

-3-

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. Vs. Union of India & Ors. With these directions, the present application stands disposed of.

Copy of this order be given dasti to both the sides, as prayed.

Attested copy of this order be sent to concerned Jail Superintendent for being delivered to the applicant/ accused and for necessary compliance.

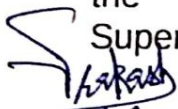

18.05.2020
(Vidya Prakash)

Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

-2-

The applicant/accused is shown to the charged with offences u/s 392/397/411/34 IPC & 25 Arms Act . and is shown to be in custody since 04.03.2016. As per reply filed by IO, co-accused Ranjit was granted interim bail during COVID-19 Pandemic by Ld. ASJ Central, THC, Delhi. The judicial record of this case, is also requisition and is produced before the Court today. Same would show that charges in respect of similar offences have been framed against the present applicant and co-accused Ranjit, who was previously granted interim bail in this case during lockdown period. Thus, the present applicant also deserves to be granted interim bail on the ground of parity.

Having considered that facts and circumstances of the present case and in keeping in view of the directions issued by Hon'ble Apex Court in Suo Moto W.P. (C) No. 01/2020 from time to time, as also the directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. Vs. Union of India & Ors., as well as in view of the criteria laid down in the Minutes of the Meeting dated 28.03.2020, 07.04.2020, 18.04.2020 and 04.05.2020 of High Powered Committee, the applicant/ accused is granted interim bail **for a period of two weeks from the date of his release** subject to furnishing personal bond by him in the sum of Rs.20,000/- with one surety in the like amount and subject to the conditions that the applicant shall not flee away from justice; he shall not tamper with the evidence in any manner; he shall not threaten or contact to the prosecution witnesses in any manner; he shall not leave the country without prior permission; he shall appear on each and every date without fail, if so required; he shall mark his attendance before local SHO on every Monday through mobile and he shall share his location with the SHO concerned. Further, the applicant shall also provide his mobile number to the IO and same shall be kept "**Switched on**" all the time and at least between 8 am to 8 pm everyday during the period of interim bail. After completion of the interim bail period, the applicant shall surrender before concerned Jail Superintendent.


18/5/2020

Contd....3

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
IO/SI Jagdish Singh is present.
Sh. Arvind Kumar, Ld. Counsel for the applicant/ accused.
(vakalatnama issued by Parokar filed).

This is an application u/s 439 Cr.PC for grant of bail moved on behalf of applicant /accused.

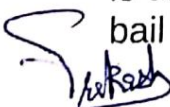
Reply of application filed today.

Heard on the application. Reply perused.

At the outset, counsel for applicant states at Bar that he is not pressing for regular bail and the present bail application may be considered for grant of interim bail to the applicant/ accused. His statement in this regard be obtained in side of the proceedings. In view of the said submissions, request is allowed and the present bail application is treated accordingly.

It is submitted by Ld. Counsel that the applicant is in custody since 04.03.2016 i.e. for about more than four years and therefore, he may be released on interim bail for a period of 45 days or for such other period, as may be deemed fit by this Court. In support of his submission, he has relied upon the directions issued by Hon'ble Apex Court in Suo Moto W.P. (C) No. 1/2020, as also the directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. Vs. Union of India & Ors.', as also on the Minutes dated 28.03.2020, 07.04.2020 and 18.04.2020 of High Powered Committee. It is further submitted that co-accused namely Arun Verma has already been granted regular bail and another co-accused namely Ranjit, who stands on exactly similar footing as that of the present applicant, has already been granted interim bail by Sessions Court in the last week of March 2020. Hence, it is urged that the present applicant deserves to be granted interim bail on the ground of parity.

Contd.....2


18/5/2020

Present application may
kindly be taken as interim
Application Arvind Kumar
18/5/2020

FIR No.343/19
PS:Kashmere Gate
U/s 304/34 IPC
State Vs. Amit Kumar

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Mohit Parsad, Ld. Counsel for the applicant/ accused.

This is an application for grant of bail and raising claim of juvenility moved on behalf of applicant /accused.

Reply of bail application along with annexures, filed on record. Ld. Addl. PP has informed that IO/ASI Roop Kishore was present in the morning and he has received instructions from him.

The proceedings in the present application have been conducted through video conferencing.

