

State Vs. Sandeep Kumar

FIR No.139/2020

PS Rajender Nagar

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

14.07.2020

Present: Ld. APP for State (through VCC over Cisco Webex)

Sh. Mukesh Kumar Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/ASI Vijay Shankar (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 12:44 PM.

The present urgent application was filed on behalf of the applicant on email id of this court on 13.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

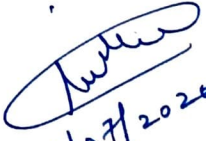
The present application is moved for grant of bail to accused/applicant u/s 439 Cr.PC. Ld. Counsel for applicant submits that instead of Section 437, section 439 has been inadvertently typed.

This order shall dispose of the bail application moved on behalf of applicant/accused **Sandeep Kumar.**

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that the applicant/accused has no involvement in the present case. It is further averred that the no recovery has been effected from the applicant/accused. It is further averred that the accused was not present at the alleged spot of occurrence nor his name has been mentioned in the present case FIR. It is further averred that except case FIR No.146/2020 PS Rajender Nagar, no other case is pending against applicant. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements.

On perusal of the scanned copy of previous conviction/involvement report received along with reply of IO (through email), it emerges that the accused is having previous


14/07/2020

involvements in certain other cases, involving serious offences. More particularly, the accused/applicant Sandeep Kumar has been shown to have complicity in respect of case FIR No.151/2014, u/s 33 Delhi Excise Act PS Ranjit Nagar, case FIR No. 168/2018 u/s 379/411IPC and Case FIR No. 164/2018 u/s 379/411 IPC both at PS Inder Puri. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the *accused/applicant Sandeep Kumar*. Accordingly, the present application deserves dismissal and same is hereby *dismissed*.

Scanned copy of this order is being sent to Sh. Awdhesh Kumar Rai (Reader) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant/accused and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

14.07.2020

Dev Marbles Vs. Anil Kumar Jain (Bail Application.)

Ct. Cases. 525274/2016

14.07.2020

Present: Sh. Rajan Sharma, Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

Sh. Nasir Ahmed, Ld. Counsel for complainant/respondent (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 1:04 PM.

The present urgent application was filed on behalf of the applicant on email id of this court on 11.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

The present application is moved for grant of bail u/s 437 Cr.PC to accused/applicant Anil Kumar Jain.

Notice of the present application was directed to be served upon the counsel for complainant, electronically. In pursuance thereof, the scanned copy of reply was sent by counsel for complainant/respondent, through email id of this court.

Copy of same was sent to counsel for applicant/accused, electronically.


Record of main case file was also sent to residence of undersigned by Sh. Awdhesh Kumar Rai (Reader), today.

During the course of arguments on application, Counsel for applicant/accused submits that he wishes to seek instructions from the Perokar/Son of accused regarding the settlement of present case on payment of allegedly cheated amount to complainant.

Heard and allowed.

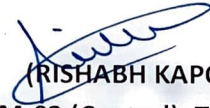
Accordingly, put up for remaining arguments on present **application on 15.07.2020 at 1:00 PM through VCC over Cisco Webex.**

Ld. Counsel for applicant and respondent, be joined for hearing of the matter at scheduled time.


14/07/2020
1 | Page

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(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

14.07.2020

Sanjaat Jain Vs. Pahuni Jain & Ors.

CC No. 12309/18

14.07.2020

Present: Mr. Shri Singh, Ld. Counsel for complainant (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 2:04 PM.

Case file is taken up today in view of order dated 13.07.2020 passed in application for early hearing moved on behalf of complainant.

Case record was sent to residence of undersigned by Sh. Awdhesh Kumar Rai (Reader), today.

Perusal of order dated 06.02.2020 is showing that WSI Jaspreet Pannu had apprised the court that an FIR has already been registered at Jammu & Kashmir in respect of allegations made in present complaint.

Ld. Counsel for Complainant submits that the alleged case FIR in State of Jammu & Kashmir, has not been registered with regard to same set of facts, rather it pertains to a different occurrence.

Let copy of case FIR registered in State of Jammu & Kashmir against proposed accused, be filed electronically through email of the court within one day.

At this stage, arguments on application u/s 156(3) Cr.PC. heard.

Put up for clarifications, if any and orders on 20.07.2020 at 2:00 PM, through VCC over Cisco Webex.

Ld. Counsel for complainant be joined for hearing of the matter at scheduled time.

Scanned copy of this order is being sent to Sh. Awdhesh Kumar Rai (Reader) through whatsapp/email, for uploading it on CIS.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
14.07.2020