

FIR No.115/2018
PS: Sadar Bazar
State Vs. Mohd. Abid

11.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Aditya Tyagi, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application on behalf of the applicant for release of RC of the vehicle bearing no. DL5SAV8944.

Report not made by the office in terms of previous order. Office is warned to be careful. Previous order be complied with for 12.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

FIR No. 100/2013
PS: Lahori Gate
State Vs. Rishi Gupta
U/s 302 IPC

11.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

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

Hearing is conducted through video conferencing.

This is an application for extension of interim bail moved on behalf of accused Rishi Gupta in case FIR No.100/2013.

Report regarding verification of medical documents is received. As per report, prescription slip of the Safdarjung Hospital bearing MRN 20-00258554 dated 24.10.2020 and the prescription slip of the Safdarjung Hospital bearing MRN 20-00268803 both are found to be fake as the patient has not been confirmed to have been examined by the Doctor on duty on that date whose stamp appears on the document and has denied to have made the prescription, and his purported signatures appearing thereon. The report of BO Diagonistics dated 07.11.2020 in the name of accused-applicant however stands verified.

Ld. Addl. PP submits that in view of the report submitted by the IO and documents submitted by the accused-applicant some of which are found to be fake, it may be directed that covid-19 test of accused-applicant be got conducted afresh under the supervision of the IO.

A piquant situation presents itself. The accused-applicant for the purposes of securing extension of bail has presented before this Court



as per the report of the IO allegedly fake prescription slips. In such facts and circumstances, it is directed that IO shall get, two successive prescription slip of Safdarjung Hospital. However, there is one report from BO Diagnostics which is duly verified and which confirms that the accused-applicant is still Covid -19 positive. It is not out of place to note that the previous Covid -19 positive report furnished by the accused-applicant of Lal Pathlabs has also been found to be fabricated as per report of IO. Under such circumstances by way of abundant precaution to ensure that the accused-applicant is not taken in custody when his status still is Covid-19 positive thereby exposing public officials and other UTP's to the danger of infection, it is directed that fresh covid-19 test be conducted of the accused-applicant at the expense of the accused-applicant from Lal Path Lab on 18.11.2020, under the supervision of the IO, and after taking all precautions in respect of covid-19 and in case there would arise need for medical advice and assistance, the accused-applicant shall get his further treatment from AIIMS taking into consideration that the documents pertaining to Safdurjang Hospital are reported to have been fabricated. For report and consideration put up on 20.11.2020.

For report and consideration, put up on **20.11.2020**. Interim bail of the accused-applicant Rishi Gupta is extended till the next date of hearing.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

FIR No. 32/2019

PS: Prasad Nagar

State Vs. Vikram Singh @ Vicky

U/s 302/323/341/34 IPC and 25 Arms Act.

11.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing.)

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

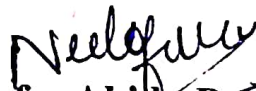
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Vikram Singh @ Vicky in case FIR No. 32/2019 on the ground of illness of his father.

Heard.

Let medical documents annexed with the application alongwith family status of the accused-applicant be got verified.

For report and consideration, put up on **24.11.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

FIR No. 37/2017
PS: Crime Branch
State Vs. Sagar @ Chintu
U/s 21 NDPS Act

11.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing.)

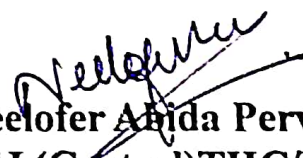
Sh.Nitin Kumar, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application on behalf of surety Tushar for release of original registration certificate.

Office to report in respect of the original documents of the surety.

For consideration, put up on 19.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

FIR No. 37/2017
PS: Crime Branch
State Vs. Sagar @ Chintu
U/s 21 NDPS Act

11.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing.)

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

Hearing is conducted through video conferencing.

This is an application on behalf of surety Vikram Kumar for release of original registration certificate.

Office to report in respect of the original documents of the surety.

For consideration, put up on 19.11.2020.


(Neelofer Akida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

FIR No. 202/2018
PS: Sadar Bazar
State Vs. Deepak Kumar Chaudhary
U/s 20/61/85 NDPS Act

11.11.2020

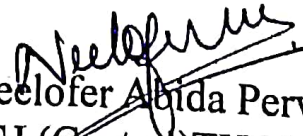
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Deepak Ghai, counsel for accused-applicant (through video conferencing)
Hearing is conducted through video conferencing.
This is an application on behalf of accused Deepak Kumar

Chaudhary in case FIR No. 288/2019 seeking permission to visit native village in Bihar in terms of order dated 15.10.2020 passed by Hon'ble High Court of Delhi in B. A. No. 1843/2020.

Ld. counsel for the accused-applicant submits that he was waiting that his wife would be able to travel to Delhi, however, she could not travel to Delhi and that is why permission is being sought to enable the accused-applicant to travel to Bihar to his native village in District Katihar, Bihar for the proper treatment of the wife of the accused-applicant.