Part submissions heard. During the course of submissions, it is informed by Counsel for applicant that he had moved another application on or about 14.05.2020 and it came up for hearing on 16.05.2020 and is now listed on 21.05.2020. Hence, the present application is directed to be listed before the connected application before concerned Court on 21.05.2020 (through video conferencing). Concerned IO be also called for said date.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

FIR No.187/19
PS:Sadar Bazar

-2-

The applicant/ accused is stated to be facing trial for offence punishable u/s 302 IPC on the allegations that he committed murder of his father by giving punches on his chest. No doubt, the wife of applicant is shown to have delivered a girl child on 23.04.2020 but it is mentioned in the reply filed by IO that he has his family members including younger brother and relatives to look after the wife and newly born child.

After considering overall facts and circumstances of the present case including the nature of allegations, gravity of offence, severity of punishment in the event of conviction and in view of the discussion made herein above, Court is of the view of that the applicant has failed to make out any ground for grant of interim bail to him at this stage. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both the sides.


18.05.2020
(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

FIR No.187/19
PS:Sadar Bazar
U/s 302 IPC

State Vs. Wasim Akram

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
ASI Ved Prakash is present on behalf of concerned IO.
Sh. Harish Kumar, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

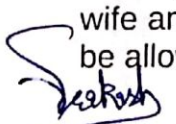
Reply of bail application filed.

Arguments on the bail application heard. Reply perused.

The applicant/ accused is seeking interim bail for a period of two months on the ground that his wife has given birth to female child on 23.04.2020 and except old aged mother, there is no other family member to look after his wife and newly born child.

It is argued by Id. Counsel for applicant/ accused that applicant is in custody since 15.10.2019 and he deserves to be granted interim bail in order to look after his wife and newly born child. He has submitted that father of applicant is already expired and his younger brother is residing separately with his family in the same locality and is not on visiting terms with the mother of present applicant and his family. Counsel for applicant further submits that the applicant is ready to abide by the terms and conditions which may be imposed upon him by this Court while granting interim bail to him.

The bail application is opposed by Id. Addl. PP on the ground that the applicant/ accused committed murder of his own father by giving him punches on his chest and is facing trial in respect of offence of murder punishable u/s 302 IPC. While not disputing that wife of applicant delivered girl child on 23.04.2020, Id. Addl. PP on instructions of ASI Ved Prakash, has pointed out that the family of younger brother of applicant is residing together in the joint family and they are available to look after his wife and infant child. It is therefore, urged that the bail application should not be allowed.


18/5/2020

Contd.....2

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
IO/ ASI Murlidhar- STARS-II, Crime Branch is present.
Sh. Deepak Ghai, Ld. Counsel for the applicant/ accused.

Reply of bail application filed.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Although, the present bail application is shown to be listed for hearing before the Court today through Video Conferencing, however, Id. Counsel for applicant /accused is personally present before the Court today.

Vide order dated 11.05.2020, directions were issued to verify the family status of applicant/ accused and to file the report in this regard. However, reply filed by IO today, is silent on said aspect. IO is directed to do the needful and to file detailed report in this regard, on the next date.

At request of Counsel of applicant, the present bail application is directed to be listed before Court concerned on 22.05.2020 for consideration.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

FIR No.127/19
PS:EOW
U/s 420/467/468/471/120B IPC
State Vs. Ram Ashish

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
IO/ SI Pardeep Rai of Section-I/EOW is also present.
Sh. Ashish Laroia, Ld. Counsel for the applicant/ accused.

Reply filed by IO, wherein it is mentioned that the present matter falls within the jurisdiction of West District and charge-sheet has already been filed before Ld. CMM, West District.

The aforesaid plea mentioned in the reply filed by IO, is not disputed by Id. Counsel of applicant/ accused. He therefore, fairly seeks permission to withdraw the present bail application with liberty to file fresh, before the concerned Court of competent jurisdiction. His statement in this regard has been obtained on the first page of the present bail application.

Hence, the present bail application is dismissed as withdrawn with liberty as prayed.

Copy of this order be given dasti to Id. Counsel for applicant/ accused.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

FIR No.224/18
PS:Crime Branch
U/s 22/29 NDPS Act
State Vs. Rakesh Mishra

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
None for applicant/ accused despite calls.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

The present bail application is listed for hearing before this Court for today by the registry. However, the proceedings dated 12.05.2020 would show that the present bail application was adjourned to 18.06.2020 and not to 18.05.2020.

IO/ ASI Murlidhar- STARS-II, Crime Branch who is present in the Court in another bail application moved in case FIR No.47/19, U/s 20/25 NDPS Act, PS:Crime Branch, tilted as State Vs. Munish Gautam, listed before this Court today, informs that he is IO in this case and the present bail application was adjourned to 18.06.2020.

