

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 340/20
FIR No. 30/18
PS- Malviya Nagar
State Vs. Rohit Thakur
U/Sec. 302/120B IPC & 25 Arms Act

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Kunal Manav, Ld. Counsel for the accused/applicant.

Heard on the bail application.

The bail application has been moved on the ground that father of the accused is unwell and no one is available to take care of him except old aged mother and younger sister of the accused. It is also submitted that material witnesses of the prosecution have already been examined and they are hostile qua the applicant.

Reply to the bail application has been filed by the IO. IO has informed that he verified the medical documents and was told by the doctor that case of the father of the accused was not referred for surgery. Father of the accused requires only medical treatment for which he was referred to AIIMS/S.J. Hospital.

Father of the accused suffers from Asthma as per medical documents filed on record.

Bail application has been opposed by Ld. Addl. Public Prosecutor for the State on the ground that there is no medical urgency involved and that the offences are serious in nature. Father of the accused is suffering from Asthma and is being taken care of by the mother and sister of the accused.



Considering the grounds of opposition raised by the State, the bail application of accused Rohit Thakur is dismissed and stands disposed off.

Copy of the order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 343/20

FIR No. 41/2018

PS: S.J. Enclave

State Vs. Krishan Kumar

U/s 376 IPC & 4 POCSO

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Ms. Chandrani Prasad, Ld. Counsel for the Accused/Applicant
Krishan Kumar.

Heard on the grounds of urgency.

The instant bail application has been moved on the ground that father of the accused/applicant is unwell and accused/applicant too is facing medical problems inside the Jail.

Let a report be called from the IO, who shall also intimate the Victim about the filing of bail application & the next date of hearing. Victim be informed that she may join the proceedings on the next date via CISCO WebEx through parent/guardian/counsel.

A report regarding the medical condition of the accused/applicant be also called from the Jail Superintendent.

The application be put up for arguments **22.05.2020**.

Let a copy of this order be uploaded on the Website of the District Court and be also supplied to the counsel for the accused and the IO through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 290/20

FIR No.78/18

PS- S.J. Enclave

State Vs. Aas Mohd. @ Ashu

U/Sec. 293/397/411 IPC

19.05.2020

**Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Ravi Bhardwaj, Ld. Counsel for the accused/applicant.**

A report was received from the IO in this case on 08.05.2020, wherein he stated that as per record available with him accused had not been arrested in the present FIR, however he requested for some more time to file a further report in this regard after checking the police file.

No report has been received from the IO today. Let the report be called from the IO for 20.05.2020.

Copy of the order be uploaded on the Web Site of District Court. A copy of this order be further supplied to the IO and Ld. Counsel for the accused through email.



(Jyoti Kler)

**ASJ on Duty/South District/Saket Courts
19.05.2020**

Through Video Conference via CISCO WebEx

✓ **Reg. No. by AO (J) (South) : 241/20**
FIR No. 106/2010
PS: F.P. Beri
State Vs. Arjun @ Bittoo
U/s 307/34 IPC

and

Reg. No. by AO (J) (South): 242/20
FIR No. 109/2010
PS: F.P. Beri
State Vs. Arjun @ Bittoo
U/s 302/506/34 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Atul Gupta, Ld. Counsel for the Accused/Applicant Arjun @
Bittoo.
Sh. K. S. Negi, Ld. Counsel for the Complainant.

Heard on the bail application.

Bail has been sought on the ground that the accused is suffering from sleeping disorder and is facing risk of contracting COVID-19 in the Jail.

Reply to the bail application has been filed by the IO, according to which the accused is involved in three more cases, one of which was registered in the year 2019.

Report is received from the Jail Superintendent regarding the medical condition of the accused, according to which the accused had presented himself to the jail doctor on 02.05.2020 with the complaints of pain in abdomen, breathing difficulty and decreased sleep. He was advised various investigations and on the basis of investigations on 04.05.2020 and



12.05.2020, the accused/applicant was diagnosed with lower back pain. It is stated in the report that due to risk of COVID-19, no physiotherapy is being provided to the accused in the Jail.