When it is put to the Ld. counsel for the accused-applicant as to by what mode accused-applicant intends to travel to Katihar, Bihar, Ld. counsel for the accused-applicant submits that he is yet to obtain instructions from the accused-applicant on this aspect.

For further consideration, put up on 12.11.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
09.11.2020

FIR No. 402/2017
PS: Burari
State Vs. Umesh Saw
U/s 302 IPC

11.11.2020

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

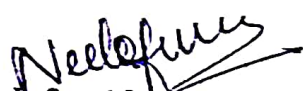
None for accused-applicant

Hearing conducted through Video Conferencing.

This is an application for release of scooty on superdari filed on behalf of accused-applicant Umesh Saw.

None has joined on behalf of accused-applicant the Webex meeting. Ld counsel when contacted on phone, sought adjournment on the ground that he is out of station.

For report and consideration, put up on **28.11.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

FIR No. 132/2020
PS: Subzi Mandi
State Vs. Manish @ Hauwa
U/s 392/397/411 IPC

11.11.2020

Fresh application received. Be registered.

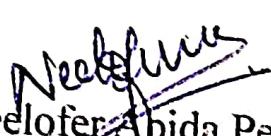
Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing.)

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

Hearing is conducted through video conferencing.

This is fourth application under Section 439 CrPC for grant of bail/interim bail moved on behalf of accused Manish @ Hauwa in case FIR No. 132/2020.

After arguing for sometime, Ld. counsel for accused-applicant submits that he does not press upon the present bail application and that the same may be dismissed as withdrawn. It is ordered accordingly. This fourth application under Section 439 CrPC for grant of bail/interim bail moved on behalf of accused Manish @ Hauwa in case FIR No. 132/2020 is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 1845
FIR No. 373/2020
PS: Timarpur
State Vs. Sanjay Lohiya
U/s 394/34 IPC

11.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

IO SI Ashok Meena through video conferencing

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

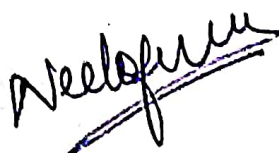
Sh. Anil Kumar Sharma, counsel for complainant (through video conferencing.)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Sanjay Lohia in case FIR No.373/2020.

Ld. Addl. PP submits that further assistance of the IO is required as initially statement of accused-applicant was recorded under Section 161 CrPC as he was with the complainant on the date of incident and subsequently his disclosure statement was recorded as one of the accused in the present matter.

IO has joined the video conferencing and assisted the Court. IO is directed to forward the copy of the disclosure statement of accused



Sanjay Lohiya alongwith copy of his statement recorded under Section 161 CrPC to the Ld. Addl. PP for State.

For further consideration, put up on 21.11.2020.


(Neelofer Ahsan Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 1807
FIR No. 385/2020
PS: Subzi Mandi
State Vs. Anil Kumar
U/s 33Excise Act

11.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

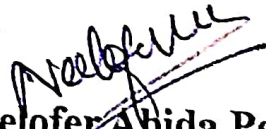
Sh. Murari Chaudhary, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Anil Kumar in case FIR No.385/2020.

Report not received. Report be filed by tomorrow in respect of the factum of death of the relative as well as family status.

For report and consideration, put up on 12.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 1846
FIR No. 91/2020
PS: Gulabi Bagh
State Vs. Deepak @ Deepu
11.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Atul Kumar Sharma, counsel for accused-applicant (through video conferencing)
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Deepak @ Deepu in case FIR No.91/2020.

Reply is filed.

Ld. Addl.PP submits that chargesheet has now been filed. Ld. Counsel for the accused-applicant submits that chargesheet has now been filed, therefore he seeks leave of the Court to withdraw the present bail application in order to enable him to file it before the appropriate Court as and when matter is committed to the Sessions and in view thereof, present application may be dismissed as withdrawn. It is ordered accordingly. This an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Deepak @ Deepu in case FIR No.91/2020 is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 1847
FIR No. Not Known
PS: Timarpur
State Vs. Nizam

11.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State with IOSI Ashok Meena
(through video conferencing)

Sh. V. K. Singh, counsel for accused-applicant (through
video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of
anticipatory bail on behalf of accused-applicant Nazim.

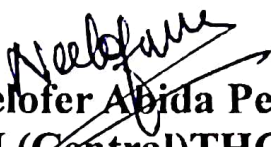
Reply is filed. Copy of reply be forwarded to the Ld. counsel
for the accused-applicant.

Ld. Addl. PP submits that the applicant Nazim is a proclaimed
offender in case FIR No.587/14 U/s 12/9/55 of Gambling Act, PS Bharat
Nagar, Delhi, IO SI Naresh Rana (PO staff) PS Timarpur visited at the
house of applicant Nazim to arrest him in the said case. That the applicant
is also involved in two other cases.