In view of above, the present bail application is directed to be listed before Court concerned on 18.06.2020 for consideration in terms of last order dated 12.05.2020.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

FIR No.35/20
PS:Wazirabad
U/s 376/366/328/506 IPC
State Vs. Rahul

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. M. S. Khan, Ld. Counsel for the applicant/ accused.

Heard the submission. Proceedings perused.

This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Reply of the bail application is stated to have already been filed on previous date of 08.04.2020.

Having considered the submissions raised by counsel for applicant/ accused, **let notices be issued to concerned IO as well as to prosecutrix through IO for next date.**

The present bail application is directed to be listed before Court concerned on 26.05.2020.

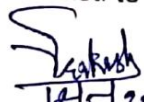

(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

To counter the aforesaid arguments raised on behalf of State, counsel for applicant states at Bar that the applicant is either already acquitted or granted bail in all other cases except the four criminal cases of similar offences like the present one, registered against him in the year 2018.

On specific query of the Court, Counsel for applicant fairly submits that mother of applicant is already discharged from the hospital and is presently residing at home. The copy of medical treatment paper of mother of applicant, as annexed with the present bail application, would show that she went to JPC hospital with complaint of chest pain and was purportedly advised certain medicines like paracetamol etc.

Moreover, the applicant/ accused is shown to be found in about ten criminal cases, out of which seven cases are of similar nature, having been registered against him at different PS. Same would prima facie show that he is repeated offender. Even otherwise, the applicant has failed to show that his mother is suffering from any serious ailment or that there is any kind of severe hardship of emergent nature being faced by his family members. Hence, the Court is of the view of that applicant has failed to make out any ground for grant of interim bail to him at this stage. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both the sides.


18/5/2020
(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
18.05.2020

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
IO/ASI Rajender Prasad is present.
Sh. M.S. Khan, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Reply of the bail application filed by IO.

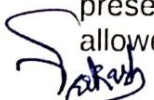
Arguments on the bail application heard. Reply perused.

The applicant/ accused is seeking interim bail for a period of one month on the ground that his mother is suffering from illness and was admitted in JPC hospital, Shastri Park, Delhi, as also on the ground that his presence is required in order to lookafter his ailing mother and his other family members consisting of his wife and three minor children, they all being financially dependent upon him.

It is argued by Id. Counsel for applicant/ accused that applicant is in custody for last about two years and case is at the stage of prosecution evidence. It is further argued that applicant is having deep roots into the society and nothing incriminating whatsoever has been recovered either from his possession or at his instance. Counsel for applicant further submits that the applicant is ready to abide by the terms and conditions which may be imposed upon him by this Court while granting interim bail to him.

The bail application is opposed by Id. Addl. PP on the ground that the applicant/ accused is habitual offender and is found previously involved in about ten criminal cases, out of which seven cases are of similar offences as involved in the present case. He has referred list of previous involvements of applicant, as filed along with reply. It is further argued that the present applicant was actively involved in the commission of crime committed against the victim, in as much he along with co-accused persons used to administer stupefying substance and used to commit theft of their valuable articles. It is pointed out that there is recovery of stolen mobile phone of the victim from the possession of present applicant. It is therefore, urged that the bail application should not be allowed.

Contd.....2


18/5/2020

-2-

To counter the aforesaid arguments raised on behalf of State, counsel for applicant states at Bar that the applicant is either already acquitted or granted bail in all other cases except the four criminal cases of similar offences like the present one, registered against him in the year 2018.

On specific query of the Court, Counsel for applicant fairly submits that mother of applicant is already discharged from the hospital and is presently residing at home. The copy of medical treatment paper of mother of applicant, as annexed with the present bail application, would show that she went to JPC hospital with complaint of chest pain and was purportedly advised certain medicines like paracetamol etc.

Moreover, the applicant/ accused is shown to be found in about ten criminal cases, out of which seven cases are of similar nature, having been registered against him at different PS. Same would prima facie show that he is repeated offender. Even otherwise, the applicant has failed to show that his mother is suffering from any serious ailment or that there is any kind of severe hardship of emergent nature being faced by his family members. Hence, the Court is of the view of that applicant has failed to make out any ground for grant of interim bail to him at this stage. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both the sides.



