

State vs. Afroz Alam  
FIR no. 218/2018  
under Section 22/29 NDPS Act & 63/65 Copyright Act  
PS Crime Branch

24.06.2020.

Present: Ld. Addl. PP for State.  
Ld. Counsel for accused/applicant alongwith niece of  
accused/applicant.  
HC Yogesh is also present for IO.

Heard. Perused.

HC Yogesh has filed report. The same be taken on record.

Ld. Counsel for accused/applicant submits that the present application has been filed on behalf of accused/applicant named above for grant of interim bail for a period of 45 days. It is further submitted that accused/applicant is in JC since September 2018. It is further submitted that previously also accused/applicant was granted interim bail twice and it is a matter of record that accused/applicant has not misused the said liberty granted to him. It is further submitted that wife of accused/applicant is to be operated upon on 27.06.2020 and there is no other male member in the family of accused/applicant to make arrangements for the same. It is further submitted that parents of accused/applicant have already expired and accused/applicant is having two minor children aged about 17 years and 12 years. It is

Contd.....

22  
24/6/2020

**State vs. Afroz Alam**

further submitted that co-accused namely Sunil Sharma has been granted interim bail by Hon'ble High Court of Delhi vide order dated 06.05.2020. Co-accused Rajesh Sharma has been granted interim bail by Ld. Sessions Court vide order dated 20.05.2020. Co-accused Vinit Garg has been granted interim bail by Hon'ble High Court of Delhi vide order dated 05.06.2020. Ld. Counsel further argued that no Narcotic Drug/Psychotropic Substance was recovered from the possession of accused/applicant.

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand on the ground that the present case is pertaining to recovery of commercial quantity of Narcotic Drugs/ Psychotropic Substances. It is further submitted that High Powered Committee in its minutes of meeting dated 18.05.2020 has specifically excluded consideration of such cases for grant of interim bail.

I have duly considered the rival submissions. I have perused the record carefully.

IO/SI Arvind Kumar in his report has stated that medical documents have been verified by the concerned Hospital/clinic. It is further mentioned that daughter of accused/applicant is aged about 17 years and she can look after her mother in the absence of accused/applicant.

Perusal of medical document dated 16.06.2020 annexed with application in hand shows that the doctor has stated "Disc Bulge

Contd.....

21  
24/6/2020

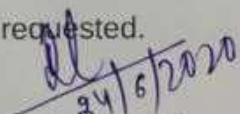
**State vs. Afroz Alam**

at L4-L5 level", "Degenerative of Spine due to age". The concerned doctor advised for surgery on 27.06.2020. Perusal of said document clearly shows that the concerned doctor has nowhere written that the patient is to be admitted in hospital for 07 days and bed rest for 04 weeks. In the said document, it is nowhere mentioned that the surgery is required as soon as possible and the delay may lead to serious complication.

The allegations against accused/applicant are of serious nature. The present case is pertaining to recovery of commercial quantity of Narcotic Drugs/ Psychotropic Substances. The High Powered Committee vide its minutes of meeting dated 18.05.2020 has clearly excluded consideration of such cases for grant of interim bail. The surgery advised by the concerned doctor can very well be postponed and it is nowhere stated that the same is to be performed on 27.06.2020 itself.

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.

Copy of order be given dasti as requested.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State Vs. Sharwan Kumar  
FIR No. 224/2018  
under Section 419/420/467/468/471/34 IPC  
PS Subzi Mandi

24.06.2020.

Present: Ld. Addl. PP for State.  
Ld. Counsel for accused/applicant (through V/C).  
IO/SI Dhan Singh in person.

Heard. Perused.

IO has filed report. The same be taken on record.

Application in hand is hereby disposed of as withdrawn as  
requested by Ld. Counsel for accused/applicant.

*DL*  
*24/6/2020*

(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State vs. Afroz Alam  
FIR no. 218/2018  
under Section 22/29 NDPS Act & 63/65 Copyright Act  
PS Crime Branch

24.06.2020.

Present: Ld. Addl. PP for State.  
Ld. Counsel for accused/applicant alongwith niece of  
accused/applicant.

Heard. Perused.

Ld. Counsel for accused/applicant submits that the present  
application has been filed on behalf of accused/applicant named  
above for grant of regular bail. It is further submitted that present  
application be adjourned for 06.07.2020.

