

FIR No. 199/09

PS: Crime Branch

State Vs. Gaurav Chauhan & Ors.

05.06.2020

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

Sh. Anupam S. Sharma, 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 Ankur Singh in case FIR No. 199/2009.

Ld. Counsel for the accused-applicant has relied upon judgment of Hon'ble High Court of Delhi rendered in **Lalit v. State of Delhi** B. A. No. 963/2020 decided on 21.05.2020 and **Firoz Alam v. State** B. A. No. 790/2020 dated 24.04.2020. Ld. Counsel for the accused-applicant submits that accused-applicant is in custody for the last 11 years and the trial now stands concluded and even final arguments on part of the accused-applicant already addressed and that the matter is pending in the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi. Taking into consideration that final arguments on behalf of the accused-applicant were heard before the suspension of the regular works of the Courts following nationwide lockdown in the wake of outbreak of covid-19 pandemic, and as it is informed that Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi, as per roster, is

Naveen Kumar Kashyap

to be holding court on 09.06.2020, let the present bail application be put up before Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi on 09.06.2020 for disposal.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 224/2018

PS: Crime Branch

State Vs. Babloo Kumar & Ors.

05.06.2020

Fresh application received. Be registered.

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

Sh. J. K. Tripathi, Counsel for accused-applicant Sri Chand.

This is an application for grant of regular bail on behalf of accused Sri Chand in case FIR no. 224/2018 under Section 22 & 29 of NDPS Act, however, Ld. Counsel for the accused applicant submits that the application may be treated as an application for grant of interim bail on the ground of illness of the accused-applicant who is suffering from hernia.

Ld. Counsel for the accused-applicant submits that the accused-applicant was earlier granted interim bail for seven days as he was suffering from hernia to get his surgery performed, however, the same could not be conducted for want of his previous pathological report which were lying with the jail authorities. Ld. Counsel further submits that family of the accused-applicant is on the verge of starvation consisting of his wife and minor children and that due to the out break of covid-19 pandemic the trial has not progressed further for the last over 3-4 months.


Ld. Addl. PP seeks some time to file the reply.

Report be called for in respect of the medical health condition of accused Sri Chand in custody in FIR No. 224/2018 from the Jail Superintendent concerned. State may also file reply on or before the next

N. K. Singh

date of hearing.

For report and consideration, put up on **12.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 20/2019

PS: Chandni Mahal

State Vs. Ahesan & Ors.

05.06.2020

Fresh bail application received. Be registered.

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

Sh. Sameer, Counsel for accused-applicant

This is an application for grant of interim bail on behalf of accused Ahesan in case FIR No. 20/2019.


Ld. Counsel for the accused-applicant submits that interim bail is being sought on the ground that there is no other earning member of the family except one younger brother and one sister, who is already married. When it is inquired from Ld. Counsel as to what is the age of the younger brother ²² ~~from~~, Ld. Counsel submits that he is not aware of the exact age but to the best of his belief, the younger brother of the applicant is a minor.

Reply is filed alongwith previous involvement report.

Case pertains to commission of offence under Section 394 IPC besides other offences and the accused-applicant is ⁱⁿ ²² custody since 06.02.2019 and the accused-applicant does not have clean antecedents, the case of the accused-applicant, therefore, does not fulfill all the criterion laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Interim bail can alone be granted in compelling circumstances

and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. In the case in hand, there are no such compelling circumstances or exceptional exigencies set up warranting the release of the accused-applicant on interim bail. No ground is therefore made out to grant interim bail to the accused-applicant Ahesan @ Chapta in case FIR No. 20/2019. Application is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 113/2018

PS: Pahar Ganj

State Vs. Ritesh

05.06.2020

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

Sh. Manish Kumar, Counsel for accused-applicant.

This is an application for grant of interim bail of 45 days on behalf of accused Ritesh in case FIR No. 113/2018.

Ld. Addl. PP submits that the case of the accused-applicant is not covered under any of the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi for release of UTPs on 45 days interim bail to decongest the prison, as the accused-applicant does not have the clean antecedents and as the case pertains to the commission of offence under Section 326A IPC and cases pertaining to acid attack have been excluded from all the guidelines so issued by the High Powered Committee of Hon'ble High Court of Delhi.