Ld. counsel for the accused-applicant submits that in view of
the submissions made as details of the FIR have now been divulged, he
seeks leave of the Court to withdraw the present application for
anticipatory bail to enable him to take appropriate steps in accordance with
law. It is ordered accordingly. This is application under Section 438 CrPC



for grant of anticipatory bail on behalf of accused-applicant Nazim is
dismissed as withdrawn.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 1848
FIR No. 352/2020
PS: Civil Lines
State Vs. Mursaleem @ Faheem

11.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

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

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mursaleem @ Faheem in case FIR No.352/2020.

Reply is filed.

Arguments are heard in part.

Put up alongwith connected bail application for further consideration on 19.11.2020.


(Neelofer Ahida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 3263
FIR No. 517/2020
PS: Wazirabad
State Vs. Jai Prakash @ Raj
U/s 376 IPC

11.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

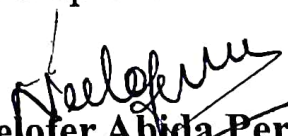
Ms. Geeta Dhingra, Counsel for accused-applicant (through video conferencing)

Sh. H. S. Saini, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Jai Prakash @ Raj in case FIR No.517/2020.

Arguments heard. For orders, put up on 18.11.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

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B. A. No. 3298
FIR No. 428/2014
PS: Burari
State Vs. Gaurav
U/s 379/411/34 IPC

11.11.2020

Fresh application received. Be registered.

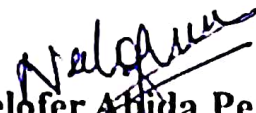
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Ayub Kkhan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

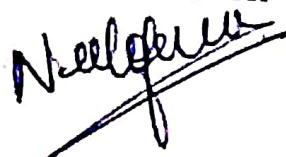
This is an application under Section 439 CrPC for grant of regular bail moved on behalf of accused-applicant Gaurav in case FIR No. 428/2014.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

At 4 pm
ORDER

At the time of passing of orders it emerges that whereas it was contended by the Ld.Counsel for the accused-applicant that the accused-applicant has undergone 8-9 months in JC In connection with the oresent case, it is in the reply of the accused-applicant since the registration of FIR was absconding and was declared proclaimed offender on 03.09.2019 and is arrested on



B. A. No. 3298
FIR No. 428/2014
PS: Burari
State Vs. Gaurav
U/s 379/411/34 IPC

11.11.2020

Fresh application received. Be registered.

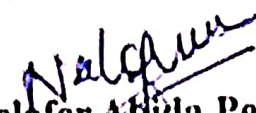
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Ayub Kkhan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail moved on behalf of accused-applicant Gaurav in case FIR No. 428/2014.

Arguments heard. For orders, put up at 4 pm.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

At 4 pm
ORDER

At the time of passing of orders it emerges that whereas it was contended by the Ld.Counsel for the accused-applicant that the accused-applicant has undergone 8-9 months in JC In connection with the oresent case, it is in the reply of the accused-applicant since the registration of FIR was absconding and was declared proclaimed offender on 03.09.2019 and is arrested on



B. A. No. 3298
FIR No. 428/2014
PS: Burari
State Vs. Gaurav
U/s 379/411/34 IPC

11.11.2020

Fresh application received. Be registered.

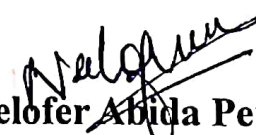
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Ayub Kkhan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail moved on behalf of accused-applicant Gaurav in case FIR No. 428/2014.

Arguments heard. For orders, put up at 4 pm.

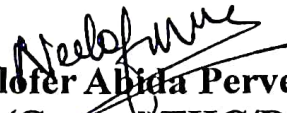

(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

At 4 pm
ORDER

At the time of passing of orders it emerges that whereas it was contended by the Ld.Counsel for the accused-applicant that the accused-applicant has undergone 8-9 months in JC In connection with the oresent case, it is in the reply of the accused-applicant since the registration of FIR was absconding and was declared proclaimed offender on 03.09.2019 and is arrested on



13.10.2020. Clarifications are required on the aspect. Let custody certificate be called from the Jail Superintendent concerned and record be also requisitioned for the purposes of disposal of the present application now for 21.11.2020, on a physical hearing date.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

FIR No. 179/2019
PS: Wazirabad
State Vs. Manish @ Dabbu
U/s 304B/468A/34 IPC

11.11.2020

Fresh application received. Be registered.

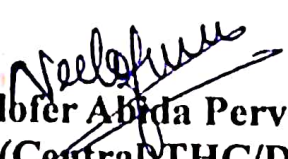
Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)
Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Manish @ Dabbu in case FIR No. 179/2019 on the ground of surgery of the mother of the accused-applicant.

Arguments Heard.

For orders at 4.pm.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Manish @ Dabbu in case FIR No. 179/2019 on the ground of surgery of the mother of the accused-applicant.

