

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 251/19
PS: Rajouri Garden
U/s 21 NDPS Act & 14 Foreigners Act
State Vs. Dorcus Nansamba

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. J.S Kushwaha, counsel for applicant through video conferencing.

Counsel for applicant seeks some time for arguments stating that he is not ready for arguments today. Heard. Allowed.

On request of counsel, put up for arguments on ~~27.06.2020~~.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 728/20
PS: Nangloi
U/s 354B/324/34 IPC
State Vs. Mohd. Wasim**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Robin Kumar counsel for the applicant/accused.

IO ASI Surender Singh also present. He has submitted that he was not aware that the complainant/prosecutrix was to be brought for arguments on bail application. He has filed reply to the bail application. Since prosecutrix is not present today, issue notice to the prosecutrix through IO. IO to ensure the presence of complainant/prosecutrix for arguments on **24.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 157/20
PS: Khyala
U/s 376-D/506 IPC
State Vs. Salman Khan**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

This is the fresh application for grant of bail.

Reply be called from concerned IO. Also, issue notice to the complainant/prosecutrix through IO, returnable for **24.06.2020**. IO to ensure the presence of complainant/prosecutrix for arguments.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 61/2020
PS: Paschim Vihar West
U/s 328/392/411/120B/34 IPC
State Vs. Mohd. Akhtar**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Rajesh Yadav, counsel for the applicant.

Counsel for applicant seeks extension of interim bail in view of guidelines laid down by Hon'ble High Court of Delhi vide minutes of meeting dated 18.05.2020. In view of the said guidelines, since applicant is already on interim bail, the interim bail is extended for another 45 days. Applicant is directed to surrender himself before the Jail authorities after expiry of 45 days excluding today which lapse on **07.08.2020** before pre-lunch session. Terms and conditions shall remain the same as were previously imposed. It is being made clear that this bail is not on merits but in view of advisory of Hon'ble High Court of Delhi.

Copy of this order be sent to concerned Jail Authorities through proper channel and one copy be sent to counsel for applicant on his e-mail ID.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 213/19
PS: Rajouri Garden
U/s 498A/304B IPC
State Vs. Kuldeep Arora**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Malak Bhatt, counsel for applicant through video conferencing.

Counsel for applicant submits that the matter is pending in the court of Sh. Samar Vishal, Ld. ASJ and requested that the present application be transferred to that court.

As per the order bearing no. 16/DHC/2020 dated 13.06.2020 by the Hon'ble High Court, "the matters listed in the courts subordinate to Delhi High Court on 15.06.2020 shall be adjourned en bloc by each court in terms of the earlier direction; and w.e.f 16.06.2020, all the subordinate courts, shall take up urgent cases (except where evidence is to be recorded) of their respective courts through video conferencing mode and other matters shall be adjourned accordingly".

In view of the same, matter be sent to the concerned court of Sh. Samar Vishal on **25.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 198/16
PS: Khyala
U/s 302/365/201/34 IPC
State Vs. Sonu**


23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. S.K Singh counsel for applicant.

Inspector Arvind Kumar from PS Khyala. He has filed reply of the application and submits that vide telephonic talks held with original IO SI Rajni, it has been informed that this case is under trial in court room no. 22, Tis Hazari Courts and seeks time to file reply in writing. Let the same be done before 27.06.2020.

Put up for arguments on **27.06.2020**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**


**FIR No. 121/20
PS: Paschim Vihar East
U/s 498A/406/34 IPC
State Vs. Manmohan Juneja**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

None for applicant despite repeated calls. In the interest of justice, no adverse order is passed today.

Put up for purpose fixed on **26.06.2020**. Interim order to continue till next date of hearing.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

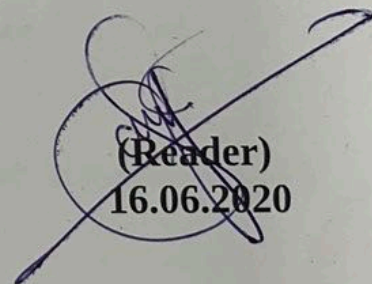
FIR No. 767/2015
PS : Ranjeet Nagar
U/s 302 IPC
State v. Chandergupt @ Kalwa

16.06.2020

Present: Learned Addl. PP for State could not be connected due to some technical problem at his end.
None for the accused/applicant.