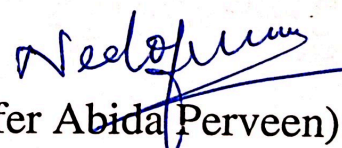
Ld. Counsel for the accused-applicant submits that interim bail is being sought on the ground of illness of the mother and the medical record is annexed alongwith the application and the minor children of the accused-applicant are also living with the mother of the accused-applicant as the wife of the accused-applicant is living separately. When it is ^{asked} ~~asked~~ ^{inquired} from the Ld. Counsel for the accused-applicant if there is any other member in the family besides the minor children living with the mother of the accused-applicant, Ld. Counsel submits that the father of the accused-

applicant is there but he himself ^{is} suffering from old aged problems. Upon a query of the Court, Id. Counsel for the accused submits that the accused-applicant is having one sister who is married but is not living in Delhi though he is not aware in which city the sister of the accused-applicant is residing.

Reply is filed alongwith previous conviction/involvement report.

The medical documents annexed with the application, however, are not verified. Report be called for regarding medical documents annexed with the application as well as family status.

For report and consideration, put up on **11.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 114/2020

PS: Sadar Bazar

State Vs. Pankaj @ Nonu

05.06.2020

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

Mother of the accused-applicant.

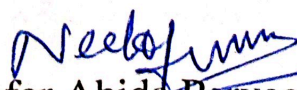
This is an application for grant of regular bail on behalf of accused-applicant Pankaj in case FIR No. 114/2020.

The accused-applicant is stated to be involved in 21 criminal cases. The present case FIR pertains commission of offence under Section 380 IPC besides 411 and 120B IPC. Accused-applicant is in custody since 18.05.2020.

Let custody certificate be called from Jail Superintendent in respect of accused Pankaj as the IO who is present in person today in terms of directions issued on 03.06.2020 is not aware if accused-applicant is on bail or not in the other 20 cases registered against him.

IO is directed to verify and file the status of the 20 other FIRs. Custody certificate be called for from Jail Superintendent.

For report, custody certificate and consideration, put up on 11.06.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
05.06.2020

FIR No. 61/2020

PS: Kotwali

State Vs. Rakesh Kumar

05.06.2020

Fresh application received. Be registered.

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

Sh. Sumit Sharma, counsel for accused-applicant.

This is an application for grant of interim bail on behalf of accused Rakesh Kumar in case FIR No. 61/2020 under Section 4, 8 & 10 of POCSO Act.

Parents of the minor victim are also present.

Reply is filed.

Ld. Counsel for the accused-applicant submits that the accused-applicant is already undergoing treatment for nasal tumor from AIIMS and was scheduled for surgery on 24.02.2020, however was taken into custody in the present case before the date due for surgery. Ld. Counsel further submits that he is not receiving adequate treatment in custody.


Ld. Addl. PP submits that on same grounds accused-applicant had preferred bail application earlier which was dismissed on 15.04.2020.

When it is put to the ld. Counsel for the accused-applicant that the dismissal of the previous bail application is not mentioned in the application, ld. Counsel submits that previous bail application was dismissed as the case of the accused-applicant did not fall under the



guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi.

It appears from the reply of the IO that first bail application of the accused was dismissed as withdrawn and the second bail application was pending when third bail application was filed on the same ground raised in the present application which was dismissed on 15.04.2020. As the accused-applicant has withheld and suppressed the material and vital fact of dismissal of previous bail application on grounds including the ground set forth in the present bail application, for suppression of material facts, the present bail application is dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 188/2019

PS: Wazirabad

State Vs. Vivek Gaur & Ors.

05.06.2020

Fresh application received. Be registered.

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


Sh. Uma Shankar, Counsel for for accused-applicant.

This is an application seeking directions to the Jail Superintendent of Tihar Jail No. 3 for making provision for adequate and proper treatment of accused Vivek Gaur in custody in connection with case FIR No. 188/2019.

Ld. Counsel for the accused-applicant submits that the accused applicant is 19 years old and suffering from "renal agenesis".

