

FIR No.31/2019
u/s 120B/366/376/376D/306/201/34 IPC
PS: Parsad Nagar
State Vs. Pardeep s/o. Virender Kumar

17.08.2020

**ORDER ON THE INTERIM BAIL APPLICATION OF
APPLICANT/ACCUSED PRADEEP S/O. VIRENDER KUMAR.**

Present: Sh. Ateeq Ahmad, Ld. Addl. PP for the State.
Ms. Lakshmi Raina, ld. Counsel for DCW.
Sh. Vineet Jain, Ld. Counsel for applicant/accused.
Smt. Mansha Devi, Mother of victim/deceased in person.
W/SI Pooja on behalf of Inspector Kamlesh.

This is the bail application for interim bail of applicant/accused Pardeep s/o. Virender Kumar.

Arguments advanced by ld. Add. PP for the State, Ld. Counsel for DCW and Ld. Counsel for applicant/accused on the bail application.

It is submitted by ld. Counsel for applicant/accused that applicant/accused is in JC w.e.f. 24.01.2019 and he has nothing to do with the alleged offence. It is further submitted by ld. Counsel for applicant/accused that mother of accused is suffering from various ailments. It is further submitted by ld. Counsel for applicant/accused that co-accused Ravi Kumar has also been released on interim bail and make a request that interim bail may kindly be granted to the applicant/accused. Heard.

Per Contra, Ld. Addl. PP for the State has vehemently opposed the bail application on the ground that applicant/accused is in JC for a heinous crime and make a submission that the bail application of applicant/accused may kindly be dismissed.

Mother of Victim/deceased has opposed the bail application of applicant/accused. Heard.



Having heard the submission, made by Id. counsel for applicant/accused, Ld. Counsel for Delhi Commission for Women, complainant/victim as well as the Id. Addl. PP for the State and after gone through the contents of the bail application as well as case file and without commenting upon the merits of the cases, this court is of the considered view that applicant/accused is in JC w.e.f. 24.01.2019 and the allegations against the applicant/accused are of very serious nature and examination of Smt. Mansha Devi, mother of victim/deceased is yet to be completed and there is every apprehension, if this court grants the bail to the applicant/accused then the accused may cause injury or threaten to the mother of victim/deceased. Therefore, in these facts and circumstances, this court is not inclined to grant bail to the applicant/accused. Hence, the bail application of applicant/accused is hereby dismissed.

Bail application is disposed off accordingly.



(SATISH KUMAR)
ASJ/SFTC-2(CENTRAL),
TIS HAZARI COURTS, DELHI.
17.08.2020

FIR No.94/2019
u/s 376/323/506 IPC
PS: Darya Ganj

State Vs. Shahbaaz @ Shehjaan s/o. Maqbool Ahmed

17.08.2020

**ORDER ON THE BAIL APPLICATION OF APPLICANT/ACCUSED
SHAHBAAZ @ SHEHJAAN S/O. MAQBOOL AHMED.**

Present: Sh. Ateeq Ahmad, Ld. Addl. PP for the State.
Ms. Lakshmi Raina, ld. Counsel for DCW.
Sh. Hemant Chaudhary, Ld. Counsel for applicant/accused.
Complainant/victim in person.
Arguments advanced by Ld. Counsel for DCW and Ld. Counsel for applicant/accused on the bail application through Video Conferencing.

It is submitted by ld. Counsel for applicant/accused that applicant/accused is in JC w.e.f. 29.04.2019 and he has nothing to do with the alleged offence and complainant and accused both were good friend and they were known to each other and make a request that bail may kindly be granted to the applicant/accused.

Per Contra, Ld. Addl. PP for the State has vehemently opposed the bail application on the ground that applicant/accused is in JC for a heinous crime and make a submission that the bail application of applicant/accused may kindly be dismissed.

Complainant/victim has submitted that she has no objection if the bail is granted to the applicant/accused. Heard.

Having heard the submission, made by ld. counsel for applicant/accused, Ld. Counsel for DCW and complainant/victim as well as the ld. Addl. PP for the State and after gone through the contents of the bail

application, and without commenting upon the merits of the case, this court is of the considered view that accused is in JC w.e.f. 29.04.2019 and there is outbreak of Covid-19 pandemic and complainant/victim has submitted that she has no objection if the bail is granted to the applicant/accused.


Keeping in view the facts and circumstances of the present case, this court is of the considered view that applicant/accused is admitted to interim bail for a period of 45 days on his furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of concerned Jail Supdt. The said period of 45 days shall commence from the date of his release from Jail. Accused shall surrender before the concerned Jail Supdt. on expiry of interim bail period i.e. 45 days.

Accused/applicant is directed not to approach in any manner to the complainant directly or indirectly. Accused is further directed not to make any call from his mobile phone to the mobile phone of the complainant or her family members during the period of interim bail.

Copy of order be sent to concerned Jail Supdt. forthwith for compliance.

Bail application is stands disposed of accordingly.

Copy of this order be sent to the I.O. for necessary compliance.


(SATISH KUMAR)
ASJ-2(CENTRAL),
TIS HAZARI COURTS, DELHI.
17.08.2020

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FIR No.714/2017
u/s 365/376D/342/328/323 IPC
PS: Burari
State Vs. Shyamveer etc.
(Satish s/o. Sh. Ganga Singh)

17.08.2020

Bail application of applicant/accused Satish s/o. Sh. Ganga Singh.

Present:

Sh. Ateeq Ahmad, Ld. Addl. PP for the State.

Ms. Lakshmi Raina, Id. Counsel for DCW.