Undersigned has contacted the Ld. counsel on telephone and Ld. counsel has submitted that he is not in a position to argue the application right now through videoconferencing and seeks adjournment.

As per directions of Ld. PO through videoconferencing, matter is adjourned for 23.06.2020.


(Reader)
16.06.2020

23/6/2020
Pr to Addl PP for State
Pr Sh Salimuddin Proxy Counsel on behalf of
Dr. B. A. Afroz to Counsel and requests for
withdrawl. of affidavit on behalf of Counsel as
not available today. Put up on 23/6/2020 at request
of 10 Proxy Counsel.

(SUDIL BENDIVAL)
ASJ/
23/6/2020

23.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri Raaj Malhotra.

By this order, I shall decide the bail application of applicant/accused Aatur Tyagi @ Avtar Tyagi.

Facts as stated in the bail application are as follows :

It is stated that this is the first bail application. It is submitted that applicant is innocent and has been falsely implicated because of previous enmity with the complainant. That the applicant joined the investigation on the same day of the incident and did not try to abscond. Applicant has co-operated with the Investigating Officer. Applicant was not present at the spot. Nature of injury does not qualify the case to come U/s 307 IPC. Applicant should be enlarged on regular bail. Applicant undertakes to abide by any term and condition.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

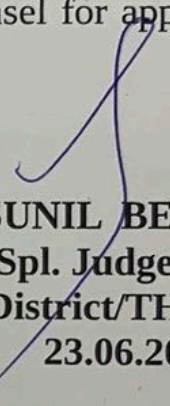
Learned Addl. Public Prosecutor has submitted that only the applicant has been arrested in this case and the remaining three accused are yet to be arrested as they are absconding. The fired arm which was used for commission of alleged offence is yet to be recovered. Applicant had actively involved in the present case and he has beaten up the complainant and caught hold of him while co-accused fired upon the complainant. It is possible that if applicant is granted the bail, then he may interfere with the investigation and may also threaten the victim as both victim & accused are residents of same locality.

I have heard arguments from both the sides.

The court is inclined to agree with the submissions of Learned Addl. Public Prosecutor. Other co-accused are yet to be arrested. Even weapon of alleged offence has not been recovered. There is a strong possibility that applicant may jump the bail and may also try to threaten the complainant and may interfere with the further investigation of this case. Therefore, in view of these discussions and observations, the present bail application is rejected at this stage.

The application stands disposed of accordingly.

Copy of this order be sent to IO as well as to counsel for applicant on their email IDs if provided.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
23.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 368/19
PS: Mundka
U/s 394/397/411/34 IPC
State Vs. Somvir @ Somi

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Harshvardhan Sharma, counsel for applicant.

By this order, I shall decide the present application requesting for grant of bail to applicant/accused Somvir. Facts as stated in the application are as follows:-

It is submitted that bail has been sought under the criteria of minutes of meeting dated 18.04.2020 of Hon'ble High Court of Delhi. It is stated that applicant is in JC since 14.10.2019. Chargesheet has already been filed in court. The case is at the stage of framing of charge. The next date of hearing before this court is 27.06.2020 which is likely to be further extended. That the applicant is innocent and has been falsely implicated by the police. It is submitted that applicant is ready to abide by any condition imposed upon him, if bail is granted. It is submitted that marriage is to be performed in the family of applicant and if the applicant is not released that may leave social stigma on the family of applicant.

Reply to this application has been filed by IO in detail.

