

FIR No. 1360/2015

PS: Burari

State Vs. Jitender Bhatti @ Happy & Ors.

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Chetan, counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Rahul Kumar S/o Sripal in case FIR No. 1360/2015 invoking the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons in Delhi.


Report is received in respect of the previous involvement by the IO but it is not pertaining to accused Rahul S/o Sripal but in respect of accused Rahul Bainsla S/o Suresh Bainsla, one of the co-accused in the present case. IO is directed to file previous involvement report in respect of the accused Rahul S/o Sripal.

It emerges that custody certificate was filed by the Jail Superintendent alongwith conduct report, however, same pertains to accused Jitender Bhati, co-accused in the present case and not accused

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Rahul Kumar, who is also co-accused in the present case FIR No. 1360/2015. Fresh report be called from Jail Superintendent concerned in respect of custody and conduct during custody of accused Rahul S/o Sripal, one of the accused in case FIR No. 1360/2015.

For report and consideration, put up on **23.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 43/2018
PS: Sadar Bazar
State Vs. Ravi Kohli

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State,
Sh. Vinay Kumar, counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

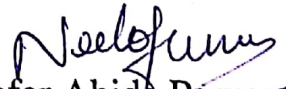
This is second application for grant of interim bail on behalf of
accused Ravi Kohli in case FIR No. 43/2018.

Ld. Counsel for the accused-applicant submits that accused-
applicant fulfills all the criteria laid down under the guidelines issued by the
High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 for
release of UTP on 45 days interim bail in order to decongest the prison, as the
accused-applicant is in JC since 21.02.2018 and has clean antecedents.

Reply is filed of the IO.

It is verified that the accused-applicant is not previously involved
in any other criminal case. The custody certificate and conduct report, however,
is not received from Jail Superintendent concerned. Jail Superintendent
concerned to file the custody certificate alongwith conduct report of accused-
applicant Ravi Kohli in custody in case FIR No. 43/2018.

For report and consideration, put up on **22.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
18.06.2020

FIR No. 195/2017
PS: Subal Mandi
State Vs. Yasin @ Gilli
18.05.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State,
Sh. Shivendra Singh, LAC for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail for 45 days on behalf of accused Yasin @ Gilli in case FIR No. 195/2017 in accordance with guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.


Ld. Counsel submits that accused-applicant Yasin @ Gilli fulfills all the criteria under guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

When it is put to the Ld. LAC if accused-applicant has clean antecedents, Ld. LAC for the accused-applicant fairly conceded that there is one conviction against the accused-applicant, however, same has been impugned by way of an appeal. Ld. LAC seeks some time to place on record the relevant documents pertaining to the conviction and appeal.

Ld. Addl. PP submits the reply is received on whatsapp.

Reply ^{be} ~~to~~ ^{re} filed on record alongwith previous involvement record. Custody certificate alongwith conduct report be also called from Superintendent Jail.

For report and consideration, put up on 24.06.2020.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi

18.06.2020

FIR No. 88/2019
PS: NDRS
State Vs. Sachin Paswan

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Vinay Kumar, counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of regular bail on behalf of
accused Sachin Paswan in case FIR No. 88/2019.

Ld. Addl. PP submits that some instructions are required from
the IO concerned as all the details are not mentioned in the reply filed by
the IO.

Arguments heard on behalf of the accused-applicant.

further no
For consideration, put up on **23.06.2020**.

IO is also directed to file proper reply to the application *no*
mentioning all details in respect of the FIR and the investigation conducted *that*
led to the arrest of the accused-applicant and the incriminating material
collected against the accused-applicant.

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(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 243/2018

PS: Nabi Karim

State Vs. Shiva

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Kamaldeep, counsel for accused-applicant (through video conferencing)


Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Shiva in case FIR No. 243/2018.

Ld. Counsel for accused-applicant submits that the previous application for grant of interim bail on the same ground was dismissed with the directions to the Jail authorities for proper treatment and the jail authorities had also assured for proper treatment and surgery to be undertaken ^{on} 10.06.2020, however, no further treatment/surgery has been provided to the accused-applicant and that accused-applicant is presently in the quarantine ward and suffering from ^{bearable} unavoidable pain in ear and requires ^{the} surgery of the ear.

Report be called from Jail Superintendent concerned in respect of the medical health condition of the accused-applicant and treatment provided to him in respect thereof.

For report and consideration, put up on **23.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 155/2018
PS: DBG Road
State Vs. Vinay

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Vinay Kumar, counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

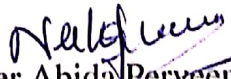
This is an application for grant of interim bail on behalf of accused
Vinay in case FIR No. 155/2018.

