar
State Vs. Jitender @ Haddi
U/s 379/411 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri R.D Dubey, Ld. Counsel for accused/applicant.

This is an application for grant of bail to accused Jitender @ Haddi.

Reply filed.

Heard.

It is submitted by Ld. Counsel for accused /applicant that he does not want to press the application under consideration and wants to withdraw the same.

In view of submission of Ld. Counsel for accused, the application for grant of bail to accused Jitender @ Haddi is dismissed as withdrawn.

At request, copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 640/20
Police Station : Punjabi Bagh
State Vs. Jitender @ Sonu @ Michael
U/s 356/379/411/385/507/120B/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Ziya Afroz, Ld. Counsel for accused/applicant.

This is an application for grant of bail to accused Jitender @ Sonu.

Reply filed.

Heard.

It is submitted by Ld. Counsel for accused /applicant that he does not want to press the application under consideration and wants to withdraw the same.

In view of submission of Ld. Counsel for accused, the application for grant of bail to accused Jitender @ Sonu is dismissed as withdrawn.

At request, copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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Bail Application no. 1070
FIR No. 210/2019
Police Station : Tilak Nagar
State Vs. Surjit Singh & Johny
U/s 323/341/506/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Arvind Kumar Ld. Counsel for accused/applicant through video-conferencing (CISCO Webex).

This is an application for grant of anticipatory bail to applicants/accused persons namely Surjit Singh and Johny.

Investigating officer is not present today.

Assistance of Investigating Officer is required for final disposal of the bail application.

Hearing is deferred.

Interim order to continue till the next date of hearing.

In the meantime, Investigating Officer shall investigate qua the accused persons and file the supplementary chargsheet as expeditiously as possible.

Put up for consideration of the bail application on 01.09.2020.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 165/20
Police Station : Patel Nagar
State Vs. Deepak & ORs
U/s 307/302/324/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
IO SI Manoj Kumar.
Shri Pankaj Tripathi, Ld. Counsel for accused/applicant.

This is an applicant for grant of bail to applicants/JCLs namely Deepak Chauhan, Subhash Singh Rawat and Ankit Kumar on the ground that applicants are innocent persons and have been falsely implicated in the present case. Applicants are juvenile and are in judicial custody since 21.04.2020. It is also mentioned in the bail application that earlier bail application of applicants was dismissed by Ld. Presiding Officer, JJB-III, Delhi vide order dated 11.06.2020. It is prayed that applicants/accused persons may be released on bail.

Status report has been filed by the IO.

Ld. Additional Public Prosecutor has opposed the bail application.

As per report of IO, the parents of applicants do not have effective control over them and if applicants are released on bail, they may involve in criminal activities as they are drug addicts. Further, the complainant and one of the applicant namely Ankit are residing in the same building and if he is released on bail, he may threaten or win over the complainant.

It is noteworthy that bail application of applicants/accused has recently been dismissed by the Ld. Presiding Officer, JJB-III, Delhi on 11.06.2020. The Ld. JJB has observed that as per the case of the prosecution, few days prior to the occurrence of incident, the offenders including the CCLs, were consuming liquor on roof

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of the building in which the complainant and CCL Ankit have been residing. That on being informed by someone, house owner had scolded them and had warned not to repeat such act. That the offenders were suspecting that it was the deceased (complainant's father) who has given information to the house owner and for that they wanted to teach him a lesson. Allegations against the CCLs are that in pursuance of their common intention they alongwith co-accused came to house of the complainant and had attacked him and his family members. That during the incident stab injury was caused to the complainant's father in his abdomen due to which he died and injuries were also caused to the complainant and one other persons. The Ld. JJB also observed that after their apprehension in the present matter, these CCLs were kept in protective custody in quarantine isolation ward of OHB-I and in the evening of 22.04.2020 all the CCLs apprehended in the present matter alongwith several other CCLs (involved in other matters) had escaped from the custody after attacking on duty Supervisor, Guards etc. Ld. JJB also observed that for reformation of the CCLs and bringing positive change in their behaviour pattern, they need to be kept in protective custody for considerable time and release of the CCLs at this stage is likely to expose them to moral, physical or psychological danger.

Keeping in view the gravity of offence, I do not deem it fit to release accused persons / applicants on bail, at this stage. Hence, the bail application of applicants/accused persons namely Deepak Chauhan, Subhash Singh Rawat and Ankit Kumar stands dismissed.

Application stands disposed off accordingly.

At request, copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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FIR No. 1036/2006
Police Station : Rajouri Garden
State Vs. Sonu
U/s 326/34 IPC

30.07.2020

The Court of undersigned is having duty today as per Circular / Duty Roster no. /Misc./Gaz./DJ/West/2020 dated 15.07.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Zia Afroz, Ld. Counsel for accused/applicant.

This is an application for grant of interim bail to accused / applicant Sonu on the ground that accused is innocent who has been falsely implicated in the present case and is in judicial custody since 11.08.2017. Further, the investigation qua the applicant is complete and nothing incriminating has been recovered from him. It is further stated uncle of accused /applicant is suffering from various diseases and there is no one to look after him. It is prayed that keeping in view the pandemic of Covid-19, accused may be granted interim bail for a period of eight weeks.

Reply to the bail application filed.

Ld. Additional Public Prosecutor has opposed the bail application stating that during the trial of the case, accused was declared proclaimed offender in the year 2013 and 2016.

The case is at final stage and will be decided soon. During trial of the case, accused is stated to have been declared proclaimed offender two times. There is apprehension that accused may again jump the bail and flee from justice, if released on bail.

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In view of the afore-discussed facts and circumstances, I do not find any justifiable ground for grant of bail to accused at this stage. Accordingly, the bail application for grant of bail to accused Sonu stands dismissed.

Application stands disposed off accordingly.

Copy of order be given Dasti.

(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
30.07.2020

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