The application is strongly opposed by Ld. APP in view of reply filed by the IO. It is submitted that present accused alongwith other co-accused looted the complainant who was a taxi driver and doing the honest work. That while the complainant was driving the taxi to take the accused persons to a wedding, complainant was hit on his head with glass bottle while one of the co-accused showed a knife to the complainant and thereafter robbed him in his car. The accused was arrested after surveillance of their mobile phone used during the commission of offence. That

accused Pradeep and present applicant Somvir came in contact with each other in Bhiwani jail. It is submitted that car of the complainant was robbed as per the premeditated plan. Robbed car of the complainant was recovered at the instance of the accused persons and the accused persons also refused judicial TIP. The present application has been filed on the ground of marriage of sister of applicant but the marriage documents could not be verified because of shortage of time. The applicant/accused has previous criminal record at PS Sadar, Jhajjar and PS Sadar, Bhiwani, Haryana. If bail is granted, there is every possibility that accused may jump bail, therefore, the bail application is opposed.

I have heard arguments from both the sides.

After hearing arguments, court is inclined to agree with the submissions of Ld. APP for the state that granting of bail to accused/applicant at this stage is not advisable. As per chargesheet, applicant is also charged with offence under Section 397 IPC which is a very serious offence. As per record, accused has previous criminal history having cases against him in two more police stations. Allegations against the applicant are very serious in nature and till date even the charge has not been framed. If accused/applicant is granted bail, there is every possibility that he may jump bail and also try to threaten and even harm the prosecution witnesses including the complainant. Therefore, in view of the discussions and observations, the present bail application is rejected.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West, THC/Delhi/23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 284/15
PS: Anand Parbat
U/s 302/34 IPC
State Vs. Pradeep Kumar**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Counsel for the applicant/accused.

By this order, I shall decide the present application requesting grant of interim bail for a period of 45 days to applicant Pradeep Kumar. Facts as stated in the bail application are as follows:-

It is submitted that the petitioner is in JC since 12.04.2015 and bail has been sought as per directions by Hon'ble High Court in case titled as Shobha Gupta & Ors. Vs Union of India & Ors. It is submitted that petitioner was suffering from T.B for the last three years and is now suffering from Hepatitis D. It is submitted that applicant is taking treatment in jail and has reasonable apprehension that he may be affected from covid-19. It is submitted that nothing was recovered from the accused and accused shall not threaten public witnesses, if granted bail. That applicant has no previous conviction or involvement. It is submitted that all public witnesses have already been examined and there is nothing against the applicant on record. It is therefore requested that applicant may be released on interim bail for a period of 45 days.

IO has filed reply to this bail application. Ld. APP for state has submitted that trial against the applicant is on the verge of completion. It is submitted that allegations against the applicant are very serious in nature as he is the

FIR No. 284/15
PS: Anand Parbat
U/s 302/34 IPC
State Vs. Pradeep Kumar

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person who has stabbed the deceased. It is submitted that all prosecution witnesses have supported the case of the prosecution so far and only investigating officer of the case is left to be examined.

I have heard arguments from both the sides. Court is inclined to agree with submissions of Ld. APP. Applicant is accused of offence under Section 302 IPC. There are direct allegations against the applicant of stabbing the deceased. Moreover, it is submitted by IO as well as Ld. APP that the prosecution witnesses have supported the case of the prosecution and evidence against the applicant is very strong. There is a strong possibility that applicant may try to threaten and harm the prosecution witnesses if released on bail. This does not seem to be like a fit case to grant bail under the advisory of Hon'ble High Court of Delhi dated 18.05.2020 as there is a strong possibility that applicant may jump bail as the trial against him is almost over and prosecution witnesses have supported the case of prosecution. Therefore, in view of these observations and discussions, present application is rejected.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

23.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri A.D Malik.

By this order, I shall decide the bail application filed on behalf of applicant/accused Kuldeep Singh.