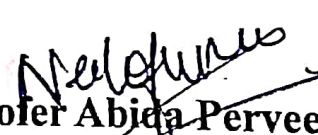
Ld. Counsel for accused-applicant submits that medical documents annexed with the application shows that the mother of the accused-applicant is suffering from spinal problem and for treatment is to be admitted in hospital on 12th of November, 2020 for surgery to be performed on 13.11.2020. That there is no one in the family to take care of the mother of the accused-applicant. It is



submitted that the elder brother of the accused-applicant is a drug addict and is not in a position to help in treatment of mother of the accused-applicant.

Heard.

Medical documents of the mother of the accused-applicant have been verified and surgery has been advised which is tentatively scheduled for 13.11.2020, for which she is to be admitted in the Hospital on 12.11. 2020. As per family status of the accused-applicant, it consists one son aged about 31 years, Daughter in law aged about 30 years and two grand daughters aged about 8 and 13 Years. The said brother of the accused-applicant is stated to be a drug addict and incapable of being of any assistance to the mother as he is undergoing his own de-addiction treatment. Under such facts and circumstances therefore interim bail of 15 days is being granted to the accused-applicant for the purposes of surgery of his mother upon his furnishing personal bond with one surety in the sum of Rs. 50,000/- each and subject to the condition that he shall not travel outside the limits of NCT Delhi without prior permission of the Court, and shall mention the mobile phone number to be used by him in the bonds which number it shall be ensured by him is kept on switched on mode at all times with location activated and shared with the IO at all times. He shall not change his said mobile phone number or verified address during the interim bail period.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

FIR No. 143/2015

PS: Crime Branch

State Vs. Amit Bhatnagar

U/s 20 NDPS Act

11.11.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

None for accused-applicant

Hearing conducted through Video Conferencing.

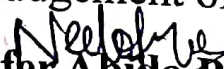
This is an application for release of jamatalashi articles on behalf of applicant Amit Bhatnagar in case FIR No.143/2015.

Reply is filed.

As per report of the IO, one carbon copy of notice under Section 50 of the Act, one driving license, Rs. 3000/- in cash and one black purse were recovered from the personal search of the applicant. IO has no objection to the release of one driving license, Rs. 3000/- in cash and one black purse to the applicant.

In view thereof, it is ordered that **driving license bearing no. A-9904/GKP/97 of Gorakhpurm, UP, Rs. 3000/- in cash and one black purse** be returned to the applicant against receipt and on proper identification.

With regard to the release of car bearing no. DL2CW3969, applicant shall file separate application for release of the same on superdari as the said car is stated to have used in the commission of the offence and the State intends to file appeal against the judgement of acquittal.


(Neelofer Abida Perveen)

ASJ (Central) THC/Delhi. 11.11.2020

B. A. No. 3321
FIR No. 168/2020
PS: Gulabi Bagh
State Vs. Phoolwati @ Guddi
U/s 307/188/353/332/225/147/149/427 IPC and 25 Arms Act

11.11.2020 at 4 pm.

ORDER

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Phoolwati @ Guddi in case FIR No. 168/2020.

Ld. counsel for the accused-applicant has contended that accused-applicant is 60 years ^{of age and is} aged, suffering from old age ailments and is innocent and has been falsely implicated in the present case. That the main accused Rajiv has already been arrested and is in JC. That the only allegation against the accused-applicant is that when the police had come to arrest ^{of} her son she had resisted the arrest. That accused-applicant has strong apprehension that she would be arrested by the police of PS Gulabi Bagh. That accused-applicant has clean antecedents and has no previous involvement.

Ld. Addl. PP submitted that accused-applicant has committed serious offence and attacked on the police official in order to facilitate escape of the co-accused. That stones were pelted at the police party when the police arrived to apprehend the co-accused who is the BC of the area and red chilli powder was thrown in their eyes and in course of the incident, the police officials received grievous injuries. That accused-

Neelofar

applicant does not have clean antecedents and has 12 previous involvements. That accused-applicant is not cooperating in the investigation and has not joined the investigation at any point of time.

Heard.

Case of the prosecution is that on 9/10/2020 at about 8 AM SI Vineet Kumar of Special Staff North along with his team consisting of ASI Yashpal, ASI Rajender Singh, ASI Zameer Haider, HC Ansar Khan, HC Aas Mohd, HC Sanjeev, HC Arjun, W/HC Sunita, Ct Vicky in Private Car No DL 5CP 3875 and DL7CQ 1156 came at Andha Mugal in the course of enquiry into a complaint against one Rajiv on a secret information that said Rajeev is desperate criminal and he always carries arms and ammunition and sells narcotics substance i.e. Smack from his house. SI Vineet along with his team laid a trap to apprehend Rajeev and deputed his team member³² around the house of Rajeev. SI Vineet reached near Rajeev's house and he saw that Rajeev was sitting in front of his house at which he gave direction to his team member HC Ansar, HC Sanjeev, HC Aas Mohd and Ct Vicky to apprehend Rajeev and when they tried to apprehend him, Rajeev manhandled them and opened fire from Desi Katta. The bullet missed and ASI Yashpal and HC Ansar survived with narrow escape then Police overpowered and apprehended Rajeev with illegal Desi Katta with two cartridge. In the meanwhile his family members i.e. his Mother Phoolwati, his wife laxmi, his brother Sanjeev and his wife Bebi and his neighbor started pelting stones and had also thrown red chili powder on Police team to free Rajeev from Police custody due to which, member of

N. K. Sharma

raiding team Ct Vicky, ASI Yashpal, ASI Rajender and HC Ansar sustained injury and his private car no DL 7CQ 1156 was damaged. The MLC of Police person was prepared in NKS and Aruna Asif Hospital and the fired Cartridge, Stones, Red Chili Powder, were recovered from the spot.

