

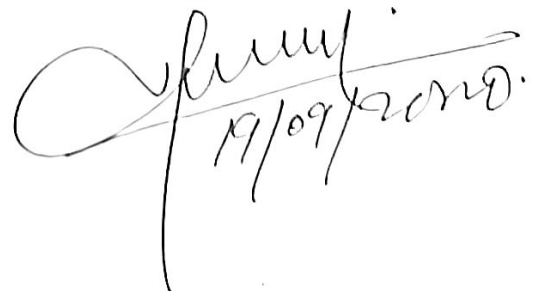
**RTI Appeal No.06/20**

**Yashpal Wadhwa Vs. PIO West**

19.09.2020

**ORDER:**

1. By this order, I shall dispose of the present RTI appeal as filed by appellant Yashpal Wadhwa.
2. This RTI appeal was received before this court/ first appellate authority on 11.03.2020 and thereafter, matter was listed for 23.03.2020, however, on 23.03.2020 appellant has not appeared, hence, notice was issued to appellant for 08.04.2020 but thereafter, matter could not be taken up in view of the lock-down due to COVID-19 pandemic and suspension of normal functioning of court works. Accordingly, the proceedings in the present RTI appeal has been resumed on 22.08.2020.
3. It is pertinent to mention that this RTI appeal has been received in this court/First Appellate Authority from the office of Head Quarter, Tis Hazari Court, Delhi, as the appellant has sent this RTI appeal to the first Appellate Officer, Office of Head Quarter, Tis Hazari Court, through registered post, though the information sought regarding RTI application dated 23.01.2020 pertains to West District.
4. The instant RTI appeal dated 27.02.2020 has been filed on the



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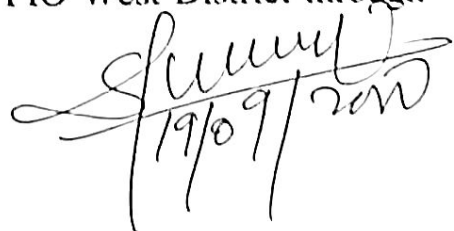
ground that the appellant did not receive any reply to his application dated 23.01.2020 from PIO. In this appeal it is mentioned that information sought from PIO, in application dated 23.01.2020 were not given even after 30 days.

5. Reply dated 18.08.2020 to the present appeal has been filed by Sh. Dinesh Kumar, Link PIO West District and further fresh detailed reply dated 25.08.2020 filed by Sh. Dinesh Kumar, Link PIO, West.

In the reply it is mentioned that in the present appeal the appellant has mentioned that he had sought the requisite information through RTI application dated 23.01.2020 which was sent through registered post addressed to the O/O Head Quarter, Tis Hazari District Court, Delhi alongwith postal order of Rs.10/- dated 23.01.2020.

In the reply of Link PIO, West, it is further stated that the appellant has filed RTI appeal dated 27.02.2020 before the First Appellate Officer, O/O Head Quarter, Tis Hazari Court, Delhi vide diary No.1568 dated 03.03.2020 for not supplying the information within the prescribed period.

In the reply of Link PIO, West, it is further mentioned that information as sought in the RTI application dated 23.01.2020 pertains to West District but no such RTI application in the present matter has been received in the office of PIO West District through



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registered post as well as by way of transfer from the office of PIO Central District, Tis Hazari Court, Delhi.

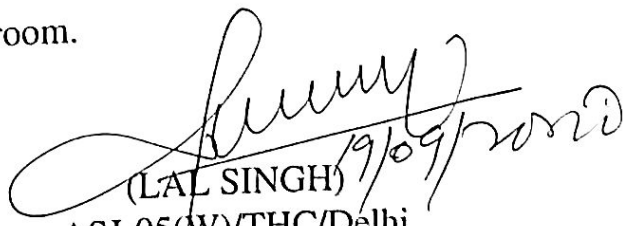
6. Thus, as per the above reply, the RTI application dated 23.01.2020 of appellant was not received in the office of PIO, West. As such if the application dated 23.01.2020 has not been received in the office of PIO, West, then not supplying the information sought by the appellant in the application dated 23.01.2020, by the PIO, West, does not arise at all.

7. Thus, in view of the facts & circumstances as discussed above, the present appeal stand dismissed and accordingly disposed of.

8. The second appeal against this appeal may be filed in accordance of Section 19 (3) to the CIC of SIC within 90 days from today.

9. A copy of this order be provided to the appellant and the Public Authority i.e. in this matter, the PIO West, THC, Delhi, in terms of Section 19 (9) of the RTI Act, 2005.