Facts as stated in the bail application are as follows :

It is submitted that the applicant is 58 years old, suffering from multiple diseases and having clean antecedents and that he has been falsely implicated in the present case. That applicant and the father of prosecutrix have old rivalry before lockdown as both were reside in same building consisting 12.5 square yards and that water, passage, hygiene, garbage were the issues between them and due to these issues, they often arguing and insulting each other and sooner it was changed into rivalry and in order to take the revenge, the parents of the prosecutrix had lodged the present FIR in connivance with each other. That applicant is living with his old aged wife, having two married daughters & grand children and at the time of incident as explained by the complainant, the applicant was watching news on TV with his wife and no one was noticed the incident nor police was called when the complainant raised alarm. That the prosecutrix was used by her parents just to take the revenge and due to the influence of her parents, she told a pre narrated taught story to police. That the applicant is ready to join the investigation and co-operate in all manners.

That the applicant is permanent resident of Delhi and living with his family members and there is no chance of absconding, if released on bail. That the applicant is ready to comply all the terms and conditions imposed by this court.

In the reply, IO has submitted that on 15.06.2020, a PCR call was received at PS Tilak Nagar vide GD No. 99-A stating that "*Caller ki beti ke saath padosi ne rape karne ki koshish ki hai*". On reaching the spot, caller Mubina met with the IO alongwith her daughter (prosecutrix 'Z'). Statement of the prosecutrix was recorded in the presence of her mother wherein she alleged that today at about 4:00 PM, when she was coming back from shop, her neighbour Kuldeep Singh called her on the pretext of opening the lock of door. When she went close to him, she was molested by him.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

Father of the complainant/prosecutrix who had appeared alongwith prosecutrix & IO and submitted that he has no objection if bail is granted to the applicant as he wishes to have amicable & good relations with the applicant so as to avoid any enmity in the future.

Separate statement of Investigating Officer and father of prosecutrix has also been recorded.

I have heard arguments from both the sides.

IO has submitted that the prosecutrix and her father have refused for internal medical examination when they were taken to the hospital. Moreover, the IO has further submitted that as per the external medical examination, no injury or scratch mark was found upon the body of the prosecutrix.

Counsel for the applicant has submitted that both the father & the prosecutrix and the accused are neighbours and because of a scuffle and disagreement that broke out between the accused and the father of the prosecutrix,

a false call was made to 100 number falsely implicating the present accused. It is submitted that applicant is God fearing person and has not committed the said offence as alleged. It is submitted that the purpose of bail is not to punish the applicant while pending trial if there is no threat to the complainant or the prosecutrix. Even Hon'ble High Court of Delhi in a recent judgment has stated that the purpose of the provision of bail is not to inflict punishment upon the accused pending trial. Even the father of the prosecutrix who is present in the court today, in open court has stated that he has no objection if bail is granted. Therefore, in view of the above mention discussions and observations, applicant is granted bail subject to the following terms & conditions :

1. That applicant shall furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount subject to the satisfaction of the concerned Illaka Magistrate.
2. That the applicant shall observe good behaviour while on bail and shall not commit any act which may amount to an offence.
3. That the applicant shall not contact prosecution witnesses during the period of bail and will not try to tamper with the case of the prosecution.
4. That the applicant shall co-operate with the investigation and shall appear on each and every date of hearing.

It shall be free for the prosecution to file an application for cancellation of this bail if the applicant breaches any of the above-mentioned conditions.

The application stands disposed of accordingly.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 470/14
PS: Paschim Vihar West
U/s 307/34 IPC
State Vs. Akash @ Chhotu**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

IO ASI Bhagirath in person.

Mr. Mohd. Iliyas, Counsel for the applicant/accused.

By this order, I shall decide the present application requesting grant of bail to applicant/accused Akash @ Chhotu. Facts as stated in the bail application are as follows:-

That the applicant is in judicial custody since 15.10.2018. That the earlier counsel told the applicant that counsel had imposed fine of Rs.25,000/- after payment of which the case of the applicant shall be closed and he shall be free. That other remaining case against the applicant have already been disposed off. That the applicant is now only involved in case FIR No. 470/14 and FIR No. 1225/17 except for the present case. That applicant is innocent and has not committed the said offence. That accused is having clean antecedents. That entire story of the prosecution is cooked up with ulterior motive. Applicant is ready to abide by all the conditions.