I am unable to accept the submission made by the Ld. Counsel for the accused-applicant that a mother driven by her motherly love for her son had agitated against the apprehension of her son. The circumstances exhibit a concerted attempt to subvert the process of law, unleashing complete lawlessness the accused left no stone unturned to prevent the apprehension of one of them. The son of the accused-applicant fired gunshots and when he is overpowered, all the co-accused including the accused-applicant began pelting stones to deter the Police personnel and threw red chilli powder in their eyes, and as a consequence whereof, the police personnel have suffered injuries. An accused who demonstrates such scant regard to the due process of law ironically now seeks the protection of law. The accused-applicant does not have clean antecedents. Investigation being in progress, the investigating agency has sought the custodial interrogation of the accused-applicant and as the facts and circumstances noted above reflect of a deliberate attempt to overawe the police personnel in the line of discharge of their public duties, it would impede the progress of the ongoing investigation in case the accused-applicant is granted anticipatory bail. Under such circumstances and upon such considerations therefore the present application for grant of anticipatory bail on behalf of accused Phoolwati @ Guddi in case FIR No. 168/2020 is hereby dismissed.

Neelofer
(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

B. A.3097
FIR No. 402/2020
PS Civil Lines
State v. Manish @ Bona
U/s 308 IPC

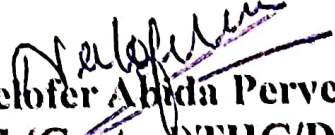
11.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Anil Kumar Mishra, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of bail on behalf of accused-applicant Manish @ Bona in case FIR No. 402/2020.

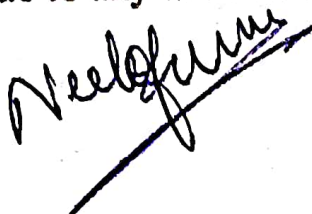
Arguments are heard in part. For orders, put up at 4 pm.


(Neelofar Ahida Perveen)
ASJ (Central) THC/Delhi
11.11.2020

**AT 4 pm
ORDER**

This is an application under Section 439 CrPC for grant of bail on behalf of accused-applicant Manish @ Bona in case FIR No. 402/2020.

Ld. counsel for the accused-applicant has contended that accused-applicant has been falsely implicated in the present case. That accused-applicant is in JC since 01.10.2020. That nothing incriminating has been recovered from the possession of accused-applicant. That accused-applicant has clean antecedents and no previous involvement. That accused-applicant is innocent and belongs to poor family. That injured-complainant sustained injuries due to his fall from vehicle and not due to any act committed by the accused-applicant.



Ld. Addl. PP for State submits that present case pertains to commission of offence under Section 308 IPC. That accused-applicant caused grievous injuries on the person of the complainant and due to which complainant was admitted in ICU for one week and remained hospitalized for a month. That the accused-applicant threw a brick which hit the injured driving the auto rickshaw after breaking the windshield and pieces of glass from the windshield also pierced the injured

Heard.

Present case was registered on the statement of Deepak that on 30.9.2020 at around 11.45 pm he alongwith Rahul who is an auto driver and two other friends were returning to Majnu Ka tilla from Khyber pass in the auto rickshaw of Rahul driven by Rahul and when they had reached near Jal Board gate on the road from Prashvnath building to Nirmal Hriday Church, one boy who was already standing there threw a brick towards them which hit Rahul after breaking the windshield of the Auto rickshaw and due to which the autorickshaw lost its balance and fell along the footpath causing injuries on the face and ear of Rahul who was admitted in Trauma Centre and had to remain in ICU for a week.