Request is allowed.

Regular bail application filed on behalf of accused/applicant  
is adjourned for **06.07.2020** as requested.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State Vs. Josim Khan  
FIR no. 84/2020  
Under Section 457/380/411 IPC  
PS Wazirabad

24.06.2020.

Present: Ld. Addl. PP for State.  
Ld. Counsel for accused/applicant(through V/C).

Heard. Perused.

Inspite of repeated calls/passovers, neither IO has  
appeared nor report has received from him.

IO to appear in person alongwith report on 25.06.2020.

  
24/6/2020

(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State Vs. Rahul  
FIR no. 43/2017  
under Section 302/392/394/397/411/34 IPC r/w 25/27 Arms Act  
PS Prasad Nagar

24.06.2020.

Present: Sh. Ghanshyam Srivastava, Ld. Addl. PP for State.  
Sh. Zia Afroz, Ld. Counsel for accused/applicant.

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of interim bail for a period of 08 weeks on the basis of minutes of meeting of High Powered Committee dated 18.05.2020. It is further submitted that father of accused/applicant is suffering from various health related ailments. It is further submitted that accused/applicant was arrested on 17.02.2017 and he is in JC since then i.e. for the last more than three years.

On the other hand, Ld. Addl. PP for State submits that previous bail application filed on behalf of accused/applicant was dismissed by this Court vide order dated 16.06.2020 i.e. just 07-08 days before and since then there is not material change in the facts and circumstances. Hence, application in hand is liable to be dismissed.

I have duly considered the rival submissions. I have perused the record carefully.

Contd.....

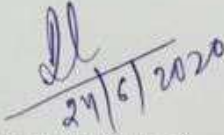
dl  
24/6/2020

**State Vs. Rahul**  
**FIR no. 43/2017**

Perusal of record shows that accused/applicant alongwith co-accused had robbed and murdered the victim. Both accused persons were apprehended at the spot itself and one Buttondar bloodstained knife was recovered from the possession of accused/applicant.

Allegations against accused/applicant are of very serious nature. The material witnesses are yet to be examined. Father of accused/applicant is not suffering from any life threatening disease and he is managing without accused/applicant since the last more than 03 years. Even otherwise the medical papers are pertaining to January to March 2020.

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

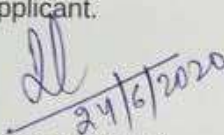
State Vs. Suraj  
FIR No. 208/2018  
under Section 307/506/34 IPC  
PS Subzi Mandi

24.06.2020.

Present: Sh. Ghanshyam Srivastava, Ld. Addl. PP for State.  
IO/SI Jitender Joshi in person.  
Sh. Satish Kumar and Sh. Yash Wahi, Ld. Counsel(s) for  
accused/applicant (through V/C).

Heard. Perused.

Application in hand is hereby dismissed as withdrawn as  
requested by Ld. Counsel(s) for accused/applicant.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State vs. Swaroop Jana  
FIR No. 109/2018  
under Section 307/392/394/397/411/34 IPC  
PS Jama Masjid

24.06.2020.

Present: Sh. Ghanshyam Srivastava, Ld. Addl. PP for State.  
Sh. Sachin Sangwan, Ld. Counsel for accused/applicant  
(through V/C).

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of regular bail. It is further submitted that accused/applicant has been falsely implicated in this case and IO failed to collect any incriminating material/evidence against accused/applicant during investigation. Accused/applicant was arrested on 14.12.2018 and he in custody since then. Neither offence punishable under Section 307 IPC nor under Section 397 IPC is made out against accused/applicant. Accused/applicant is likely to be acquitted in this case.

On the other hand, Ld. Addl. PP for State argued that apart from present case, accused/applicant is involved in an another case also i.e. vide FIR No. 112/2018 PS Jama Masjid. Part of robbed amount i.e. sum of Rs.5200/- was recovered from the possession of accused/applicant. Accused/applicant refused to participate in judicial TIP. Even scooty used in commission of offence was recovered from

Contd.....