Ld. Counsel for the accused-applicant submits that accused-
applicant fulfills all the criteria laid down under the guidelines issued by the
High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 for
release of UTP on 45 days interim bail in order to decongest the prison, as the
accused-applicant is in JC since 06.06.2018 and has clean antecedents.

Reply is filed of the IO.

It is verified that the accused-applicant is not previously involved
in any other criminal case. The custody certificate and conduct report is
received from Jail Superintendent concerned. Jail Superintendent concerned to
file the custody certificate alongwith conduct report of accused-applicant Vinay
in custody in case FIR No. 155/2018.

For report and consideration, put up on **22.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
18.06.2020

FIR No. 245/2018

PS: Nabi Karim

State Vs. Parveen Kumar

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Naveen Gaur, counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Parveen Kumar @ Pummy in case FIR No. 245/2018 on the ground of surgery of son of the accused-applicant.

Ld. Counsel for the accused-applicant submits that surgery ^{is} ~~treatment~~ of the elder son of the accused-applicant is scheduled for 21.06.2020 and for this purpose son of the accused is to be admitted in N. C. Hospital on 20.06.2020.

Ld. Addl. PP submits that reply is filed, however, the factum of scheduling of surgery on 21.06.2020 could not be verified and some more time is sought for the same.

Report be filed in respect of the surgery scheduled for 21.06.2020 from N. C. Hospital for **19.06.2020**.

*For Report and Consideration, put up
on 19.6.2020*

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(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 288/2019
PS: Sarai Rohilla
State Vs. Rahul

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Mohd. Illyas, counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.


This is an application for grant of interim bail on behalf of
accused Rahul in case FIR No. 288/2019.

Ld. Counsel submits that the mother of the accused-applicant
is a heart patient and presently her condition ^{as} has become very serious and
there is no one in the family to accompany her to the hospital for availing
the appropriate treatment.

Ld. Addl. PP submits that reply is filed however, further time
has been sought to verify the medical documents filed alongwith the
application.

Medical documents alongwith the family status be got
verified.

For report and consideration, put up on **20.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
18.06.2020

FIR No. 224/2018
PS: Crime Branch
State Vs. Rakesh Mishra

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Anand Maitrey, counsel for accused-applicant (through
video conferencing)

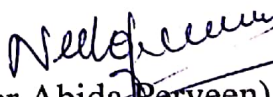
Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of
accused Rakesh Mishra in case FIR No. 224/2018.

Ld. Consel for the accused-applicant submits that accused is
in custody for the last 18 months and that wife of the accused-applicant
who suffers from migraine attacks is really unwell presently and there is no
one to look after the minor children of the accused-applicant or to take
wife to the hospital and the family of the accused-applicant is also
suffering financially due to lock down.

Medical documents annexed with the application and family
status be got verified.

For report and consideration, put up on **22.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 209/2017
PS: Karol Bagh
State Vs. Narender @ Sunny

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.
Sh. J. P. Singh, counsel for accused-applicant (through
video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused
Narender @ Sunny in case FIR No. 209/2017.

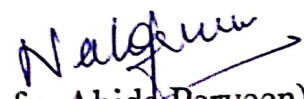
Ld. Counsel for the accused submits that on earlier occasion also
accused-applicant had sought interim bail on the ground of illness of his wife
and child of the accused-applicant. That the last application for grant of interim
bail was dismissed as withdrawn as by that time hospitalization of the minor
daughter of the accused-applicant had not been advised. That the minor
daughter of the accused-applicant is suffering from seizure disorder and the
condition was being managed through OPD visits and medication. However,
now hospitalization has been advised and there is no one in the family except the
wife and old aged parents of the accused-applicant to attend to the minor
daughter of the accused-applicant during hospitalization.

The medical record annexed alongwith the application has been
verified. As per report, the minor daughter of the accused-applicant visited Civil
Hospital Palwal, Haryana on 01.06.2020 and was advised hospitalization in
Pediatric Ward on a diagnosis of seizure disorder but the attendants of the child
had refused admission. Therefore further treatment could not be decided and the
present medical condition of the child could also not be commented upon. The