The accused and the complainant or the injured are not alleged to be previously known to each other and there was no interface between them before the pelting of the single brick at the autorickshaw being driven by the injured. The pelting of the brick hit the autorickshaw but from the contents of the FIR as such it is not definitively ascertainable if the brick was infact deliberately aimed at the autorickshaw or any of the occupants. The hit ended up causing damage to the autorickshaw and injuries on the person of Rahul, however as it is not alleged against the accused-applicant that the accused-applicant knowingly or

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intentionally had hurled the brick aiming the autorickshaw on the road or any one of the occupants thereof, and taking into consideration the period in custody and as the investigation now is complete and the custody of the accused-applicant is not required for the purposes of investigation, no recoveries are to be made, and also as the accused-applicant has clean antecedents, under such circumstances and upon such considerations, the present application is allowed and accused Manish @ Bona is granted regular bails in case FIR No. 402/2020 subject to his furnishing personal bond with one surety in the amount of Rs. 20,000/- each to the satisfaction of the Ld. Trial Court/ Duty MM , and upon the conditions that he shall not indulge in criminal activities, that he shall scrupulously appear on each and every date of hearing before the Ld. Trial Court and shall not delay, subvert nor interfere with the trial in any manner whatsoever, he shall not threaten, intimidate, influence witnesses nor tamper with evidence in any manner whatsoever, he shall mention the mobile phone number to be used by him which mobile phone number shall be ensured by him is kept on switched on mode throughout with location activated and shared with the IO at all times, he shall not change the said mobile phone number or verified address without prior intimation to the IO, he shall not leave the territorial limits of NCR region without prior permission of the IO, the surety shall also intimate the IO in the event of change of Phone number or address.


(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 2992
FIR No. 405/2020
PS: Wazirabad
State Vs. Bachan Lal Gupta
U/s 376D/354-B/328/377/34 IPC

11.11.2020 at 4 pm

ORDER

This is an application under Section 439 CrPC for grant of bail on behalf of accused-applicant Bachan Lal Gupta in case FIR No.405/2020.

Ld. counsel for the accused-applicant contended that the applicant-accused has been falsely and maliciously implicated in the above noted FIR by the complainant and was arrested on 23.09.2020 in the present case. That the complainant Smt. Anjali is a professional prostitute and involved in such activities with a group of other persons and is in the contact of applicant/ accused for quite some time and others also for earning money to meet her requirements by way of prostitution business. That prior to the incident mentioned in FIR the complainant had also booked a room in her name in Golden Villa (home stay & PG) at F 172, Mangal Bazar, Guru Ram Dass Road, Near Rajdhani Stationery, Laxmi Nagar, Delhi- 110092 their mobile number 7347698460 in between 04.07.2020 to 08.07.2020 (correct date is not remember) for the profession of prostitution along with the other professional prostitutes namely Madhu and their agent and where all persons had submitted their Aadhar cards as per the requirement of hotel management while booking the room

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including that of the applicant and that the room was booked by the complainant herself. That after going through the contents of the present FIR, it is clear crystal that the complainant herself does not even know the correct name of the applicant and the name of the other person is also not mentioned in FIR and that the said relationship is only based on the consent between the parties. That the complainant is alcoholic and heavy regular drinker with her customers and on the said day also when she came into contact with the applicant and one other person she was already in drunken stage prior to meeting them which hit very badly subsequently and ultimately turned into vomiting and due to heavy vomiting the floor of the room and clothes of the complainant were stinking and due to this reason she was not able to return to her home in the said clothes so the other person who was also available in the said room arranged fresh clothes from the market and given to her and that the complainant changed her clothes and thereafter returned to her home. That huge amount was demanded by the complainant very next day from the applicant but the applicant had paid the agreed payment of said day as he was regularly paying her charges. That on 18.09.2020 the husband of the complainant had made a call to the applicant and stated that the complainant had filed a simple complaint against the applicant and other. Further it is submitted that the husband of the complainant had started to threaten and demanded a huge amount from the applicant and also threatened if the amount shall not be paid, his wife i.e. the complainant in the present FIR shall lodge FIR against the applicant and other in PS: Wazirabad with the allegations of the

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serious charges so, if the applicant wants to save his skin, he has to fulfill the demand of the husband of the complainant. The applicant was unable to fulfill his demand as it was unreasonably high, again the husband of the complainant had threatened to the applicant on 19.09.2020, 20.09.2020 & 21.09.2020 again and again and thereafter falsely implicated the accused-applicant only to extort money from the applicant-accused.

Ld. Addl.PP on the other hand submitted that present case pertains to commission of heinous offence under Section 376D IPC and that Section 377 IPC was added after statement of prosecutrix was recorded under Section 164 Cr.PC and that the prosecutrix has supported the allegations in her statement recorded before the Ld. MM. That the contentions raised on behalf of the accused-applicant are legally unsustainable. That the hotel entry as allege din the application has been verified and it does not pertain to the complainant but to a lady Madhoo. That the matter was reported on the very next day that is on 18.11.2020 only as the husband had brought the complainant wife to the police station stating that he fears that something wrong has been done with his wife, the complainant and that the complainant at that time was not in her full senses and was inconsolable and counselling was provided to her thereafter she was able to narrate the whole incident and her MLC was also conducted. That the offence committed by the accused-applicant is heinous in nature.

Heard.