(Vidya Prakash)

Addl. Sessions Judge

Central District/ THC/Delhi

18.05.2020

FIR No.139/18
PS:Pahar Ganj
U/s 411/379/328/34 IPC
State Vs. Irfan Khan

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. M.S. Khan, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

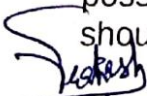
Reply of the bail application already filed by IO.

Arguments on the bail application heard. Reply perused.

The applicant/ accused is seeking interim bail for a period of one month on the ground that his mother is suffering from illness and was admitted in JPC hospital, Shastri Park, Delhi, as also on the ground that his presence is required in order to look after his ailing mother and his other family members consisting of his wife and three minor children, they all being financially dependent upon him.

It is argued by Id. Counsel for applicant/ accused that applicant is in custody for last about two years and case is at the stage of prosecution evidence. It is further argued that applicant is having deep roots into the society and nothing incriminating whatsoever has been recovered either from his possession or at his instance. Counsel for applicant further submits that the applicant is ready to abide by the terms and conditions which may be imposed upon him by this Court while granting interim bail to him.

The bail application is opposed by Id. Addl. PP on the ground that the applicant/ accused is habitual offender and is found previously involved in about ten criminal cases, out of which seven cases are of similar offences as involved in the present case. He has referred list of previous involvements of applicant, as filed along with reply. It is further argued that the present applicant was actively involved in the commission of crime committed against the victim, in as much he along with co-accused persons used to administer stupefying substance and used to commit theft of their valuable articles. It is pointed out that there is recovery of Aadhar Card of victim from the possession of present applicant. It is therefore, urged that the bail application should not be allowed.


18/5/2020

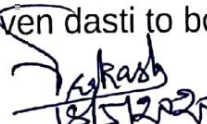
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The bail application is opposed by Id. Addl. PP on the ground that the offences involved in this case are quite serious and there is recovery of 80 kg of silver out of robbed silver weighting about 250-275 kg, from the house of present applicant. The application is also opposed on the ground that the mother of applicant is already discharged from the given hospital and no ground is made out for grant of interim bail due to that reason. It is further argued that Raju, who is son of present applicant and is co-accused in this case is absconding and is already declared proclaimed offender in this case. It is, therefore, urged that the bail application should not be allowed.

On specific query of the Court, Counsel for applicant fairly submits that mother of applicant is already discharged from the hospital and is presently residing at home. The copy of certificate purportedly issued by hospital authority of concerned hospital, as filed along with report today, would reveal that mother of applicant was got admitted in the said hospital on 05.05.2020 and was a diagnosed case of Typhoid fever and she is already discharged from the hospital.

The applicant/ accused is shown to be facing trial in respect of offences punishable u/s 395/397/365/201/412/120B IPC and 25 Arms Act with the allegations that he along with co-accused persons committed dacoity of four cartoons containing 250-275 kg of silver jewelery while it was being taken from railway station to desired destination. 80 kg of robbed silver jewelery is stated to be allegedly recovered at the instance of present applicant from his house and from factory. In these facts and circumstances and in view of the discussion made herein above, the applicant has failed to show that his mother is suffering from any serious ailment or that there is any kind of severe hardship of emergent nature being faced by his family members. Hence, the Court is of the view of that applicant has failed to make out any ground for grant of interim bail to him at this stage. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both the sides.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi

18.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
SI Dayanand Kaushik of PS Kotwali is present and has filed report regarding verification of copy of medical papers of mother of applicant/ accused.
Sh. Sunil Chaudhary, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Reply of the bail application already filed by IO.

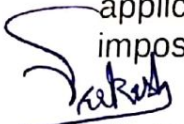
Although, the present bail application is shown to be listed for hearing before the Court today through Video Conferencing, however, Id. Counsel for applicant /accused is personally present before the Court today.

Arguments on the bail application heard. Reply perused.

The applicant/ accused is seeking interim bail for a period of 30 days on the ground that his mother aged about 86 years old, is suffering from various old age ailments and was got admitted in Akhtar hospital, Gautam Budh Nagar, UP, as also on the ground that his wife is not in a position to provide adequate medical treatment to the mother.

It is argued by Id. Counsel for applicant/ accused that applicant is in custody since 25.05.2015 and he was previously granted interim bail on several occasions, lastly being in the month of February 2020 on account of marriage of his daughter, however, he never misused the concession of interim bail at any point of time and promptly surrendered himself before the Jail Authority. Hence, he is not a flight risk. It is further argued that applicant deserves to be granted interim bail due to COVID-19 and lockdown imposed by the Government of India.

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18/5/2020