

FIR No. 147/2017

PS Sarai Rohilla

State v. Saubhagya @ Rahul

U/s 392/397/394/302/411/120B IPC and 27 of Arms Act

30.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

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

Sh. S. P. M. Tripathi, counsel for accused-applicant

(through video conferencing)

This an application for extension of interim bail on behalf of accused Saubhagaya @ Rahul in case FIR No. 147/2015.

Ld. Counsel submits that the accused-applicant was granted interim bail of 45 days vide order dated 10.06.2020 in terms of guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi for release of undertrial prisoners for 45 days interim bail in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic.

Heard.s

It emerges that the High Powered Committee in its meeting dated 20.06.2020 had recommended for extension of interim bails further by 45 days of the undertrial prisoners who had been granted interim bail in

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the first place on the basis of guidelines issued by the High Powered Committee which recommendation was accepted by Hon'ble the High Court of Delhi by passing order, on the judicial side, dated 22.06.2020 in W. P. (C) No.3080/2020 titled as Court on its own Motion v. Govt. Of NCT of Delhi & Anr.

The prayer for extension, therefore, is rendered infructuous in the wake of the directions issued by the Hon'ble the High Court of Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr. Dated 22.06.2020 vide which accepting the recommendation of High Powered Committee dated 20.06.2020, the interim bail for a period of 45 days granted to 2961 UTPs as per High Powered Committee criteria has been ordered to have been extended by another period of 45 days from the date of the respective expiry on the same terms and conditions. Case of the accused-applicant is covered under the blanket order of Hon'ble High Court dated 22.06.2020 of extension of interim bails. There arises no necessity by this Court to pass individual extension orders separately in every such case covered under the blanket order extending interim bails granted as per Covid-19 criteria by further period of 45 days. Application is disposed of as infructuous in terms of order dated 22.06.2020 passed by the Hon'ble the High Court of Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr.

Neelofar
(Neelofar Abida Perveen)
Link ASJ (Central)THC/Delhi
30.07.2020

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FIR No. 222/2017
PS Crime Branch
State v. Guddu Khan
U/s 18 NDPS Act

30.07.2020

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

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

This is an application under Section 439 CrPC for extension of interim bail for 60 days on behalf of accused Guddu Khan in case FIR No. 222/2017.

Ld. Counsel submits that the accused-applicant was granted interim bail on 06.06.2020 for 10 days on the ground of taking care of his old aged parents as they are suffering from the various ailments. That accused-applicant furnished bail bonds on 17.07.2020. The extension of interim bail of the accused-applicant is sought as the same is going to expire on 27.07.2020.

The Full Bench of Hon'ble the High Court in W. P. (C) N.3037/2020 titled as **Court on Its Own Motion v. State & Ors.** vide order dated 13.07.2020 has clarified in respect of extension of interim orders in following words:-

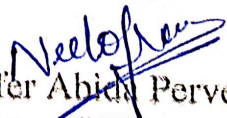
"7. In this regard, we make it clear that all the directions issued form time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these

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directions have been issued keeping in view of the fact that the jail authorities have limited space to keep the inmates and in case of spread of Covid-19 pandemic in the jail, it would not be in a position to maintain physical distancing amongst jail inmates. Looking to this aspect and the possible threat of spreading of viral infection by those persons who are on interim bail/bail/parole granted by this Court or the Court subordinate to this Court, to other inmates of the jail on their return to the jail, the decision of extension of interim bail/bail/parole has been taken from time to time. It clarified that this order extension of bail / interim bail/parole shall be applicable to all undertrials/convicts, who are on bail/interim bail or parole as on date irrespective of the fact that they were released on bail/interim bail or parole before or after 16th March, 2020."

Interim bails, in terms of directions passed by the Hon'ble High Court of Delhi in W. P. (C) No.3037/2020 stand extended till 31.08.2020.

In such circumstances, the interim bail already granted to the accused-applicant Guddu Khan in case FIR No. 221/2017 is further extended till 31.08.2020 on the same terms and conditions and on the same sureties, in view of order dated 13.07.2020 passed by the Hon'ble High Court of Delhi in W. P. (C) No.3037/2020.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
30.07.2020

FIR No. 356/2019
PS: Sarai Rohilla
State Vs. Faisal
U/s 302/34 IPC

30.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASI, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

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

Mohd. Saleem, Counsel for accused (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail for on behalf of the accused-applicant Faisal in case FIR No. 356/2019 on the ground of his illness.