Bail application has been opposed by Ld. Counsel for the complainant vehemently. Ld. Counsel submits that the accused / applicant is a habitual offender. It is submitted that the first bail application was moved by the accused/applicant on the ground of illness of his father which was dismissed on 01.05.2020. It is submitted that soon thereafter, on 02.05.2020, accused came up with complaints regarding his health only as a ploy to seek interim bail.

Bail application is opposed by the Ld. APP for the State also, on the ground that allegations are serious in nature and accused is involved in multiple cases of similar nature.

Ld. Counsel for the accused now submits that the accused is suffering from breathing problem and tuberculosis also. The report received from the Jail does not reflect any such fact. It only mentions that the accused was diagnosed with Tuberculosis in the year 2014. The report further clearly mentions that the accused had complained of breathing difficulty. However, he was only diagnosed with lower backache. So far averments regarding COVID-19 are concerned, same are based on mere apprehensions. Measures have already been taken to decongest the Jails and the apprehensions of the accused are unfounded.


Ld. Counsel for the accused now contends that one of the co-accused has been admitted to interim bail, so, this accused may also be granted interim bail on the ground of parity. Co-accused was admitted to bail by this Court as he was found suffering from Bronchial Asthma, which is known to make one prone to the risks of COVID-19. The accused herein



has not been diagnosed with any such medical condition that makes him prone to the risks of COVID-19. The allegations against the accused are serious in nature. He is involved in multiple cases. Accused is being given medical treatment for lower backache inside the jail.

Considering the aforesaid reasons, the bail application is dismissed and stands disposed of.

A copy of this Order be sent to the Jail Superintendent and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant and Ld. Counsel for the Complainant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

✓ **Reg. No. by AOJ (South): NA**
FIR No. 132/20
PS: Mehrauli
State Vs. Pervez
U/s 307/120B/498A IPC

Reg. No. by AOJ (South): NA
FIR No. 132/20
PS: Mehrauli
State Vs. Ruksana
U/s 307/120B/498A IPC

Reg. No. by AOJ (South): NA
FIR No. 132/20
PS: Mehrauli
State Vs. Yasmeen
U/s 307/120B/498A IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Navin Sharma, Ld. Counsel for the Complainant.
Sh. Rajpal Kasana, Ld. Counsel for the accused persons/applicants.
IO SI Sohan Lal.

Heard on the application for anticipatory bail.

Applicant was granted interim protection against coercive steps till today. Allegations against the accused / applicant are that the applicant committed the offence punishable under Section 307 IPC against injured/Victim Smt. Anisha.

It is alleged that on 12.03.2020 the family members i.e. husband Zahid, brother in law Parvez, mother in law Ruksana and Sister in law Yasmeen, of injured/Victim Anisha, had beaten her up and pushed her



down from the roof top of their house due to which she received multiple severe injuries and remained in the hospital for a long time.

It is averred on behalf of applicant that the applicant was not involved in the incident at all and has been falsely implicated by the Victim who wants to settle scores with her husband.

Statement of daughter of the Victim was recorded under Section 164 Cr.P.C. wherein she has levelled allegations only against her father and not against the applicant. IO submits that the applicant has joined the investigation already but is not cooperating with the investigating authorities. It is submitted that the main accused i.e. husband of the injured/victim, is still absconding and weapon of offence has not been recovered yet. IO also submits that the Victim has stated in her statement recorded under section 161 Cr.P.C. that the applicant too was involved in commission of offence against her.

Ld. Addln. PP for the State has opposed the bail application on the ground that allegations are grievous in nature and accused/applicant is not cooperating with the investigating authorities in arrest of the main accused i.e. husband of the injured/victim and in recovery of weapon of offence.

I have considered the rival contentions. Record perused.

The applicant has been exonerated by the daughter of the Victim in her statement recorded under Section 164 Cr.P.C. however Victim has levelled allegations against the applicant in her statement recorded u/s 161 Cr.P.C. Victim has alleged that she was pushed by the applicant and her husband from the rooftop of their house. Victim has received multiple injuries. IO has categorically stated that the applicant is not cooperating in the investigation. However, Ld. Counsel for the applicant submits that the applicant undertakes to fully cooperate with investigating authorities.