10. RTI appeal be consigned to record room.

  
(LAL SINGH)  
ASJ-05(W)/THC/Delhi  
First Appellate Authority  
19.09.2020

**RTI Appeal No.06/20**  
**Yashpal Wadhwa Vs. PIO West**

19.09.2020

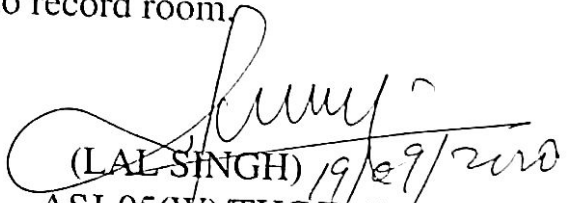
At 2:30 P.M.

Present: Appellant Yashpal Wadhwa through VC.  
Sh.Vijay Kumar, JA for PIO West, through VC.

This RTI application is listed today for orders.

Vide separate order, RTI Appeal is dismissed.

RTI appeal file be consigned to record room.

  
(LAL SINGH) 19/09/2020  
ASJ-05(W)/THC/Delhi  
First Appellate Authority  
19/09.2020

FIR No.372/18  
PS : Nangloi  
State Vs. Kamil Ahmad  
U/s 498A/304B IPC

19.09.2020

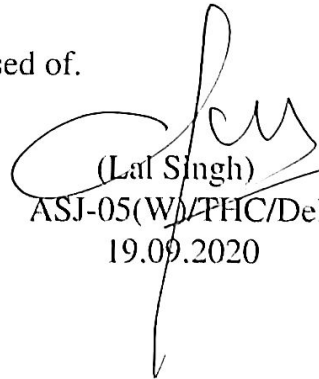
Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Abid Ahmad, Ld. counsel for the applicant/accused  
through VC.

This application U/s 439 Cr.P.C., has been filed on behalf of  
applicant/accused for extension of interim bail.

At the very outset, Ld. Counsel for the applicant/accused  
submits that he is withdrawing the present application as the interim bail of  
applicant/accused already extended, has not been expired as yet and the  
present application is premature and hence, he may be permitted to  
withdraw the same.

In view of the above facts & circumstances and submissions  
of Ld. Counsel for the applicant/accused, the present application is  
dismissed as withdrawn.

Application is accordingly disposed of.

  
(Lal Singh)  
ASJ-05(W)/PHC/Delhi  
19.09.2020

FIR No.114/19

PS : Pubjabi Bagh

State Vs. Rahul Yadav

U/s 392/397/365/34 IPC & Sec. 25/54/59 Arms Act

19.09.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. F.C. Giri, Ld. Legal Aid counsel for the applicant/accused through VC.

This application U/s 439 Cr.P.C., as filed on behalf of applicant/accused for grant of interim bail, is listed today for consideration.

Reply to the above application has been received on behalf of SI Sumit Dhankar, P.S. Punjabi Bagh.

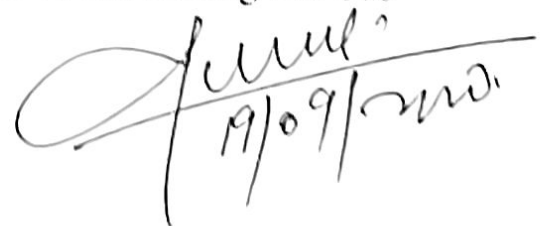
Conduct report qua applicant/accused already received from Dy. Superintendent Central Jail No.4, Tihar and as per which the conduct of the applicant/accused is good.

Ld. Legal Aid Counsel for the applicant/accused submits that the present application has been filed in terms of HPC guidelines dated 07.04.2020 and this case is covered under the said guidelines.

Ld. Addl. PP submits that the present case does not fall under HPC guidelines as the applicant/accused and his associate committed robbery on the Highway between sun set & sun rise and for which the punishment may be extended up to 14 years.

I have heard the submissions and perused the file.

The allegation against the applicant/accused is that he alongwith his associates booked the Ola Cab of the victim bearing Ola Cab

  
19/09/2020

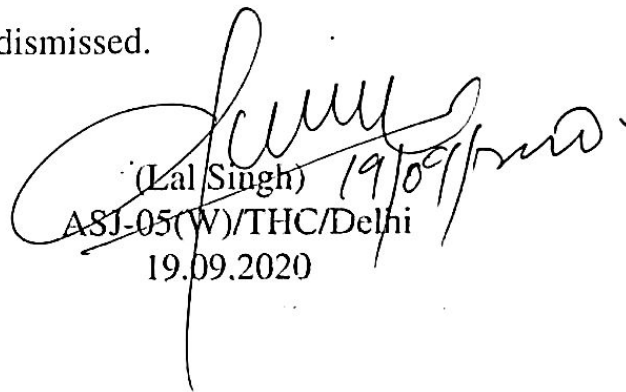
No. HR 66 B 5358 and they boarded the said Ola Cab from Punjabi Bagh Metro Station and after that they committed robbery of cash of Rs.5000/-, two mobile phone make Nokia and Micromax, two ATM cards of SBI and Kotak Mahindra Bank of the complainant on 26.02.2019 at about 3:00 A.M., and they also abducted the complainant and took him towards Karnal Bypass and they threw out the complainant from the cab near Karnal Bypass and they took away the Ola Cab of the complainant.