Ld. APP for the state has strongly opposed the bail application in view of reply filed by the IO who is also present in the court today. Ld. APP has submitted that applicant had earlier jumped bail for a very long time and was arrested by the second IO when he was apprehended in some other case by police

FIR No. 470/14

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PS: Paschim Vihar West

U/s 307/34 IPC

State Vs. Akash @ Chhotu

officials of PS Anand Vihar. It is submitted that the explanation given by the applicant as to why he was declared proclaimed offender is not tenable and cannot be accepted. This is a case for commission of offence under Section 307 IPC which is a very serious offence. Moreover, previous bail application of the applicant has already been dismissed on 30.05.2020 which the applicant does not mention in the bail application.

I have heard arguments from both the sides. The court is inclined to agree with the submission of Ld. APP in this case. The explanation given by applicant as to why he was declared proclaimed offender in this case earlier is not acceptable and tenable. Applicant has no genuine answer as to why he jumped bail previously and ran away from the process of the court thereby delaying the trial. Moreover, previous bail application has already been dismissed and there is no new ground which may entitle the applicant to be released on bail. In view of the observations and discussions, the present application is rejected.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 81/19
PS: Mundka
U/s 20(b) (ii)(B)/34 NDPS Act
State Vs. Devender Rai**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Amardeep, Counsel for the applicant/accused.

By this order, I shall decide the present application requesting grant of interim bail to applicant/accused Devender Rai. Facts as stated in the bail application are as follows:-

That the first bail application of applicant was dismissed on 01.06.2019. That the applicant is in JC since 27.02.2019 and the alleged recovery has been planted by the investigating agency. That the applicant is innocent. The present bail has been sought under the provision of minutes of meeting of Hon'ble Supreme Court and Hon'ble High Court of Delhi in view of the situation of Covid-19 virus. Applicant shall abide by all the terms and conditions.

Reply has been filed to this bail application. Ld. APP for state has opposed this application in view of reply filed by the IO. It is submitted that 12 kg of ganja was recovered from the possession of accused. It is submitted that no grounds have been disclosed as to why applicant should be granted bail. It is submitted that no urgency or emergency has been pleaded which may entitle the applicant for grant of bail. It is submitted that applicant does not fall in the category of the persons that may be enlarged on bail as per the advisory of Hon'ble High Court of Delhi vide minutes of meeting dated 18.05.2020 or any other advisory.

FIR No. 81/19

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PS: Mundka

U/s 20(b) (ii)(B)/34 NDPS Act

State Vs. Devender Rai

I have heard arguments from both the sides. The quantity of drugs allegedly recovered from the applicant is intermediate in nature but no solid grounds have been prayed in the bail application as to why applicant should be enlarged on bail. Hon'ble High Court in its advisory dated 18.05.2020 has given an advisory regarding certain category of accused lodged in JC that may be released on bail if the facts of case so permit. In the present case, there does not appear to any reason or ground that may entitle the applicant to be released on interim bail. Therefore, the present application is dismissed.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 1048/20
PS: Punjabi Bagh
U/s 363/376 IPC read with Sec. 6 POCSO Act
State Vs. Suraj Kumar**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Counsel for applicant also contacted telephonically.

This is the fresh application for grant of bail.

Reply be called from concerned IO. Also, issue notice to the complainant/prosecutrix through IO, returnable for **26.06.2020**. IO to ensure the presence of complainant/prosecutrix for arguments.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 344/18
PS: Kirti Nagar
U/s 365/392/395/412/34 IPC
State Vs. Sunil @ Guddu**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Sanjay Kumar, Counsel for the applicant/accused.

By this order, I shall decide the present application requesting for extension of interim bail for a period of 45 days in view of minutes of meeting of Hon'ble High Court of Delhi held on 18.05.2020. It is submitted that applicant was granted interim bail by this court itself to take care of his mother, his wife and old aged father and children. That the interim bail period is expiring today. It is submitted that health condition of wife of applicant has deteriorated. Applicant pressed for extension of another 45 days of interim bail.