Report be called from the Jail Superintendent in respect of the medical treatment provided and the health status of the accused-applicant Vivek in custody in connection with case FIR No. 188/2019.

For report and consideration, put up on **09.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 108/2018

PS: Kotwali

State Vs. Sonu

05.06.2020

Fresh application received. It be registered.

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


None for accused-applicant.

This is an application for grant of interim bail on behalf of accused Sonu in case FIR No. 108/2018.

The application is alleged to be filed on the basis of the guidelines issued by High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Issue notice in the application to the State for **10.06.2020**. Report in respect of previous involvement be called for alongwith status of the FIRs. Custody certificate alongwith conduct report be called for from the Jail Superintendent concerned.

For report and consideration, put up on **10.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 02/2014

PS: Jama Masjid

State Vs. Adnan Hussain

05.06.2020

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

Sh. Ashgar Khan, Counsel for accused-applicant (through video conferencing)

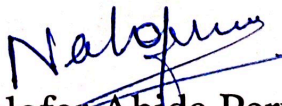
Hearing conducted through Video Conferencing.

This is an application for grant of bail under Section 439 CrPC on behalf of accused Adnan Hussain in case FIR No. 02/2014.

Ld. Counsel for the accused-applicant submits that today he is not prepared with the arguments as the file is not readily available with him and seeks an adjournment.

For arguments, put up on **16.06.2020**, as requested.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 348/2018
PS: Nabi Karim
State Vs. Himanshu

05.06.2020

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

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

Hearing conducted through Video Conferencing.

This is second application under Section 439 CrPC for grant of interim bail on behalf of accused Himanshu in case FIR No. 348/2018.

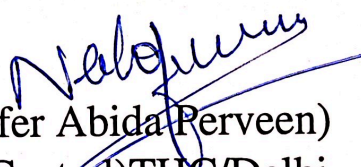
Report is received from Medical Officer, Central Jail No. 1, Rohini, New Delhi to the effect that accused-applicant was tested positive for covid-19 on 15.05.2020. He was asymptomatic at the time of covid-19 testing. He was shifted to isolated barrack designated for covid-19 patient in the jail dispensary and was re-tested for covid-19 on 25.05.2020 and his test result which came on 26.05.2020 were found to be negative and that during his stay in isolation barrack, accused-applicant did not show any sign/symptom of covid-19 and remained asymptomatic and thereafter the inmate was shifted from designated barrack to ward and has not reported to OPD for any illness from 26.05.2020.

Ld. Counsel for the accused-applicant submits that due to the infection accused-applicant has headache and stomachache and general weakness in the body, however, no special diet has been prescribed for him. The present application is disposed of with the directions to Medical

Nabi Karim

Officer Incharge, Central Jail, No. 10 to assess the medical health condition of accused Himanshu in case any special diet would be required to be prescribed to him as he has recovered from covid-19 infection. No ground is made out to grant interim bail to accused Himanshu in case FIR No. 348/2018.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 199/09

PS: Crime Branch

State Vs. Gaurav Chauhan & Ors.

05.06.2020

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

Sh. Anupam S. Sharma, 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 Ankur Singh in case FIR No. 199/2009.

Ld. Counsel for the accused-applicant has relied upon judgment of Hon'ble High Court of Delhi rendered in **Lalit v. State of Delhi** B. A. No. 963/2020 decided on 21.05.2020 and **Firoz Alam v. State** B. A. No. 790/2020 dated 24.04.2020. Ld. Counsel for the accused-applicant submits that accused-applicant is in custody for the last 11 years and the trial now stands concluded and even final arguments on part of the accused-applicant already addressed and that the matter is pending in the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi. Taking into consideration that final arguments on behalf of the accused-applicant were heard before the suspension of the regular works of the Courts following nationwide lockdown in the wake of outbreak of covid-19 pandemic, and as it is informed that Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi, as per roster, is

Naveen Kumar

to be holding court on 09.06.2020, let the present bail application be put up before Sh. Naveen Kumar Kashyap, Ld. ASJ, Central, Delhi on 09.06.2020 for disposal.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

214

FIR No. ~~117~~/2019
PS: Crime Branch
State Vs. Gulshan

05.06.2020

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

None for accused-applicant.