Therefore, it is amply clear that the accused persons committed robbery between sun set & sun rise on the highway for which the punishment may be extended up to 14 years.

Therefore, the present case does not cover under the Hon'ble HPC guideline dated 07.04.2020. Accordingly, the present application deserves to be dismissed.

The application is accordingly dismissed.

Application is disposed of.

  
(Lal Singh) 19/09/2020  
ASJ-05(W)/THC/Delhi  
19.09.2020

FIR No.468/15  
PS : Patel Nagar  
State Vs. Deepanshu @ Deepu  
U/s 302/394/397/411 IPC

19.09.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Uma Shankar Gautam, Ld. counsel for the applicant/  
accused through VC.

This application U/s 439 Cr.P.C., as filed on behalf of applicant/accused for grant of interim bail, is listed today for consideration.

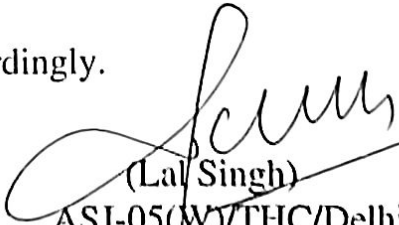
Ld.Counsel for the applicant/accused submits that the present application is filed on behalf of the applicant/accused in terms of HPC guideline dated 18.05.2020.

In the application also it is mentioned that the present application is filed in terms of HPC guidelines dated 18.05.2020.

Conduct report qua the applicant/accused has been received from Dy. Superintendent, Central Jail No.3, Tihar and as per which the conduct of the applicant/accused is bad/unsatisfactory due to punishment recorded on 04.03.2020.

In view of the above report, the present case of the applicant/accused is not covered under the HPC guidelines dated 18.05.2020. Accordingly, same deserves to be dismissed and as such the application is dismissed.

Application is disposed of accordingly.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19/09.2020



FIR No.236/17

PS : Rajouri Garden

State Vs. Abhijit


U/s 186/353/307/411/34 IPC & Sec. 25/27 Arms Act

19.09.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh.Farooq Ahmad, Ld. counsel for the applicant/accused  
through VC.

This application has been filed on behalf of applicant/surety  
namely Banarasi for releasing the FDR in the sum of Rs.30,000/-.

Put up alongwith main file on 05.10.2020, for consideration.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.57599/16

FIR No.295/15

PS : Uttam Nagar

State Vs. Jatin Arora @ Jatin & Ors.

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

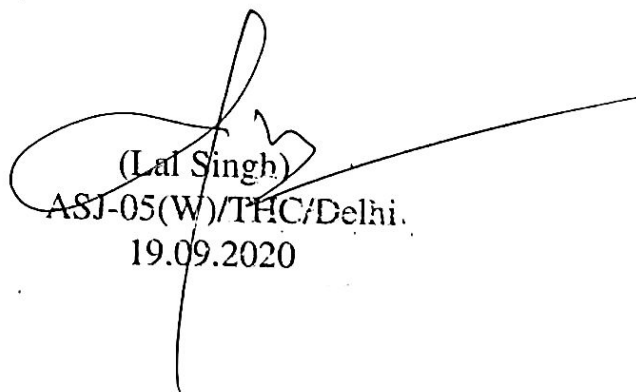
Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Accused persons namely Jatin Arora, Gaurav Arora, Prateek Arora and Richa Arora on bail, joined the proceedings through VC.

Matter is at the stage of P.E.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for P.E.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi.  
19.09.2020

Case No. 408/18  
FIR No.212/18  
PS : Ranhola  
State Vs. Jitender Singh & Ors.

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/ 2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Rohit Rawat, Proxy counsel for counsel for all the accused persons through VC.

Matter is at the stage of P.E.

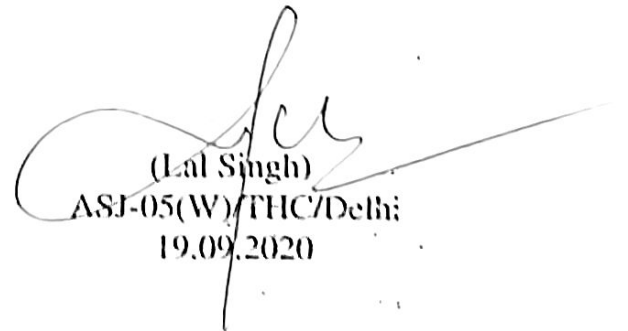
Persual of file shows that in this case, all the three accused persons are on bail, however, today they have not joined the proceedings through VC.