A handwritten signature in black ink, appearing to be a stylized 'S' or 'P' followed by the number '12'.

Considering the undertaking to cooperate in investigation, submissions made by the IO and statement of the daughter of the Victim, recorded under Sec. 164 Cr.P.C., the interim protection granted to the accused/applicant is extended till the next date of hearing with direction to the applicant/accused to join the investigation as & when directed by the IO and extend full cooperation to the investigating authorities. **IO shall file a report in this regard on the next date.**

In view of the request made by Ld. Counsel for the Complainant, it is directed that the applicant shall not communicate, or make any attempts to communicate, with the victim in any manner/form.

Application be put up for consideration on 03.06.2020.

A copy of this Order be uploaded on the Web Site of District Court. A copy be further supplied to the IO, Ld. Counsel for the accused/applicant and Ld. Counsel for the Complainant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AOJ (South): NA
FIR No. 132/20
PS: Mehrauli
State Vs. Mohd. Yaseen & Sajid
U/s 307/120B/498A IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Navin Sharma, Ld. Counsel for the Complainant.
Sh. Rajpal Kasana, Ld. Counsel for the accused persons/applicants
IO SI Sohan Lal.

Heard on the application for anticipatory bail.

Applicants Mohd. Yaseen and Sajid were granted interim protection against coercive steps till today. Allegations against the applicants are that they abetted the commission of offence punishable under Section 307 IPC against injured/Victim Smt. Anisha.

It is alleged that on 12.03.2020 the family members i.e. husband Zahid, brother in law Parvez, mother in law Ruksana and Sister in law Yasmeen, of injured/Victim Anisha, had beaten her up and pushed her down from the roof top of their house due to which she received multiple severe injuries and remained in the hospital for a long time.

It is averred on behalf of applicants that they were not on the spot at the time of incident, They are relatives of husband of the injured/victim and are residing separately. Mohd. Yaseen is the uncle of husband of the victim and Sajid is the cousin.

Statement of daughter of the Victim was recorded under Section 164 Cr.P.C. wherein she has levelled allegations only against her father and not



against the applicants. IO submits that the applicants have joined the investigation already but are not cooperating with the investigating authorities. It is submitted that the main accused i.e. husband of the injured/victim, is still absconding and weapon of offence has not been recovered yet.

Ld. Addln. PP for the State has opposed the bail application on the ground that allegations are grievous in nature and accused/applicants are not cooperating with the investigating authorities in arrest of the main accused i.e. husband of the injured/victim and in recovery of weapon of offence.

I have considered the rival contentions. Record perused.

No role has been attributed to the accused/applicants in the statement of the daughter of the Victim, which was recorded u/s 164 Cr.P.C. The Victim has also not attributed any direct role in causing injuries to her, to the applicants/accused persons in her statement recorded u/s 161 Cr.P.C, as revealed by the IO during arguments. Applicants were not present on the spot on the date and time of incident, and are residing separately. Applicants have already joined the investigation, as confirmed by the IO.

Considering the aforesaid reasons, it is directed that the applicants Mohd. Yaseen and Sajid be admitted to bail on furnishing of bail bond in the sum of Rs.20,000/- (Rs. Twenty Thousand only) with one surety in the like amount to the satisfaction of the IO/SHO concerned in the event of their arrest in connection to the present case. The applicants shall join investigation as and when directed by the IO.

In view of the request made by Ld. Counsel for the Complainant, it is directed that the applicants shall not communicate, or make any attempts to communicate, with the victim in any manner/form.

A handwritten signature in black ink, consisting of a stylized 'S' or 'J' shape with a vertical line through it, and the number '12' written below it.

A copy of this Order be uploaded on the Web Site of District Court.
A copy be further supplied to the IO, Ld. Counsel for the accused/applicant
and Ld. Counsel for the Complainant through e-mail.