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused-applicant James Kumar in case FIR No. 214/2019 (case FIR number is obtained from reply filed by the IO though the case FIR number has not been mentioned in the application)

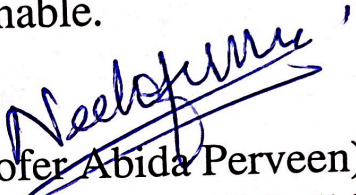
Reply is filed.

It was informed by the Coordinator that name of Ms. Rashmi Kaushik, Advocate is mentioned with contact details, however, when Ms. Rashmi Kaushik, Advocate was connected through Webex for hearing of the matter through video conferencing, Ms. Rashmi Kaushik^{AP}, Advocate submitted that she does not represent the accused-applicant in the present bail application though she has filed another application for grant of bail on behalf of accused James in the present case which is also listed for hearing today. The vakalatnama on record bears endorsement of Ms. Rashmi Kaushi, Advocate besides Sh. Prashant Bhrigu, Advocate.

Ld. Addl. PP submits that one bail application of the accused-applicant was dismissed on 28.05.2020. Copy of the order is filed on record by Ld. Addl. PP in Court today. The accused has filed another

Nalgi

application for grant of interim bail which was first taken up for hearing on 02.06.2020 and came to be adjourned for today in which Ms. Rashmi Kaushik, Advocate had appeared^{ed} and hearing conducted through video conferencing today listed at Sl. No. 4, the present bail application being second application filed during the pendency of another application for bail in the same case is dismissed as not maintainable.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 89/2019
PS: Jama masjid
State Vs. Irshad

05.06.2020

Fresh application received. Be registered.


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

None for accused-applicant.

This is second application for grant of regular/interim bail on behalf of accused Irshad in case FIR No. 89/2019.

Reply is filed.

None for the accused-applicant. Be awaited put up at 2 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

At 2 pm

Present: As above.

This is second application for grant of regular/interim bail on behalf of accused Irshad in case FIR No. 89/2019.

Ld. Addl. PP submits that it is not disputed that the accused-applicant has clean antecedents and it is further verified that the complainant and the accused were in the process of filing an application for quashing of the present case FIR and the consequential proceedings although the same was deferred due to lockdown announced and suspension of the regular working of the Courts.

I have gone through the contents of the application. It



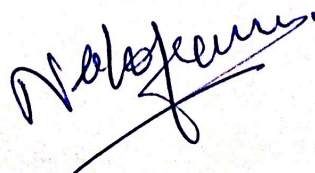
emerges that accused-applicant is JC since 04.06.2019. It is alleged in the application that on 02.06.2019, the accused-applicant fell victim to an incident of pick pocketing and his mobile phone and cash of Rs.18000/- were stolen by two persons, one of the culprits was apprehended at the spot by the applicant, however, the stolen articles were taken away by the offender who managed to escape. The apprehended offender namely Adil agreed at the instance of the public gathered there to return the stolen articles and gave one mobile phone number of his mother who also promised to return the stolen articles, however on the next day instead of returning articles got registered false FIR against him. That on 15.10.2019, the complainant settled the matter with the applicant and both the parties were in the process of filing joint quashing petition for quashing of the present FIR and all consequential proceedings. That the chargesheet has since been filed and further custody of the accused-applicant is not required for the purposes of the investigation.

Copy of the FIR is annexed alongwith the application and the perusal thereof reveals that complaint was made by mother of Adil, namely Nargis who works as a maid servant and is a widow that on 02.06.2019 at around 6 pm, her son Adil went to Jama Masjid to break his roza (Fast) but did not return home and in the intervening night of 02-03.06.2019 at around 3 pm she received a call on her mobile phone from a stranger who threatened her that her son Adil has been abducted by him and if she wants to save his life, she has to bring Rs.75000/- to Muzaffarnagar. She started in the morning for Muzaffarnagar but on the way she again received a call


Nargis

that if she wants to save the life of her son, she has to bring the money to Mayur Vihar and when she reached there, one person met her and told her that her son had been given beatings and if she refuses to pay the ransom, her son can be killed also. She pleaded that she does not have Rs.75000/- at which he said that she should give Rs.18000/- and then her son will be released. She returned home and tried to arrange Rs.18000/- but she could not at which she contacted the police.