*22*  
*24/6/2020*

**State vs. Swaroop Jana**  
**FIR No. 109/2018**

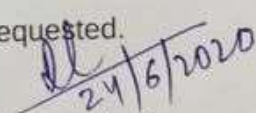
the possession of accused/applicant. Previous bail application filed on behalf of accused/applicant was dismissed as withdrawn from Hon'ble High Court of Delhi on 03.12.2019, after some arguments. Several bail applications filed on behalf of accused/applicant were dismissed as withdrawn before this court.

I have duly considered the rival submissions. I have perused the record carefully.

Allegations against accused/applicant are of very serious nature. The statement of complainant/victim is yet to be recorded in Court. As per prosecution case, accused persons not only robbed the complainant but had also caused injuries to him while doing so. Accused/applicant refused to participate in judicial TIP. Scooty used in commission of offence as well as part of robbed amount has been recovered from the possession of accused/applicant.

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.

Copy of order be given dasti as requested.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State vs. Jarnail Singh  
FIR No. 309/2019  
under Section 15/25/29 NDPS Act  
PS Crime Branch

24.06.2020.

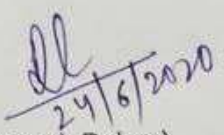
Present: Ld. Addl. PP for State.  
Sh. Vinod Charan, Ld. Counsel for accused/applicant  
(through VIC).

Heard. Perused.

Ld. Addl. PP for state submits that the present matter is  
pertaining to the court of Ms Neelofer Abida Perveen, Ld. Special  
Judge, NDPS.

In view of aforesaid submissions made by Ld. Addl. PP for  
State, the present application be put up before court concerned on  
25.06.2020.

Ahlmad is directed to comply.

  
(Deepak Dabas)  
ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020

State vs. Asif Khan @ Baba  
FIR No. 67/2020  
under Section 323/354/354-B/506/509 IPC  
PS Wazirabad

24.06.2020.

Present: Ld. Addl. PP for State.  
Sh. Mrigank Shankar, Ld. Counsel for accused/applicant  
(through V/C).  
IO/ASI Arun Singh in person.

Heard. Perused.

IO/ASI Arun Singh has filed supplementary reply. The same be taken  
on record.

Ld. Counsel for accused/applicant submits that present application  
has been filed on behalf of accused/applicant named above for grant of  
anticipatory bail. It is further submitted that no role has been assigned to  
accused/applicant by the complainant/victim and IO is trying to falsely implicate  
the present accused/applicant. It is further submitted that perusal of FIR clearly  
shows that accused/applicant neither committed offence punishable under Section  
323 IPC nor offences punishable under Section 354/354-B/506/509 IPC. It is  
further submitted that bare perusal of FIR clearly shows that accused/applicant  
had left the office of Tahir Hussain before commission of offence in question. It is  
further submitted that accused/applicant joined the investigation as directed by this  
Court vide order dated 18.06.2020.

On the other hand, IO/ASI Arun Singh has strongly opposed the  
application in hand on the ground that though the accused/applicant had joined the  
investigation on 22.06.2020 but he had not cooperated in the same and is hiding  
the facts and hence, custodial interrogation of accused/applicant is essential.

I have duly considered the rival submissions. I have perused the  
record carefully.

  
24/6/2020

Contd.....

**State vs. Asif Khan @ Baba**

**FIR No. 67/2020**

Perusal of record shows that vide order dated 18.06.2020, accused/applicant was directed to join the investigation. It is a matter of record that accused/applicant joined the investigation on 22.06.2020 as directed vide order dated 18.06.2020. In the present case nothing is to be recovered from the possession of accused/applicant. Perusal of FIR in question clearly shows that accused/applicant had left the office of main accused namely Tahir Khan even before commission of offence in question. Even if all the contents of FIR are believed to be true even then neither offence punishable under Section 323 IPC nor offences punishable under Section 354/354-B/506/509 IPC are attracted against accused/applicant as all such allegations have been leveled by complainant/victim against main accused Tahir Khan and not against present accused/applicant.

Keeping in view the aforesaid facts and circumstances, the application in hand is hereby allowed. IO/SHO PS Wazirabad are directed that in the event of his arrest, the accused/applicant be released on bail on his furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount.

Nothing stated herein above shall tantamount to expression of final opinion on the merits of this case.

Copy of order be given dasti to all the parties.

  
(Deepak Dabas)

ASJ/Special Judge, NDPS  
(Central) Tis Hazari Courts  
Delhi/24.06.2020