

State Vs. Naeem

FIR No: 121/18

Under Section: 411/379/328/34 IPC

PS: Sarai Rohilla

03.07.2020

Through video conferencing

This is a fresh application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Mohd. Nadeem Khan, Ld. Counsel for the applicant.

The applicant is seeking extension of interim bail, granted to him vide order dated 20.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 22.06.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

The application stands disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent for information.

**ANUJ
AGRAWAL**

Digitally signed by
ANUJ AGRAWAL
Date: 2020.07.03
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(Anuj Agrawal)

**ASJ-03, Central District
Tis Hazari Courts, Delhi**

03.07.2020

State Vs. Naeem

FIR No: 195/18

Under Section: 411/379/328/34 IPC

PS:Kashmere Gate

03.07.2020

Through video conferencing

This is a fresh application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Mohd. Nadeem Khan, Ld. Counsel for the applicant.

The applicant is seeking extension of interim bail, granted to him vide order dated 20.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 22.06.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

The application stands disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent for information.

**ANUJ
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**(Anuj Agrawal)
ASJ-03, Central District
Tis Hazari Courts, Delhi
03.07.2020**

State Vs. Naeem

FIR No: 194/18

Under Section: 411/379/328/34 IPC

PS: Sarai Rohilla

03.07.2020

Through video conferencing

This is a fresh application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Mohd. Nadeem Khan, Ld. Counsel for the applicant.

The applicant is seeking extension of interim bail, granted to him vide order dated 20.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 22.06.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

The application stands disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent for information.

ANUJ
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(Anuj Agrawal)
ASJ-03, Central District
Tis Hazari Courts, Delhi
03.07.2020

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State Vs. Naresh (Applicant Anil)

FIR No: 72/11

Under Section: 302/34 IPC

PS: Sadar Bazar

03.07.2020

Through video conferencing

This is a fresh application for grant of interim bail filed on behalf of the applicant Anil.

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Manoj Sharma, Ld. Counsel for the applicant.

Reply of IO has been filed.

Ld. Counsel for accused has confirmed about receipt of reply electronically.

As per the reply of IO, the mother of accused is battling from several health issues since long and his sister Monika has been doing odd jobs to eke out their living.

IO has reported previous involvement of accused in case FIR No. 03/2011, PS Sadar Bazar. However, it is submitted by Ld. Counsel for accused that accused has already been acquitted in said case. Let State verify the said submission of counsel through concerned SHO/IO.

Nominal roll of accused be also filed by concerned Jail Superintendent inter-alia mentioning his conduct at jail by next date of hearing.

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Put up for further hearing on 10.07.2020.

Copy of this order be sent to concerned Jail Superintendent as well as SHO/IO for compliance.

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(Anuj Agrawal)
ASJ-03, Central District
Tis Hazari Courts, Delhi
03.07.2020

State Vs. Santosh Kushwaha

FIR No: 112/19

Under Section: 302/201/404 IPC

PS:Subzi Mandi

03.07.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.
Sh. Sunil Kumar, Ld. Counsel for the applicant.

Since counsel was not having 'Cisco Webex facility', therefore, he was heard through 'Whatsapp video group call' wherein Ld. APP for State also joined.

The applicant is seeking interim bail on the ground that his mother is not well as she is suffering from ulcer and his presence is required to take care of his mother.

The IO has filed his report (copy supplied) wherein he sought time to verify the factum of illness of mother of accused. However, in the facts and circumstances of the case and in view of the averments made in the application, I am of the view that the matter can be decided with the material available on record.

The accused is admittedly in custody since 09.05.2019 i.e. a period of less than 2 years. Therefore, it is clear that accused does not fulfill the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020.

The reasons cited by accused for grant of interim bail does not disclose good grounds to be entertained as the very incarceration of an accused not only curtails his 'personal liberty' but also certain other rights like 'right to maintain and take care of one's family'. Even otherwise, as per accused himself, his father and brothers are also there, therefore, it cannot be said that there is no other adult male

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member in the family to take care of former's mother.

In the matter of Ather Parvez Vs. State (Crl. Ref. No. 01/2015 Date of decision 26.02.2016), it has been observed by Hon'ble Delhi High Court that:

"....The trial of the appellate courts after conviction are entitled to grant "interim bail" to the accused/convict when exceptional and extraordinary circumstances would justify this indulgence. The power is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release..."

It is a settled principle of law that interim bail can only be granted in exceptional circumstances. In the instant application, there are no exceptional circumstances to release the applicant/accused on interim bail. The accused is facing trial for commission of a very serious offence.

In view of the above, I am not inclined to release the applicant/accused Santosh Khushwah on interim bail. His interim bail application is accordingly dismissed.

Copy of this order be sent to concerned Jail Superintendent as well as IO for information.

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(Anuj Agrawal)
ASJ-03, Central District
Tis Hazari Courts, Delhi
03.07.2020

State Vs. Satpal & ors. (Applicant Maal @ Suresh)

FIR No: 215/14

Under Section: 395/397/307/412/353/186/506/34 IPC and 25/27/54/59 Arms Act

PS:Lahori Gate

03.07.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Vineet Mehta, Ld. Counsel for the applicant.

Arguments heard.

During course of arguments, Ld. Counsel seeks liberty to withdraw the present application for interim bail on the ground that he shall be moving regular bail application for accused in light of the fact that he was previously granted regular bail by Delhi High Court vide order dated 19.03.2018.

In these circumstances, the application stands disposed off as withdrawn.

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ASJ-03, Central District
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03.07.2020**