

FIR No. 32/2019

PS: Prasad Nagar

State Vs. Kamal Kishore

U/s 302/323/341/147/148/149 IPC and 25 Arms Act

22.07.2020

Fresh application received. Be registered.

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

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

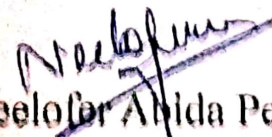
Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail for 30 days on behalf of the accused-applicant namely Kamal Kishore in case FIR No. 32/2019 on the ground of illness of the sister of accused-applicant.

Reply on merits filed. Ld. Addl. PP submits that IO seeks some more time to verify the medical documents annexed with the application.

Let medical documents be verified and report be filed on or before the next date of hearing.

For report and consideration, put up on **27.07.2020**.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
22.07.2020

FIR No. 468/2018

PS: Burari

State Vs. Kanhiya

U/s 302/307/323 IPC

22.07.2020

Fresh application received. Be registered.

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

Sh. Chander Shekhar, 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 the accused-applicant namely Kanhiya in case FIR No. 468/2018.

When it is put to the Ld. Counsel for accused-applicant that whether the application is for grant of bail as mentioned in the head note or for early hearing of the matter, as prayed in the prayer clause of the application, Ld. Counsel for the accused-applicant submits that error has crept due to typographical error and seeks leave of the Court to withdraw the present application and he shall file fresh application. In view of the submissions made by Ld. Counsel for the accused-applicant, present application is dismissed as withdrawn.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
22.07.2020

FIR No. 166/2018
PS: Pahar Ganj
State Vs. Swaran Kumar Dass
U/s 302 IPC

22.07.2020

Fresh application received. Be registered.

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

Sh. Alok Vajpayee, Counsel from DLSA 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 15 days on behalf of the accused-applicant namely Swaran Kumar Dass in case FIR No. 166/2018.

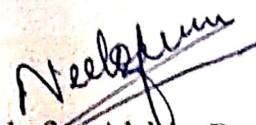
When it is put to the learned counsel for accused as to what is the ground for grant for interim bail, ld. Counsel submits that case of the accused is not under the guidelines issued by High Powered Committee of High Court of Delhi dated 18.05.2020 for release of the UTPs in order to decongest the prisons in Delhi due to out break of covid-19 pandemic as the accused has not yet completed two years in custody and case pertains to the commission of offence under Section 302 IPC, however, he was the only earning member in the family and due to continued incarceration his family consisting of his old aged parents is facing acute hardship. Learned counsel for accused further submits that application has been received through jail and he had not had any interaction with the accused-applicant

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and therefore he is not in a position to submit as to whether there are any other family members besides the old aged parents.

Heard.

Case of the accused-applicant is not covered under any of the guidelines issued from time to time by High Powered Committee of the Hon'ble High Court of Delhi for release of the UTPs on interim bail of 45 days in order to decongest the prisons in Delhi due to out break of covid-19 pandemic as accused-applicant is charged with offence under Section 302 IPC. Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. Financial hardship cannot alone be the ground for release of accused-applicant on interim bail. No other ground is set up for grant of interim bail, the present **application for grant of interim bail for 15 days on behalf of the accused-applicant namely Swaran Kumar Dass in case FIR No. 166/2018 is therefore dismissed.**


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
22.07.2020

FIR No. 309/2019
PS: Crime Branch
State Vs. Jarnail Singh @ Jally
U/s 15/25/29 NDPS Act

22.07.2020

Fresh application received. Be registered.

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

Sh. Vinod Charan, Counsel for accused-applicant (through video conferencing)

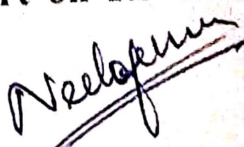
Hearing conducted through Video Conferencing.

This is an application for extension of interim bail for 25 days on behalf of accused-applicant Jarnail Singh @ Jally in case FIR No. 309/2019.

Ld. Counsel for the accused-applicant submits that accused was granted interim bail for 10 days vide order dated 01.07.2020 on the ground of illness of his wife. That vide order dated 13.07.2020 interim bail of the accused-applicant was further extended by 10 days. That wife of the accused is to be operated upon and doctor has advised for surgery which is scheduled for 25.07.2020. That extension of interim bail is sought to take care of mother and wife of the accused and two minor children of the accused-applicant.

Heard.

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 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."

The accused-applicant as on 13.07.2020 i.e. the date mentioned in the above order was on interim bail, interim bail in terms of directions passed in W. P. (C) No.3037/2020 are extended till 31.08.2020.

In such circumstances, the interim bail already granted to the accused-applicant Jarnail Singh @ Jally in case FIR No. 309/2019 is further extended till 31.08.2020 on the same terms and conditions and on the same sureties in accordance with directions passed on 13.7.2020 by H'ble the High Court of Delhi in WP(C)No. 3037/2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
22.07.2020

FIR No. 243/2018
PS: Nabi Karim
State Vs. Akash Gautam

22.07.2020

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

None for applicant.

Hearing conducted through Video Conferencing.

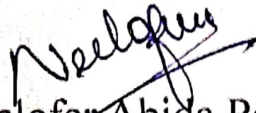
This is an application on behalf of the surety-applicant for release of original documents.

Attempts were made to contact the Ld. Counsel for applicant for Webex Meet but Ld. Counsel could not be contacted.

Office reports that there is no report received regarding surrender of accused Akash Gautam from jail.

Report be called from Superintendent Jail for the next date of hearing.

For report and consideration put up on 28.07.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
22.07.2020