Report regarding medical health condition received from Superintendent Jail. As per report, accused-applicant is a known case of internal hemorrhoids for which he is taking treatment from jail dispensary, and accused-applicant was reviewed by jail visiting SR Surgery and Medical Officer on duty from time to time, and lastly was reviewed by jail visiting SR Surgery from DDU Hospital on 17.07.2020 and by Medical Officer on duty on 23.07.2020, as he gave complaints of pain and bleeding per rectum during defecation, mass coming out of anus during

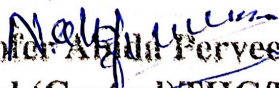
N. Saleem

defecation requiring to be manually pushed back, constipation, incomplete evacuation due to fear of pain during defecation and multiple boils around anal region. That per rectal and proctoscopy examination of the accused-applicant was carried out and he was diagnosed as a case of internal hemorrhoids grade 3 at 2, 6 and 10 O clock position. That he was provided symptomatic treatment accordingly in form of oral medicines, ointment for local application and laxatives and was advised to take sitz bath and high fibre diet and was advised referral to DDU Hospital for workup for surgery in view of persistence of symptoms, however as per treating doctor surgery cannot be done at present in view of ongoing Covid-19 pandemic. That accused-applicant came to jail dispensary from time to time for complaints of pain in bilateral knees for which he is being provided treatment. That accused-applicant was last reviewed by S R Orthopedics on 20.07.2020 wherein he gave complaints of pain in bilateral knees for which he was provided necessary treatment. That at present the accused-applicant is a known case of internal hemorrhoids grade 3 and pain in bilateral knees.

In view of such facts and circumstance, as the accused-applicant is suffering from internal hemorrhoids grade 3 and pain in bilateral knees and requires surgery which is not readily possible in custody due to the covid-19 pandemic situation, **application for interim bail is allowed and accused-applicant Faisal is granted interim bail of 30 days in case FIR No. 356/2019, for purposes of getting adequate**

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treatment for his illness from any private medical institution of his choice, subject to furnishing personal bond in the sum of Rs.50,000/- with two sureties in the like amount to the satisfaction of the Ld. Duty Magistrate and subject to the condition that accused-applicant shall furnish his mobile phone number and that of one responsible member of the family to the IO and shall ensure that the said mobile phone number remains throughout on switched on mode with location activated and shared with the IO and shall telephonically confirm his location every to the IO on every Saturday of the week. That the accused-applicant shall not leave the territorial limits of NCT Delhi without prior intimation to the IO. The sureties shall also mention their mobile phones number and shall not change their addresses or mobile phone number without prior intimation to the IO. Accused-applicant to surrender on expiry of the period of interim bail.


(Neelofar Ahsan Perveen)
Link Special (Central) THC/Delhi
30.07.2020

FIR No. 31/2019
PS: Crime Branch
State Vs. Om Prakash @ Omi
U/s 20/29 NDPS Act

30.07.2020

Fresh application received. Be registered.

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

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

This an application under Section 439 CrPC for grant of regular bail on the ground of parity on behalf of accused Om Prakash @ Omi in case FIR N o. 31/2019.

Ld. Counsel for the accused-applicant Om Prakash @ Omi contended that applicant is in JC since 09.02.2019. That the accused-applicant is young boy and has been falsely implicated in the present case by the police official. That investigation is complete and chargesheet has been filed. That co-accused Raj Kumar has already been granted bail and case of the accused-applicant is on the similar footing. That accused has no connection with the present offence. That the accused-applicant has clean antecedents.

Ld. PP, on the other hand, submitted that accused-applicant was apprehended alongwith his co-accused Raj Kumar @ Kamal Nandwani car bearing no. HR 51 AJ 8297 on 09.02.2019 on the basis of the secret information and during search from his possession 200 grams of

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charas were recovered and 200 grams of charas were recovered from the possession of co-accused Raj Kumar and that the case pertains to recovery of 400 grams of charas and therefore concession of bail may not be granted in favour of the accused-applicant.

Heard. Perused.