The accused-applicant alleges that the amount of Rs.18000/- was stolen from him by Adil, the son of the complainant alongwith his associate and Adil was apprehended at the spot by him and beaten up by the public that gathered there. One improbability that strikes on the face of the allegations is that the alleged ransom amount is voluntarily reduced by the accused from Rs.75000/- to Rs.18000/-. Without commenting in any manner upon the merits of the case of the prosecution and as it has been verified that a quashing petition in the present case was in the process of being preferred but was stalled due to the nationwide lockdown and suspension of the regular working of the courts, taking into consideration the totality of the facts and circumstances of the case, present application for grant of regular bail is allowed. Accused-applicant Irshad is granted regular bail in case FIR No. 089/2019 subject to his furnishing personal bond with two sureties in the sum of Rs.20,000/- each and on the conditions that prior to his release, he shall give the mobile phone number of self and of at least one other responsible family member besides that of the surety to the IO and the Court, that he shall scrupulously appear on



each and every date of hearing before the court so as not to cause any obstruction or delay to its progress and he shall not interfere with the proceedings in any manner, that he shall not engage in any criminal activity, that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such facts to the Court or to any police officer or tamper with the evidence, he shall not change his mobile phone number and address without prior intimation to the IO and the sureties shall also intimate the IO in the event of change of address.


(Neelofer Abida Perveen)
ASJ (Central)THO/Delhi
05.06.2020

FIR No. 126/2020
PS: Kashmere Gate
State Vs. Ashok

05.06.2020

Fresh application received. Be registered.

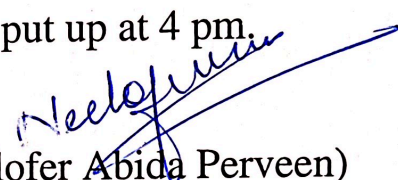
Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Makhar Singh, counsel for accused-applicant.

This is an application for grant of anticipatory bail on behalf of accused Ashok in case FIR No. 126/2020.

Reply is filed.

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


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

At 4 pm

ORDERS

This is an application for grant of anticipatory bail on behalf of accused Ashok in case FIR No. 126/2020.

Ld. Addl. PP submits that in the late hours of the night of 31.05.2020 and early morning hours of 01.06.2020, one police officer namely Constable Saurabh saw five offenders break into a shop and he was able to apprehended^{ed} one of the offenders whereas the other offenders managed to escape. It is on the disclosure made by the apprehended accused, efforts were made to trace out the other offenders, who were



absconding. That custodial interrogation of the accused-applicant is required and TIP is also to be conducted.

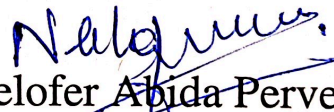
Ld. Counsel for the accused-applicant submits that the only material available against the accused-applicant is the disclosure recorded of the co-accused. That the accused-applicant has clean antecedents, which is disputed by Ld. Addl. PP, who submits that there are four other criminal cases registered against the accused-applicant on which the ld. Counsel for the accused-applicant submits that the bail application may not be considered if accused-applicant has previous involvement and he is confident that accused-applicant has clean antecedents and that the accused-applicant is ready and willing to join investigation and to assist the IO in every possible manner.

Arguments heard. Reply is perused.

It emerges from the contents of the FIR and reply filed of the State that one Ct. Saurabh was returning home after completion of his duty when at around 1.30 am of the intervening night of 31.05.2020-01.06.2020, while he was going in the direction of ISBT from Lutyens Road, he noticed that shutter of one shop under the name and style of Siyaram and Brothers was lying half open and he went to check, on hunch, where, he saw five persons inside the shop looking here and there and who started running upon sighting Ct. Saurabh at which he showed presence of mind and apprehended one of them and can recognize the other offenders if produced before him. He informed Duty Officer at the police station about the apprehension of one of the offenders. The accused-applicant is

Nalpur

accused-applicant is named as one of the offenders in the disclosure recorded of the accused apprehended at the spot. TIP of the accused-applicant is required to be conducted to facilitate the progress and to steer the future course of investigation in the present case. In such facts and circumstances as the further progress of the investigation depends upon the TIP of the accused-applicant, it is not a fit case for grant of anticipatory bail as it is likely to thwart the course of investigation if anticipatory bail is granted to the accused-applicant. The application for anticipatory bail of accused-applicant Ashok in case FIR No. 126/2020 is therefore dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 105/2020
PS: Pahar Ganj
State Vs. Akash

05.06.2020

Fresh application received. Be registered.