At the oral request of Ld. Proxy counsel for accused persons, accused are exempted from appearance/joining the proceedings through VC.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for P.E.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.56474/16  
FIR No.191/09  
PS : Punjabi Bagh  
State Vs. Kishan Singh & Ors.

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the accused persons.

Matter is at the stage of P.E.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.  
Put up on 28.11.2020 for P.E.

(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.736/17  
FIR No. 227/17  
PS : Moti Nagar  
State Vs. Manoj @ Baddi

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the accused.

Matter is at the stage of P.E.

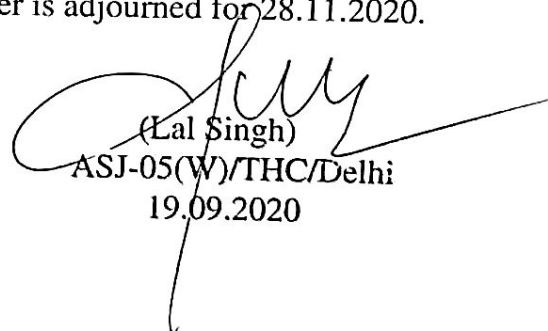
Perusal of file shows that accused is on bail, however, he has not joined the proceedings through VC.

In view of present pandemic situation as well as in the interest of justice, no adverse order is being passed against the accused for his non joining the proceedings through VC only for today.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for P.E.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.418/18  
FIR No. 84/18  
PS : Punjabi Bagh  
State Vs. Mohd. Rahim Murshid @ Alam @ Mughla

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for accused.

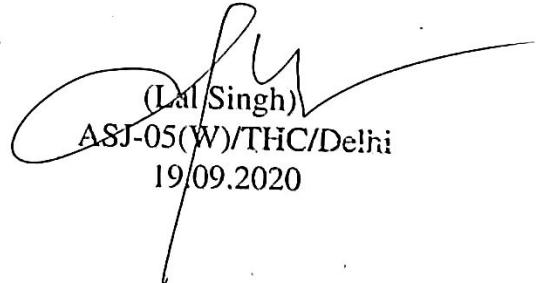
Matter is at the stage of P.E.

Perusal of file shows that before lock-down accused was in JC.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for P.E.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19/09.2020

IA No.03/20  
FIR No.390/17  
PS : Anand Parbat  
State Vs. Raj Kumar @ Raju

19.09.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the applicant/accused.

This application u/s 439 Cr.P.C., as filed on behalf of the applicant/accused before lock-down, is pending adjudication and same is taken up today.

However, none appeared for the applicant/accused, therefore, matter is adjourned for 28.11.2020 i.e. the date already fixed in main case.

Put up on 28.11.2020 for consideration on above application.

(Lal Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.158/18  
FIR No.390/17  
PS : Anand Parbat  
State Vs. Raj Kumar @ Raju

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the accused.

Matter is at the stage of P.E.

Perusal of file shows that accused was in JC before lock-down.

Vide order bearing no. 26/DHC/2020 dt. 30.07.2020, Hon'ble High Court of Delhi, directed that evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for P.E.

(Lal/Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020



Case No.474/19

FIR No.81/19

PS : Anand Parbat

State Vs. Beena Devi & Anr.

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Rajan Bhatia, Ld. Legal Aid counsel for accused Beena Devi and Deepak through VC.

Matter is at the stage of arguments on the point of Charge.

Perusal of file shows that before lock-down both the above accused were in JC.

Ld. Legal Aid counsel for accused submits that he has been appointed as LAC for accused Beena Devi and Deepak and today he is seeking adjournment.

In view of the above, matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for arguments on the point of Charge.

(Lat Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020

Case No.479/19  
FIR No. 207/16  
PS : Tilak Nagar  
State Vs. Sarvpal Singh @ Ginni & Ors.

19.09.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/ 2020 dated 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No.545/13726-13784/Misc/Gaz.DJ West/Delhi/2020 dated 31.08.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Ram Avtar, Ld. Counsel for the accused Neeraj Malhotra and Dilbag Singh through VC.  
None for other accused.

Matter is at the stage of arguments on the point of Charge.

Ld. Counsel for the accused submits that in this case, all the accused are on bail, however, accused Sarvpal Singh @ Ginni and Satvinder Singh @ Vikram Singh were in JC in some other case before lock-down.

At the oral request of Ld. Counsel for the accused Neeraj Malhotra and Dilbag Singh, they are exempted from appearance/joining proceedings through VC only for today.

Ld. Counsel for accused Neeraj Malhotra and Dilbag Singh submits that today he is prepared for argument on charge and he is seeking adjournment.

In view of the above, matter is adjourned for 28.11.2020.

Put up on 28.11.2020 for arguments on the point of Charge.

(Ld. Singh)  
ASJ-05(W)/THC/Delhi  
19.09.2020