Reply has been filed to this bail application by IO SI Mahender Kumar. It is submitted that investigation of this case has been completed and charge-sheet has already been submitted for judicial verdict. IO has opposed the bail application and Ld. APP has opposed the extension of bail on the grounds mentioned by the IO.

I have heard arguments from both the sides. IO has not given any report with respect to the situation of medical illness faced by family of applicant. Extension of interim bail has been sought on the grounds of illness of wife and the hardship faced by family of the applicant. As per report, applicant has not involved himself in any other offence during his period of interim bail. Therefore, interim bail is extended for another 45 days which shall lapse on 07.08.2020. Applicant shall surrender himself before jail authorities in the pre-noon session on 07.08.2020.

FIR No. 344/18

-2-

PS: Kirti Nagar

U/s 365/392/395/412/34 IPC

State Vs. Sunil @ Guddu

The other terms and conditions of this extension of bail shall remain the same as per previous order.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

FIR No. 179/19
PS : Ranjit Nagar
U/s 392/394/397/411 IPC & 27/54/59 Arms Act
State Vs. Ajay Kumar

23.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri R.P Singh.

By this order, I shall decide the interim bail application of applicant/accused Ajay Kumar.

Facts as stated in the bail application are as follows :

It is submitted that applicant has been falsely implicated and has no concern with the alleged offence. That the applicant is in JC since 13.10.2019. There is no previous involvement of the applicant in any criminal case. That applicant is a poor person and is working as a labourer and there is no other source of livelihood. Applicant is a permanent resident of Delhi having deep roots in the society. Applicant undertakes to abide by all the conditions. It is, therefore, prayed that the applicant may be granted interim bail.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

It is submitted that the complainant was apprehended by four boys when he was returning home. After apprehending the complainant, the complainant was beaten up and looted near the railway track towards Kirti Nagar. During investigation, informer told the police that he knew one of the boy involved in this crime who is also a drug addict. With the help of information from informer, the accused Ajay Kumar was arrested near railway line. Mobile phone of complainant was also recovered from the accused. That the applicant Ajay Kumar confessed committing the said offence. Clothes of the complainant and the T-Shirt worn by the

accused during the incident were also recovered from the accused. Clothes have been sent to FSL for opinion regarding blood samples and others. The applicant got the other accomplices apprehended. Other two accomplices are juvenile. Bail plea of this accused has already been rejected by the court on 08.06.2020.

Bail is opposed on the following grounds:

1. All the accused are drug addicts and in order to satisfy their desire for drugs, they may commit more crimes.
2. That the accused may try to hamper and threaten the complainant if granted bail.
3. The accused are not under the control of their parents because of habit of drugs.
4. Such drug addicts are likely to jump the bail.

I have heard arguments from both the sides.

In this case, the court is inclined to agree with submissions of Learned Addl. Public Prosecutor. Evidence against the applicant is very strong. Applicant is also stated to be a drug addict and there is a strong possibility that he may commit more offences to satisfy his hunger for drugs. First bail application has already been rejected. There is no new ground which may entitle the applicant for grant of bail. Under these circumstances, bail to applicant may result in more harm to the society at large. Therefore, in view of the above-mentioned discussions and observations, the present bail application is rejected at this stage.

The application stands disposed of accordingly.

Copy of this order be sent to IO, to the Jail Superintendent concerned and to counsel for applicant on their email IDs, if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 284/15
PS: Anand Parbat
U/s 302/341/34 IPC**

State Vs. Sonu @ Sardar @ Chooda

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Counsel for the applicant/accused.