Narender

accused-applicant has clean antecedents, however, his conduct in custody has not been blemished free. The accused-applicant therefore does not fulfill all the criteria laid down under guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Taking into consideration that minor daughter of the accused-applicant is suffering from seizure disorder and has been advised hospitalization, one week interim bail is granted to the accused-applicant Narender @ Sunny in case FIR No. 209/2017 upon furnishing personal bond with two sureties in the sum of Rs.50,000/- each and subject to the condition that he shall mention his mobile phone number, which number it shall be ensured by the accused remains switched on mode throughout the period of interim bail with location activated and shared with the IO at all times. Moreover, once in 24 hours every day, accused-applicant through said mobile phone shall telephonically inform the IO about his whereabouts. The accused-applicant is also prohibited to enter the territorial limits of NCT Delhi during the period of interim bail, except on the day of his surrender and shall not in any manner make any contact with the complainant and her family nor shall attempt in any manner to threaten/intimidate the witnesses or tamper the evidence or interfere with the course of justice.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
18.06.2020

FIR No. 121/2016

PS: Crime Branch

State Vs. Sanjeev Kumar @ Sonu

18.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Rajiv Mohan, counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Sanjeev @ Sonu in case FIR No. 121/2016.

Ld. Counsel for the accused-applicant submits that the accused-applicant is a patient of HIV and falls in the high risk category due to out break of covid-19 pandemic and further incarceration is likely to endanger his life as he is more likely to get infected if he is continued in custody as social distancing is very difficult to be maintained in prisons and that on previous occasions also accused-applicant was released on interim bail of different periods and has never misused the concession granted.

Reply is filed.

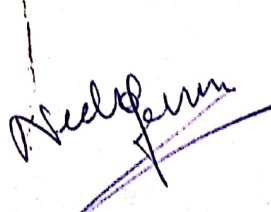
Ld. Addl. PP submits that case of the accused-applicant is not covered under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 to decongest the prisons in Delhi and that case pertains to commercial quantity of 720 kgs of Ganja, recovered from the conscious possession of the accused-applicant.

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Arguments heard. Report perused.

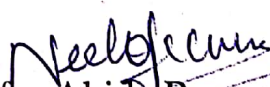
Report is received of the Jail Superintendent to the effect that accused-applicant is a known case of HIV, PLHA (People Living with HIV/AIDS) and is on Anti-Retroviral Therapy (ART) of HIV treatment from Central Jail Hospital and is availing regular treatment from jail duty doctors, ART Centre and jail visiting specialist. The patient -inmate has been reviewed from time to time and provided adequate and appropriate medical treatment since 2016 and recently on 21.05.2020 medications from ART Centre of Central Jal Hospital was provided to the accused-applicant for the next one month as per schedule and the next due date for medication from ART is now 21.06.2020. It is also reported that at present the general condition of the inmate /patient is stable on medication and that all medicines are being provided to him from jail dispensary. Further supplementary medical diet is also being provided to him consisting of one litre of milk, two eggs, dalia and 250 grams of fruits for his medical condition, as per jail rules.

The High Powered Committee of Hon'ble High Court of Delhi constituted for the effective implementation of the directions issued by the Hon'ble the Supreme Court of India in Suo Moto petition (Civil) No. 01/2020 In Re: Contagion of Covid-19 dated 23.03.2020 and 13.04.2020, in the meeting dated 18.04.2020 upon due consideration on aspect of a fresh category of prisoners who can be released on interim bail of 45 days in order to decongest the prisons in Delhi in the wake of out break of covid 19 pandemic, in addition to the category adopted earlier on the advisory



issued by ICMR to the effect that persons suffering from acute illness has lesser immunity and are more prone to getting infected by covid-19 in order to further relax the category with respect to prisoners/UTPs suffering from HIV, cancer, chronic kidney dis-functioning, requiring dialysis, Hepatitis B or C, Asthma and TB has added a fresh category of UTP who are suffering from aforesaid illness and have undergone custody for a period of six months or more and are facing trial in a case which prescribe punishment of 10 years or upto to life imprisonment and are not involved in multiple cases as eligible for consideration for 45 days interim bail in order to decongest the prisons. However, under the said guidelines inmates undergoing the trial for intermediary/large quantity recovery under NDPS Act have been specifically excluded out of the zone of consideration.

In such given facts and circumstances, though the accused-applicant is suffering from HIV, however, is not entitled to interim bail on account of his illness as accused-applicant is incarcerated in a case involving ^{to} commercial quantity of contraband under the NDPS Act ^{and} is being provided all the requisite appropriate medical treatment and special diet for maintenance of his medical health and good health. Application for interim bail of accused Sanjeev Kumar @ Sonu in case FIR No. 121/2016 is therefore ^{no} ~~is~~ dismissed.


(Neelofer Abida Perveen)
ASJ (Central) TMC/Delhi
18.06.2020