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


Sh. A. A. Qureshi, counsel for accused-applicant.

This is an application for grant of anticipatory bail on behalf of accused Akash in case FIR No. 105/2020.

Reply is filed.

Ld. Counsel for the accused-applicant seeks to read the contents of the FIR, however, copy of the FIR is not annexed with the application.

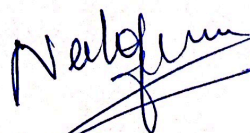
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)PHC/Delhi
05.06.2020

At 4 pm
ORDERS

This is an application for grant of anticipatory bail on behalf of accused Akash in case FIR No. 105/2020.

Ld. Counsel for the accused-applicant submits that three of the co-accused have already been granted interim bail and that accused-applicant is undergoing treatment at the de-addiction in Nashamutki Kendra, Navjeevan Foundation, Chauhan Patti near Satyam Chowk, Sonia

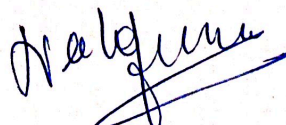


Vihar, Delhi-94 since 21.05.2020. That the only material alleged against the accused-applicant is one disclosure statement of co-accused Sumit @ Haqla, who is the brother in law of the accused-applicant, who has since been granted interim bail. That the accused-applicant is ready and willing to join the investigation and assist the IO in every manner. That accused-applicant is not even named in the FIR. That the FIR is registered in respect of the incident that occurred between 21.03.2020 to 09.05.2020 on 11.05.2020 without naming any of the offenders and there is no CCTV footage of the incident. That the accused-applicant is the only earning member and the widow mother of the accused-applicant is solely dependent upon him.

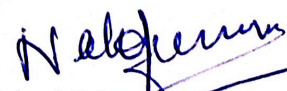
Ld. Addl. PP submits that the accused-applicant is involved in the theft of 250 mobile phones carried out during the lockdown period from a shop. That 90 mobile phones have already been recovered and the apprehended accused have disclosed the name of the accused-applicant as the mastermind and the remaining 150 mobile phones are yet to be recovered which are most likely in the possession or knowledge of the accused-applicant and accused-applicant got himself admitted in the de-addiction centre only as a ruse to derail the investigation and that the accused-applicant has not even have clean antecedents. That accused-applicant is previously convicted in case FIR No. 67/2013 under Section 308 IPC PS Pahar Ganj.

Arguments heard. Reply is perused.

As per the prosecution, accused-applicant is involved in theft



of 250 mobiles carried out during lockdown period, out of which 90 mobile phones have been recovered at the instance of accused who have already been arrested in the present case FIR and the apprehended accused have disclosed name of the accused-applicant. The prosecution is sanguine of the possibility of the recovery of the remaining 150 mobile phones at the instance of the accused-applicant. In such circumstances custodial interrogation of the accused-applicant is insisted upon in order to recover the stolen mobile phone and to facilitate the further progress of the investigation. As the case pertains to theft of 250 mobile phones out of which 90 mobile phones stand recovered at the instance of the accused already arrested and as recoveries yet remain to be effected, the investigation agency requires a free hand to conduct fair and impartial investigation in the matter and to recover the remaining stolen mobile phones. In such facts and circumstances in case accused-applicant is granted anticipatory bail, it is likely ^{to} impede the ^{further} progress of investigation. It is therefore not a fit case for grant of anticipatory bail to the accused-applicant Akash in case FIR No. 105/2020. Application is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 150/19
PS: Crime Branch
State Vs. Aslam

05.06.2020

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

Sh. J. P. Singh for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused-applicant Aslam in case FIR No. 150/2019 on the ground of illness of daughter of the accused-applicant.