By this order, I shall decide the present application requesting grant of interim bail for a period of 45 days to applicant Sonu @ Sardar @ Chooda. Facts as stated in the bail application are as follows:-

It is submitted that the applicant is innocent and has not committed any offence and that he has been falsely implicated on the basis of disclosure statement given by co-accused. That the present FIR was registered on 11.04.2015 and the applicant is in JC since 15.04.2015. That the investigation in the present case has already been completed and trial of the case is pending. That the prosecution witnesses are being examined and it will take more considerable time to conclude the trial. That the applicant falls under the category/criteria of cases in which the High Power Committee has directed to grant the interim bail to accused for 45 days in view of ongoing Covid-19 pandemic. Applicant is seeking interim bail for a period of 45 days mainly on the ground of guidelines of HPC as well as on additional ground of serious sickness of his mother. It is further submitted that the applicant is not involved in any other case and his conduct in jail is also good. Applicant is ready to abide by the conditions imposed by the court while releasing him on interim bail. It is therefore requested that applicant may be released on interim bail for a period of 45 days.

FIR No. 284/15
PS: Anand Parbat
U/s 302/341/34 IPC

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IO has filed reply to this bail application. Ld. APP for state has submitted that trial against the applicant is on the verge of completion. It is submitted that allegations against the applicant are very serious in nature. It is submitted that all prosecution witnesses have supported the case of the prosecution so far and only investigating officer of the case is left to be examined.

I have heard arguments from both the sides. Court is inclined to agree with submissions of Ld. APP. Applicant is accused of offence under Section 302 IPC. There are direct allegations against the applicant of stabbing the deceased. Moreover, it is submitted by IO as well as Ld. APP that the prosecution witnesses have supported the case of the prosecution and evidence against the applicant is very strong. There is a strong possibility that applicant may try to threaten and harm the prosecution witnesses if released on bail. This does not seem to be like a fit case to grant bail under the advisory of Hon'ble High Court of Delhi dated 18.05.2020 as there is a strong possibility that applicant may jump bail as the trial against him is almost over and prosecution witnesses have supported the case of prosecution. Moreover, even the Jail Superintendent vide his report has submitted that the conduct of the applicant in JC is not good and he was issued a punishment ticket on 08.05.2017 for disorderly behaviour/misbehaviour. Therefore, in view of these observations and discussions, present application is rejected.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 61/2020
PS: Paschim Vihar West
U/s 328/392/411/34 IPC
State Vs. Mool Chand @ Upender**

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Avadhesh Sharma, counsel for the applicant through video conferencing.

By this order, I shall decide the application for grant of interim bail to accused Moolchand @ Upender. I have heard arguments on the said application. The applicant/accused is stated to be in JC since 12.02.2020. In view of prevailing situation related to corona virus and directions of Hon'ble Supreme Court and Hon'ble High Court of Delhi, as well as to take care of health of jail inmates and accused/applicant herein, the application for grant of interim bail is allowed.

Accused/applicant be released on interim bail for two months subject to furnishing personal bond of Rs.15,000/- to the satisfaction of jail authority/Duty MM. Accused/applicant shall surrender himself before the concerned Ilaka Magistrate or Duty MM on lapse of interim bail of two months.

Copy of this order be sent to counsel for applicant, IO as well as concerned Jail Superintendent on their e-mail IDs if provided and found to be correct.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No.
PS: Rajouri Garden
U/s 438 Cr.P.C
State Vs. Madhu

23.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Asheesh Raizada, counsel for accused on mobile phone of Ahlmad of the court.

Ahlmad of the court is trying to establish a connection with counsel for applicant for arguments on bail (from mobile no. 8744007735 & 9953997963 on his mobile number 9811740840) but despite repeated attempts, connection with counsel for applicant could not be established vide video conferencing. Audio and video of Ld. APP is available but there appears to be some technical glitch on the part of counsel for applicant because of which he is unable to come online for arguments. Therefore, after repeated failed attempts, matter is adjourned for tomorrow i.e. 24.06.2020 as counsel for applicant submits that he shall try and rectify the technical glitch at his end by tomorrow. Accordingly, matter be listed for arguments before the court concerned on duty on **24.06.2020**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/23.06.2020

FIR No. 121/20
PS : Khyala
U/s 302 IPC
State Vs. Md. Sair

23.06.2020

Matter taken up through videoconferencing connected by Ahlmad of the court.