FIR was registered at PS Wazirabad on the complaint of Prosecutrix wherein she has alleged that in June 2020 she had seen one

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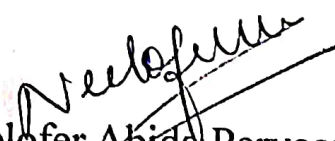
advertisement for job when she had visited Shani Bazar and had contacted on the mobile number phone number mentioned in the advertisement and had come in contact with a person named Vijay, who asked about her education and told her that he will contact her when a suitable job is available for her. That on 17/09/2020 the said Vijay contacted her telephonically and asked her to come near Tyre factory at Sangam Vihar gali no. 10 and she had reached there with her 4 year old daughter and a neighbor lady where she met two people one of them told his name as Vijay and offered her job as a maid after which she sent her daughter and neighbor lady back as her daughter is young. That she was given cold drink by other person and after drinking the cold drink she started hallucinating and then Bachan Lal Gupta @ Vijay and his friend sexually assaulted her. She could not oppose them as she was feeling unwell after drinking the cold drink. When she regained consciousness she found that her clothes were torn. When she told them about complaining to police then friend of Bacham Lal Gupta @ Vijay showed her obscene photos and video and threatened her of leaking the above obscene photo and video of her on internet.

On receiving the complaint prosecutrix was provided with counselling from the representative of DCW and the above FIR was registered U/s 376-D/328/354-8/34 IPC and the Prosecutrix was medically examined from Aruna Asaf Ali Hospital and the accused-applicant Bachan Lal Gupta @ Vijay were arrested on the identification of prosecutrix on 23/09/2020. The prosecutrix has supported the allegations in her statement

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recorded before the Ld. MM U/s 164 CrPC and on the basis thereof Section 377 IPC has also been added in the present case. Ld. Counsel has raised the contentions nursing the impression that prostitution is legalized in our country, and the contentions of the application are unwholesome to say the least. Moreover, it is the own contention as raised in the application that the complainant was in a state of intoxication as on the date and time of incident due to which she had vomited also, and the accused-applicant does not dispute his presence at the place date and time in the company of the complainant.

Taking into consideration the nature of the accusations, the heinous nature of the offence, as the prosecutrix has supported the allegations in her statement under section 164 Cr.PC, and trial is yet to commence and the prosecutrix yet to step into the witness box, at this stage no ground is made out to grant regular bail to the accused-applicant Bachan Lal Gupta in case FIR No.405/2020. The present application therefore stands dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

R. A. No. 2953
FIR No. 0079/2020
PS: Wazirabad
State Vs. Ajay
U/s 392/397/34 IPC

11.11.2020

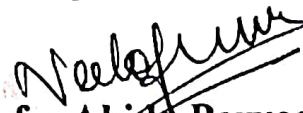
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. C. P. Dubey, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Ajay in case FIR No.0079/2020.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Ajay in case FIR No.0079/2020.

Ld. counsel for the accused-applicant has contended that accused-applicant has been falsely implicated in the present case. That investigation is complete and chargesheet has been filed. That accused-



applicant is having clean antecedents. That nothing was recovered from the accused-applicant. That accused-applicant is a young boy of 22 years and is to support his widow mother. That accused-applicant refused for TIP as he was already shown to the complainant at PS.

Ld. Addl. PP submits that the accused-applicant played active role in the commission of offence. That accused-applicant alongwith the co-accused committed the robbery at gunpoint. It is however not disputed that the accused-applicant is apprehended only on the basis of disclosure recorded of a co-accused in custody and that the accused-applicant has clean antecedents.

Heard.

Case of the prosecution is that on 15/03/2020, information vide DD No. 16A was received at PS Wazirabad that the caller has been robbed at gun point. Complainant Manish Kumar reported that two unknown persons came on a white apache motorcycle and robbed his gold Kadha after showing him pistol. He also stated that he can identify both the accused persons. During investigation, on 09.07.2020, one person namely Ravi was apprehended and one country made pistol and one stolen white colour apache motorcycle, which was found to be stolen vide e-FIR No. 038938/2018 PS Timarpur, were also recovered from his possession. Subsequently, case FIR No. 255/2020 dated 09.07.2020 u/s 25 Arms Act was registered at PS Wazirabad. That during investigation, accused Ravi disclosed that he alongwith his friend Sartaj had committed the robbery of Rs 6500/- at outer-ring road. In this regard, case FIR No. 209/2020 u/s

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392/34 IPC was found to be registered at PS Wazirabad. Thereafter, on 09.07.2020, accused Sartaj was arrested in case FIR No 209/2020 dated 21.05.2020 u/s 392/34 IPC PS Wazirabad. That accused Sartaj disclosed his involvement in the present case also. He disclosed that he alongwith his friend Ajay (accused-applicant) had committed the robbery. On the basis of the disclosure statement of accused Sartaj, accused-applicant Ajay was arrested, who disclosed about involvement in the present case.