(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AOJ (South): NA
FIR No. 132/20
PS: Mehrauli
State Vs. Zakir Hussain
U/s 307/120B/498A IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Navin Sharma, Ld. Counsel for the Complainant.
Sh. Rajpal Kasana, Ld. Counsel for the accused/applicant.
IO SI Sohan Lal.

Heard on the application for anticipatory bail.

Applicant was granted interim protection against coercive steps till today. Allegations against the accused / applicant are that he abetted the commission of offence punishable under Section 307 IPC against injured/Victim Smt. Anisha.

It is alleged that on 12.03.2020 the family members i.e. husband Zahid, brother in law Parvez, mother in law Ruksana and Sister in law Yasmeen, of injured/Victim Anisha, had beaten her up and pushed her down from the roof top of their house due to which she received multiple severe injuries and remained in the hospital for a long time.

It is averred on behalf of applicant that he was not on the spot at the time of incident. Applicant is the father in law of the injured.

Statement of daughter of the Victim was recorded under Section 164 Cr.P.C. wherein she has levelled allegations only against her father and not against the applicant. IO submits that the applicant has joined the



investigation already but is not cooperating with the investigating authorities. It is submitted that the main accused i.e. husband of the injured/victim, is still absconding and weapon of offence has not been recovered yet.

Ld. Addln. PP for the State has opposed the bail application on the ground that allegations are grievous in nature and accused/applicant is not cooperating with the investigating authorities in arrest of the main accused i.e. husband of the injured/victim and in recovery of weapon of offence.

I have considered the rival contentions. Record perused.

No role has been attributed to the accused/applicant in the statement of the daughter of the Victim, which was recorded u/s 164 Cr.P.C. The Victim has also not attributed any direct role in causing injuries to her, to the applicant/accused in her statement recorded u/s 161 Cr.P.C, as revealed by the IO during arguments. Applicant was not present on the spot on the date and time of incident. Applicant has already joined the investigation, as confirmed by the IO.

Considering the aforesaid reasons, it is directed that the applicant Zakir Hussain be admitted to bail on furnishing of bail bond in the sum of Rs.20,000/- (Rs. Twenty Thousand only) with one surety in the like amount to the satisfaction of the IO/SHO concerned in the event of his arrest in connection to the present case. The applicant shall join investigation as and when directed by the IO.

In view of the request made by Ld. Counsel for the Complainant, it is directed that the applicant shall not communicate, or make any attempts to communicate, with the victim in any manner/form.

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a smaller mark that appears to be '1/2'.

A copy of this Order be uploaded on the Web Site of District Court.
A copy be further supplied to the IO, Ld. Counsel for the accused/applicant
and Ld. Counsel for the Complainant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 316/20
FIR No. 151/2018
PS: SJ Enclave
State Vs. Mukesh Kumar
U/s 386/34/120B IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Anil Verma, Ld. Counsel for the Complainant
Sh. Ajay Kumar Mayer, Ld. Counsel for the Accused/Applicant
Mukesh Kumar.

Heard on the bail application.

The instant bail application has been moved on the ground of parity. It is stated that co-accused in this case, namely, Sachin, was granted bail vide Order dated 06.05.2020. It is further stated that wife of the accused/applicant died on 23.12.2019 and his two minor children are now completely dependent upon his brother. It is also stated that the testimony of material PWs recorded by the Court is completely contradictory, and the accused/applicant has clean antecedents.

Reply to the bail application has been filed by the IO. The application is opposed on the ground that accused is involved in one more case registered at Faridabad.

Ld. Counsel for the accused/applicant contended that case of the accused falls in the categories recommended for bail by the Hon'ble High Powered Committee, and accused / applicant is entitled to interim bail amid COVID-19 Pandemic for the aforesaid reason as well.



Ld. Counsel for the complainant contended that there is an element of falsehood in the bail application because it is stated in the application dated 13.05.2020 that bail was granted to the accused in the case registered at Faridabad, however, bail was in fact granted to him on 14.05.2020, so he could not have written this fact in the application dated 13.05.2020.

Ld. Counsel for the accused submits that the applicant was drafted and filed on 14.05.2020 only but date of 13.05.2020 is mentioned therein inadvertently due to typographical error, and hence, there is no element of falsehood in the bail application.