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga.
Counsel for applicant/accused Shri A.P Singh.
Counsel for complainant Shri Rakesh Kumar who is physically present in the court.

Ld. counsel for applicant seeks time to file an application before Illaka Magistrate requesting for copy of charge-sheet.

At his request, one week time is granted returnable for **30.06.2020** to obtain copy of charge-sheet.

Now list the matter for further consideration on **30.06.2020**.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
23.06.2020

23.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri Deepak Ghai.

By this order, I shall decide the application for extension of interim bail granted to applicant/accused Sonu. Extension of bail has been sought for a further period of two months.

Facts as stated in the application are as follows :

That the applicant was granted interim bail for treatment of his wife immediately before lockdown was imposed on 23.03.2020. After that, interim bail orders were extended till 15.05.2020 and again on 15.05.2020, Hon'ble High Court of Delhi passed an order that of interim bail orders are extended till 15.06.2020.

On 03.05.2020, accused met with an accident and he received several severe injuries and two open wounds on his right leg. He is under treatment from Dhruv Surgical and Maternity Centre, Mangolpuri and the doctor has advised daily dressing of wounds. The doctor has also advised that applicant should avoid walking and has advised complete bed rest and daily treatment for recovery. Accused is totally bed ridden. Accused needs proper treatment, timely medication and proper diet for his improvement. That his wife namely Kanchan is a patient of cholecystitis and suffers from severe pain in the abdomen and is under treatment. She was to be operated to remove stone from her gall bladder but the operation could not take place as her condition was not good and due to her bad health condition, doctor postponed the date of operation. But due to wide spread of Covid-19 virus and declaration of pandemic, more care and precautions are required for treatment.

Situation has become very vulnerable. Condition of wife of applicant is still not stable and she is under treatment for pain in abdomen, cough and fever. Because of Covid-19, there is high risk of infection to the accused. The Hon'ble High Court of Delhi recently granted interim bail in bail application 778/2020 in a similar case titled as *Arvind Yadav Vs. Government of NCT of Delhi* under similar circumstances.

Accused was previously also released on interim bail but he never misused the same and has surrendered after expiry of interim bail. There is no complaint against the applicant till date. That he never tried to influence the case of the prosecution while on interim bail. It is, therefore, prayed that the interim bail of the applicant may be extended for another two months in the interest of justice.

Reply has been filed to this application by IO.

IO as well as Learned Addl. Public Prosecutor have strongly opposed the bail application on the following grounds :

1. That the quantity recovered from the applicant is commercial in nature.

2. That accused Suraj was arrested at the instance of co-accused Sonu.

3. That offence is heinous in nature.

4. That he may again involve in same offence.

5. That there is a strong possibility that applicant may jump the bail.

I have heard arguments from both the sides.

The present bail application has been filed on the ground of medical emergency and exigency. IO has submitted that he has visited the house of the applicant and the medical documents filed by the applicant have also been verified from the concerned hospital and found to be correct & genuine. In view of the fact that the medical documents filed by the applicant have been verified and found to be

correct, that the applicant himself is under need for treatment and for proper care and that the wife of the applicant is also found suffering from the illness mentioned in the application, the applicant is granted interim bail for a further period of 45 days in order to look-after himself and his wife as the wife of the applicant should not suffer if the applicant is under trial for the offence for no fault of their but subject to the following conditions apart from the conditions already imposed :

1. That the applicant shall not indulge in any other offence still on interim bail.
2. That the applicant shall submit duly verified papers of the treatment undergone by him and his wife and shall also submit the same for verification to the IO or the concerned SHO so that they may be verified by the police officials and subject to furnishing a fresh bail bond of same amount to be verified afresh by the IO.

The application stands disposed of accordingly.

One copy of this order be sent to the Jail Superintendent concerned and to counsel for applicant on their email IDs, if provided and found to be correct.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
23.06.2020