Sh. Ravindra, Ld. Counsel for applicant/accused.

Heard.

I.O. as well as the complainant/victim are absent.

Bailable warrant in sum of Rs.10,000/- be issued against the I.O.
and bailable warrant in sum of Rs.10,000/- be also issued against the SHO PS Burari.

Fresh notice be issued to the complainant/victim for 28.08.2020.

On the request of Id. Counsel for applicant/accused Satish s/o.
Ganga Singh, bail application is adjourned for **28.08.2020**.


(SATISH KUMAR)
ASJ/SFTC-2(CENTRAL),
TIS HAZARI COURTS, DELHI.
17.08.2020

FIR No.70/2020
u/s 376/342/323/506 IPC
PS: Nabi Karim
State Vs. Sunil Chhikara

17.08.2020


Bail application of applicant/accused Sunil Chhikara.

Present: Sh. Ateeq Ahmad, Ld. Addl. PP for the State.
Ms. Lakshmi Raina, ld. Counsel for DCW heard through V.C.
Sh. Kanwar Kochar, Ld. Counsel for applicant/accused heard
through V.C.

It is submitted by ld. Counsel for applicant/accused Sunil Chhikara that the next date of hearing in this case is 21.08.2020 and Ld. Counsel for applicant/accused requested that bail application may kindly be fixed for 21.08.2020. Heard.

In view of the submissions made by ld. Counsel for accused, notice be issued to the complainant/victim through I.O. for 21.08.2020. I.O. be also summoned to appear in person.

On the request of ld. Counsel for applicant/accused, bail application is adjourned for 21.08.2020.


(SATISH KUMAR)
ASJ/SFTC-2(CENTRAL),
TIS HAZARI COURTS, DELHI.
17.08.2020

FIR No.595/2014
u/s 376D/366/328/34 IPC
PS: Pahar Ganj

State Vs. Pradeep Malhotra and others

17.08.2020

**ORDER ON THE 2nd ANTICIPATORY BAIL APPLICATION OF
APPLICANT/ACCUSED MINAKASHI DAGAR D/O. SH. SANJEEV DAGAR.**

Present: Sh. Ateeq Ahmad, Ld. Addl. PP for the State.

Ms. Lakshmi Raina, ld. Counsel for DCW.

Sh. Chiranjeev Sugandh, Ld. Counsel for applicant/accused
Minakashi Dagar d/o. Sh. Sanjeev Dagar.

Complainant/victim in person.

I.O. SI Lalit in person.

This is the Anticipatory bail application of applicant/accused
Minakshi Dagar d/o. Sh. Sanjeev Dagar.

Arguments advanced by ld. Add. PP for the State, Ld. Counsel for
DCW and Ld. Counsel for applicant/accused on the Anticipatory Bail application.

It is submitted by ld. Counsel for applicant/accused that
applicant/accused Minakshi Dagar has nothing to do with the alleged offence and for the
last five years the applicant/accused was never called in the police Station and presently,
she has received a call from Police Station to join the investigation in the present case
FIR. It is further submitted by ld. Counsel for applicant/accused that the present FIR has
been registered on false and bogus facts which nowhere mentions the name of the
applicant herein in the commission of any offence against her. It is further submitted by
ld. Counsel for applicant/accused that applicant and her housemates are under the
observations of COVID-10 because of the increase in cases in their vicinity.

It is further submitted by ld. Counsel for applicant/accused that
engagement of applicant/accused is fixed for 28.08.2020.

It is further submitted by ld. Counsel for applicant/accused that
applicant/accused is ready to join the investigation and made a request that Anticipatory
Bail may kindly be granted to the applicant.

Per Contra, Ld. Addl. PP for the State has vehemently opposed the
Anticipatory Bail application on the ground that there are serious allegations against the



18.11.2014, herself started drinking neat, but even if this statement
to be believed for a second then also it is of no help in commission of an offence of Rape/
Gang Rape because the *Mens Rea* & *Actus Rea* of the Applicant comes into play when
she herself was drunk. It is logical and ample clear that the Applicant being a woman can

applicant/accused and make a submission that the Anticipatory Bail application of applicant may kindly be dismissed.

Complainant/victim has stated that the Anticipatory Bail may not be granted to the applicant/accused. Heard.

Having heard the submission, made by ld. counsel for applicant/accused, Ld. Counsel for DCW, complainant/victim as well as the ld. Addl. PP for the State and after gone through the contents of the Anticipatory bail application and without commenting upon the merits of this case, this court is of the considered view that the allegations against the applicant/accused are of very serious nature and TIP of the applicant/accused is yet to be carried out. The applicant/accused is absconding since the registration of the FIR. The custodial interrogation of the applicant/accused Minakshi Dagar is required.

Moreover, the complainant/victim who has appeared in person in court along with her husband, has submitted that she and her husband has been threatened by accused persons through their unknown associates and she has made the complaint to the SHO of PS Nabi Karim in this regard and the investigation of the said complaint is being carried out by the I.O. of the Police Station Nabi Karim.

It is worth mentioning here that this court has already dismissed the 1st Anticipatory Bail Application of applicant on merit vide order dtd. 18.07.2020. Therefore, in these facts and circumstances, this court is not inclined to grant Anticipatory Bail to the applicant/accused. Hence, the Anticipatory Bail application of applicant/accused is hereby dismissed.

Anticipatory Bail application is disposed off accordingly.



(SATISH KUMAR)
ASJ/SFTC-2(CENTRAL),
TIS HAZARI COURTS, DELHI.

17.08.2020