I have considered the rival contentions. Record is perused.

The accused/applicant is in custody since 28.06.2018 and co-accused was granted interim bail on 06.05.2020. The present case also falls in the categories recommended for bail by the Hon'ble High Powered Committee. Considering the same as well as on the ground of parity, the accused/applicant Mukesh Kumar is admitted to interim bail for a period of 30 (thirty) days, on furnishing of bail bond in the sum of Rs.20,000/- (Rs. Twenty Thousand only) with one surety in the like amount, to the satisfaction of the concerned Ld. MM/Ld. Link MM/Ld. Duty MM, subject to the conditions that:

- (i) the accused/applicant shall attend the Court in accordance with the conditions of the bond executed;
- (ii) the accused/applicant shall not tamper with the evidence or induce, threaten, coerce or influence the witnesses;
- (iii) the accused/applicant shall not commit an offence similar to the offence of which he is accused of;
- (iv) the accused shall inform about his mobile number that he shall be using during the period of his interim bail by mentioning it



on the bail bond; shall install Arogya Setu App, and keep the Bluetooth & GPS on at all times. This condition is being put to ensure that the directives issued by the Government of India are complied, and also in alternative to the direction to the accused to appear before the SHO and mark his attendance every week considering that asking the accused to travel every week may expose him to COVID-19.

The accused/applicant is directed to surrender before the jail authority after expiry of the period of interim bail. The application is disposed off accordingly.

A copy of this Order be sent to the Jail Superintendent and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant and Ld. Counsel for the Complainant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 324/20
FIR No.152/17
PS-Fatehpur Beri
State Vs. Naresh
U/Sec.395/397 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Shiv Gaur, Ld. Counsel for the accused/applicant.
SI Manjeet Kumar, IO of the case.

Heard on the bail application.

The instant bail application has been moved on the ground that the accused has been falsely implicated and no recovery had been affected from him. It is further stated that accused is facing risk of COVID - 19 in the Jail as it is a congested place.

IO has opposed the bail application on the grounds that the accused has committed a serious offence, co-accused is yet to be arrested and jewellery & weapon of offence have not been recovered still.

Ld. Addl. Public Prosecutor for the State has also opposed the bail application.

During arguments, Ld. Counsel for the accused/applicant submitted that two of the co-accused, namely Vikram & Deepak, have already been admitted to bail and accused/applicant is also entitled to bail on the ground of parity.



IO responded to this saying that the accused/applicant cannot be considered for bail on the ground of parity because one necklace out of the stolen articles was recovered from him and he is involved in six more cases.

Ld. Counsel for the applicant/accused submitted that the aforesaid facts narrated by the IO are incorrect. IO has filed a report in writing but has not mentioned about recovery and previous involvement in the said report. Let a fresh report in writing, with details of previous involvement of the accused, be filed by the IO by 4.00 PM today itself.

Application be put up for consideration on **20.05.2020**.

Copy of the order be uploaded on the Web Site of District Court. A copy of this order be further supplied to the IO and Ld. Counsel for the accused through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 217/20

FIR No. 165/20

PS- Mehrauli

State Vs. Soumyajit Mishra

U/Sec. 376 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Sheikh Imran Alam and Sh. Prabhat Kumar, Ld. Counsels for the accused/applicant.

No fresh report received from the IO. It is not clear if the IO has verified the bank transactions. It is further noted that direction for serving a notice of the bail application upon the Victim was issued. IO has not clarified in this regard also in her previous reports.

Let a detailed report be called from the IO with direction to mention about the aforesaid aspects in the said report. The bail application be listed for consideration on 22.05.2020. IO shall intimate the Victim about the next date of hearing.

Ld. Counsel for the accused submits at this stage that the copy of the charge sheet may be made available to the accused. IO has stated in her previous reports that she did not keep a copy of the charge sheet due to nation wide lockdown. Since markets are now open under fresh directions issued by the Government on 18.05.2020, IO shall arrange a scanned/e-copy of the charge sheet now well before the next date, and supply the same to the Ld. Counsel for the accused by e-mail.