Ld. Counsel for the accused-applicant submits that the minor daughter aged about two years of the accused-applicant was taken seriously ill and was taken to nearby dispensary and has been advised admission in higher centre/facility due to her critical condition.

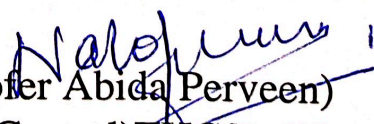
Report was called for in respect of the medical documents annexed alongwith the application pertaining to the daughter of the accused-applicant. It has been verified that the minor daughter of the accused-applicant aged about one and a half year was medically treated in OPD at R. K. General and Children Hospital, Rampura, Bhiwadi and was advised admission in advanced facility, as she was suffering from chronic dysentery/ diarrhea. It has also been verified that the minor child and wife of the accused-applicant are living with the widow mother of the accused-applicant and there is no other immediate male family member to take the

Aslam

minor daughter of the accused-applicant to an advanced medical centre/facility for treatment. In such facts and circumstances of the case, accused-applicant Aslam is granted interim bail of 15 days for the treatment of his minor daughter upon furnishing bonds with two sureties in the sum of Rs.50,000/- each and subject to the condition ~~and subject to the condition~~ ^{NA} that prior to his release, he shall give the mobile phone number of self and of at least one other responsible family member besides that of the surety ^{NA} to the IO and the Court and during the period of interim bail shall ensure that his mobile phone number remains activated with location shared with the IO. Accused-applicant shall not change his mobile phone number and address without prior intimation to the IO and the sureties shall also intimate the IO in the event of change of address.

Accused-applicant Aslam is to surrender on expiry of the period of interim bail of 15 days.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 51/2019

PS: Wazirabad

State Vs. Babu @ Ritik

05.06.2020

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

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

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail of 45 days on behalf of accused Babu @ Ritik in case FIR No. 51/2019.

Ld. Counsel for the accused-applicant submits that accused-applicant on the same ground has already been granted interim bail in another case and the order is annexed alongwith application.

I have gone through the order annexed. It emerges that interim bail for 45 days was granted to the accused-applicant in case FIR No. 495/2018 under Section 307/34 IPC in terms of the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020, taking into consideration the report of the IO that the accused-applicant is not involved in any other criminal case except the said case FIR.

When it is put to the ld. Counsel for the accused-applicant that the said order appears to have been obtained by the suppression of the material facts pertaining to the pendency of the present case FIR No. 51/2019, Ld. Counsel for the accused-applicant submits that he may be

Nalaj Kumar

granted leave to withdraw the present bail application for grant of interim of accused Babu @ Ritik in case FIR No. 51/2019 Wazirabad. In view thereof, the application is being dismissed as withdrawn.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.



(Neelofer Abida Peryeen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 214/2017
PS: Crime Branch
State Vs. Gulshan

05.06.2020

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

Ms. Rashmi Kaushik, for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused James Kumar in case FIR No. 214/2017.

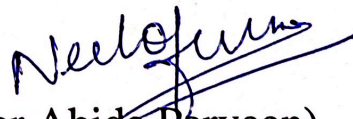
Ld. Counsel for the accused-applicant submits that the minor son of the accused-applicant, aged about 4 years is unwell for the last several years and the medical record for the last six months is annexed alongwith the application and that there is no one in the family except the wife of the accused-applicant to take care of the minor son who is suffering from a medical condition since his birth. That medical condition of the son of the accused has deteriorated as his wife is not in a position to take the minor for proper treatment. Ld. Counsel further submits that several inmates of the Rohini Jail have already tested positive for covid-19 infection and it is not possible to practice social distancing in Rohini jail.

Verification report was called in respect of the medical documents filed alongwith the application. It is reported ~~in the application~~ ⁱⁿ that as per report of the concerned doctor, son of the accused ~~is~~ ^{was} treated for allergic bronchitis, ^{and} a seasonal disease, ^{as} as an outdoor patient only.

Nelloferum

Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. In the case in hand, there are no such compelling circumstances or exceptional exigencies set up warranting the release of the accused-applicant on interim bail as no hospitalisation or further treatment is advised or prescribed for the son of the accused-applicant. No ground is therefore made out to grant interim bail to the accused-applicant James Kumar in case FIR No. 214/2017. Application is accordingly dismissed.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.