Case pertains to recovery of intermediate quantity of contraband and 200 grams of charas is alleged to have been recovered from the possession of accused-applicant, commercial quantity being 1 kg. Trial has commenced and is likely to take some time taking stock of the prevailing situation arising out of the out break of covid-19 pandemic as the regular working of the Court has remained suspended for the last about 4 months. Accused is in custody since 09.02.2019. No previous involvement is alleged against the accused-applicant and the co-accused against whom similar recovery has been alleged is already on bail and the case of the accused -applicant is on similar footings as that of co-accused granted bail. In such facts and circumstances, **accused-applicant Om Prakash @ Omi is ordered to be released on bail upon furnishing personal bond in the sum of Rs. 50,000/- with two sureties in the like amount each to the satisfaction of the Ld. Duty MM and subject to the condition that prior to his release accused-applicant shall deposit her passport if he holds one with the IO. 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**

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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. That accused shall furnish the mobile phone number of self and that of the sureties to the IO and the Court and shall ensure that the mobile phone numbers remain throughout on switched on mode with location activated and shared with the IO. That accused-applicant shall confirm his location with the IO every week. That 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.

**The accused shall get his presence marked before SHO of PS
Crime Branch on every Sunday of the week.**

The bail application is disposed of accordingly.


(Neelofar Abrid Perveen)
ASJ (Central)TMC/Delhi
30.07.2020

FIR No. 238/2018
PS Sarai Rohilla
State v. Ashok
U/s 302/120B IPC

30.07.2020

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

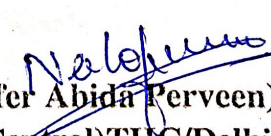
Sh. Durgeshwar Dwivedi, counsel for accused-applicant
(through video conferencing)

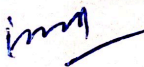
This an application under Section 439 CrPC for grant of interim bail of 45 days on behalf of accused Ashok in case FIR No. 238/2018.

Previous involvement report in respect of the accused-applicant is received.

Let custody certificate and conduct report of the accused-applicant be called for from Superintendent Jail.

For report and consideration, put up on **07.08.2020**.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
30.07.2020



FIR No. 34/2019
PS: DBG Road
State Vs. Urmila
U/s 302/120B/34 IPC

30.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.


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

Proxy counsel for accused-applicant (through video conferencing)

This is an application under Section 439 CrPC for grant of interim bail for 45 days on behalf of the accused-applicant Urmila in case FIR No. 34/2019.

Pass over is sought by Ld. Proxy counsel as Ld. Main counsel is not available. Pass over is not possible as a matter is fixed for pronouncement today.

For consideration, put up on 31.07.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
30.07.2020

FIR No. 104/2019
PS: Crime Branch
State Vs. Kuldeep Sharma
U/s 20/29 NDPS Act

30.07.2020

Fresh application received. Be registered.

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


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

This an application under Section 439 CrPC for grant of regular bail on behalf of accused Kuldeep Sharma in case FIR N o. 104/2019.

Arguments heard.

Ld. Counsel for the accused-applicant submits that he wants to refer certain judicial pronouncements. Let the same be filed on or before 04.08.2020.

For orders, put up on **05.08.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
30.07.2020

FIR No. 209/2017

PS: Karol Bagh

State Vs. Madan

U/s 380/392/395/397/482/452/419/120B/34 IPC

30.07.2020

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

Sh.B. S. Chaudhary, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail for a period of one month on behalf of the accused-applicant Madan in case FIR No. 209/2017 on the ground of illness of his mother.

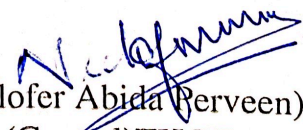
Ld. Counsel for accused-applicant submits that medical documents have been forwarded on the email of the Court. It emerges that copy of medical documents were received on 23.07.2020 through email.

Ld. Addl. PP submits that copy of medical documents were not forwarded to him. Let copy of be forwarded to Ld. Addl. PP.

Let the medical documents be got verified.

For report and consideration, put up on **06.08.2020**.

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(Neelofer Abida Berveen)
ASJ (Central)THC/Delhi
30.07.2020

FIR No. 91/2018

PS: Kotwali

State Vs. Alam

U/s 302/392/397/34 IPC

30.07.2020

Fresh application received from jail. Be registered.

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

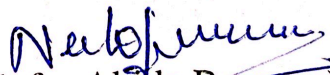
None for accused.

Hearing conducted through Video Conferencing.

This is a handwritten application for grant of bail on behalf of accused Alam in case FIR No. 91/2018 received from jail.

Rely to ^{be} ~~be~~ bail application ^{is} ~~is~~ not filed. Reply be filed on or before the next date of hearing.

For reply and consideration, put up on **10.08.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
30.07.2020