Two motorcycle borne offenders are alleged to have robbed the Gold Kara of the complainant at gunpoint. The police in the course of investigation has arrested one Ravi and recovered one Apache motorcycle which itself is found to be stolen property. Country made pistol is also allegedly recovered form the possession of said Ravi. There are no recoveries alleged against the accused-applicant of the motorcycle or of the countrymade pistol or of the stolen Kada. Ravi is alleged to have confessed to have committed another robbery incident with one Sartaj and it is Sartaj who is alleged to have confessed to his involvement in the present incident and named the accused-applicant as his accomplice. Under such facts and circumstances therefore taking into consideration that no recoveries are alleged to have been effected at the instance of the accused-applicant, the investigation is now complete and the custody of the accused-applicant is not claimed for the purposes of investigation and as the accused-applicant has clean antecedents, the present application is allowed and accused Ajay is granted regular bail in case FIR No.0079/2020 subject to his furnishing personal bond with one surety in the amount of Rs. 20,000/- each to the

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satisfaction of the Ld. Trial Court/ Duty MM , and upon the conditions that he shall not indulge in criminal activities, that he shall scrupulously appear on each and every date of hearing before the Ld. Trial Court and shall not delay, subvert nor interfere with the trial in any manner whatsoever, he shall not threaten, intimidate, influence witnesses nor tamper with evidence in any manner whatsoever, he shall mention the mobile phone number to be used by him which mobile phone number shall be ensured by him is kept on switched on mode throughout with location activated and shared with the IO at all times, he shall not change the said mobile phone number or verified address without prior intimation to the IO, he shall not leave the territorial limits of NCR region without prior permission of the IO, the surety shall also intimate the IO in the event of change of Phone number or address.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020

B. A. No. 3407
FIR No. 271/2020
PS: Burari
State Vs. Vikrant @ Bony
U/s 420/411/34 IPC

11.11.2020 at 4 pm

ORDER

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Vikrant @ Bony in case FIR No. 271/2020.

Ld. counsel for the accused-applicant has contended that the applicant-accused is innocent and has been falsely implicated and is in JC in connection with the present case since 13.7.2020. That the charge sheet is already in the court. That the co-accused namely Ashu @ Gaurav is on court bail. That the family member's of the both accused have settled the matter with the complainant vide a M.O.U. and as per the conditions of the written M.O.U the family member's of both the accused have already paid to the complainant Rs.39500/- (thirty nine thousand five hundred only) on dated 29.07.2020 and the amount Rs 15000/- (fifteen thousand only) which is seized by the IO as case property has already been released to the complainant. That the accused-applicant is a young boy with his entire future ahead of him.

Ld. Addl. PP has submitted that the accused Vikrant @ Bonni is previously involved in case FIR No. 626/2019 u/s 420/34 IPC registered at PS-Shalimar Bagh, that the investigation is now complete and the further custody of the accused-applicant is not required for the purposes of

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investigation. That the recoveries are effected, and amount released in favour of the complainant who is a person with vision disability.

Heard.

Case of the prosecution is that on 29.06.20 a complaint vide DD No.57A was received at Police Station alleging that the complainant is visually impaired and is a student and that on 28.06.20 at around 4 pm he had used the ATM booth of HDFC Bank for withdrawing an amount of Rs 4,000/- and after half an hour his account was debited for an amount of Rs 54,500 about which he had no knowledge.

During the course of investigation the Bank account statement of the account No. 3874000300002951 of complainant was obtained. On analyzing the bank account statement of complainant it came to light that the accused had withdrawn Rs.21,000/- from the ATM Booth of Indusind Bank Rohini and had made purchases using ATM Card of the complainant. On 14.07.20 the applicant/accused Vikrant @ Bonni was arrested and from his possession the Debit card of the complainant and cash amount of Rs 15,000 was recovered and subsequently at his instance the articles/clothes purchased by him after using the ATM Card of the complainant was also recovered from his house. On the basis of disclosure made by him the co-accused Ashu @ Gaurav was also arrested and on his instance the clothes/Slippers purchased by him on the debit card of complainant also stand recovered.

All the recoveries stand effected, and further custody of the accused-applicant is not claimed for the purposes of investigation, the

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offences involved are compoundable with the permission of the Court and it is stated that the complainant has been paid amounts in pursuance to a settlement reduced into writing, under such facts and circumstances, therefore, the present application is allowed and accused Vikrant @ Bony is granted Regular bail in case FIR No. 271/2020 subject to his furnishing personal bond with one surety in the amount of Rs. 20,000/- each to the satisfaction of the Ld. Trial Court/ Duty MM , and upon the conditions that he shall not indulge in criminal activities, that he shall scrupulously appear on each and every date of hearing before the Ld. Trial Court and shall not delay, subvert nor interfere with the trial in any manner whatsoever, he shall not threaten, intimidate, influence witnesses nor tamper with evidence in any manner whatsoever, he shall mention the mobile phone number to be used by him which mobile phone number shall be ensured by him is kept on switched on mode throughout with location activated and shared with the IO at all times, he shall not change the said mobile phone number or verified address without prior intimation to the IO, he shall not leave the territorial limits of NCR region without prior permission of the IO, the surety shall also intimate the IO in the event of change of Phone number or address.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
11.11.2020