(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 245/2018

PS: Nabi Karim

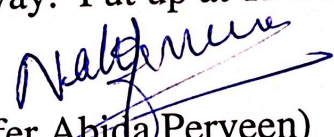
State Vs. Parveen Kumar @ Pummy

05.06.2020

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

Sh. Siddharth Sharma, Counsel for accused-applicant.

Pass over is being sought on behalf of the State on the ground that the report is to be filed and IO is on his way. Put up at 12 noon.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

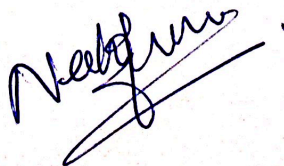
At 12 noon

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

Sh. Siddharth Sharma, Counsel for accused-applicant.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Parveen Kumar @ Pummy in case FIR No. 245/2018 on the ground of illness of his son¹⁹.

Ld. Counsel for the accused-applicant submits that earlier the accused-applicant had preferred the application for grant of interim bail on the same ground which was dismissed as by that time no date for surgery of his son had been determined and that subsequently anesthesia test was also conducted for scheduling the plastic surgery of the son of the accused-applicant who is not in a position to breath normally because of the defect in throat and that now the condition of the minor child has

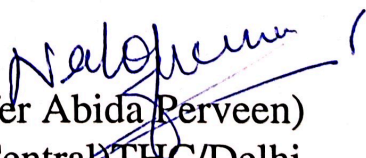


deteriorated due to the medical condition for want of plastic surgery of the throat and the younger brother of the accused-applicant is not taking care of the minor son of the accused-applicant who is at the mercy of the widowed old aged mother of the accused-applicant.

Ld. Addl. PP submits that detailed report on the merits of the case has been filed, however, in respect of the medical documents could not be obtained as the documents sent were not fully legible. Ld. Counsel for the accused-applicant submits that he shall ensure that original documents are handed over by tomorrow to the IO for verification.

Report be called for in respect of the medical documents along the lines as to whether plastic surgery advised for the son is life saving surgery necessary to be performed to enable the child to breathe properly and as to whether in the prevailing scenario arising out of the outbreak of covid-19, it is possible to undertake the plastic surgery.

For report and consideration, put up on **09.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

FIR No. 327/2019
PS: Crime Branch
State Vs. Inder Singh

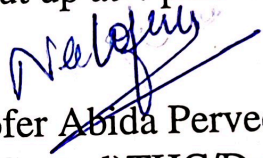
05.06.2020

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

Hearing conducted through Video Conferencing.

This is an application for grant of regular bail on behalf of accused-applicant Inder Singh in case FIR No. 327/2019.

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


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
05.06.2020

At 4 pm

ORDERS

This is an application for grant of bail on behalf of accused-applicant Inder Singh in case FIR No. 327/2019.

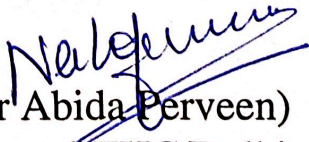
Ld. Counsel for the accused-applicant submits that accused-applicant is in custody since 05.11.2019 and is a person of advance age i.e. 50 years, suffering from various old aged related ailments including severe respiratory chronic disease and is on regular medication requiring intensive medical care.

Report was called for from the Medical Superintendent, Tihar



Jail. Sr. Medical Officer, Central Jail no. 2, Mandoli has reported that since 23.04.2020 accused-applicant is lodged in Mandoli Jail and was medically examined on 05.05.2020 and found to be suffering from immature senile cataract of both eyes. He was given treatment for episode of loose stool and that though he had given history of tuberculosis treatment in the past but there were no documents in respect thereof and that his present vitals are stable. It is not reported that the accused-applicant is suffering from any kind of severe respiratory disease or illness which requires regular medication or intensive medical care. The ground raised in the application is not borne out from the medical status report received. In view of the report, no ground is made out to grant interim bail to the accused-applicant Inder Singh in case FIR No. 327/2019. Present application for grant of interim bail is accordingly dismissed.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
05.06.2020