Copy of the order be uploaded on the Web Site of District Court. A copy of this order be further supplied to the IO and Ld. Counsel for the accused through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 346/20

FIR No. 179/20 PS- Fatehpur Beri

State Vs. Tejpal & Ors.

U/Sec. 323/325/341/506/34/120B IPC & Sec. 3.1(ii) & (x) of SC/ST Act, 1989

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.

Sh. Hitesh Kumar, Ld. Counsel for all the accused persons/applicants, namely, Tejpal, Sukhpal, Satpal, Ravi@Bhola, Ankit, Aashish, Aakash, Sachin, Mohit and Amit.

IO Inspector Sh. C.L. Meena.

Heard on the application for anticipatory bail moved on behalf of 10 applicants, namely, Tejpal, Sukhpal, Satpal, Ravi@Bhola, Ankit, Aashish, Aakash, Sachin, Mohit and Amit.

Report has been filed by the IO stating that the FIR has been registered under Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Arguments heard.

IO submits that the two injured persons in this case have received grievous injuries and weapons of offence i.e. rods, are yet to be recovered. He also submits that there are two independent eyewitnesses to the entire incident and according to their narrative, the applicants had hit the injured persons who belong to Harijan community & had hurled casteist abuses against them. IO further submits that the applicants were trying to encroach upon the property regarding which a civil litigation is pending for 21.07.2020 before the Hon'ble High Court of Delhi. They were installing a gate in the property despite the nation wide lockdown due to COVID-19 Pandemic. Injured persons objected to the encroachment and they were assaulted.



Ld. Counsel for the applicants submits that the property belongs to the applicants & not to the victims, and applicants were installing a gate on their property in order to protect their livestock. It is the victims who initiated a quarrel without any rhymes or reasons and started hitting the applicants with lathi & dandas. The victims were pulled out of the scuffle by nearby residents in order to save the applicants from lathi & danda blows and in that process victims may have received some injuries.

The bail application has been opposed by the Ld. Addl. Public Prosecutor for the State on the ground that allegations are serious in nature and custodial interrogation of the applicants is necessary for proper investigation.

I have considered the rival contentions and perused the record.

Allegations are serious in nature. Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 has been invoked against the applicants. Weapons of offence are yet to be recovered which may require custodial interrogation of the applicants. There are independent eyewitnesses to the allegations as per submissions made by the IO.

Considering the aforesaid circumstances, no ground for grant of anticipatory bail to the applicants is made out. Application therefore is dismissed and stands disposed off accordingly.

Copy of the order be uploaded on the Web Site of District Court. A copy of this order be further supplied to the Ld. Counsel for the applicants and to the IO through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 311/20

FIR No. 188/2019

PS: Malviya Nagar

State Vs. Sunny

U/s 302 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. L. K. Verma, Ld. Counsel for the Accused/Applicant Sunny.

Heard on the bail application.

The instant bail application has been moved on the ground that the accused has undergone 7 surgeries while he was in the jail. It is stated that the accused has been falsely implicated in this case, he needs further treatment and his immunity is low due to multiple surgeries, thereby making him prone to the risks of COVID-19.

Reply to the bail application has been filed by the IO. It is stated in the reply that the accused had murdered one Pinki and the incident was witnessed by the minor son of the deceased, who supported the case of the prosecution in his statement recorded under Sec. 164 Cr.P.C. IO has also informed in the reply that after stabbing the deceased, the accused inflicted stab injuries on his person, which fact is confirmed by FSL in its report.

Report regarding medical condition of the accused has been received from the Jail Superintendent according to which the accused underwent multiple surgeries while in the Jail and is still undergoing treatment in the Jail Dispensary. It is further reported that all the medical facilities are made available to the accused in the Jail.



Bail application is opposed by the Ld. Addln. PP for the State on the ground that allegations are serious in nature. Ld. Addln. PP further submits that measures have already been undertaken to decongest the Jails and there are thus no reasons for the accused/applicant to apprehend that he may contract COVID-19 in the Jail.

I have considered the rival contentions. Record perused.

The medical report received from the Jail Superintendent reflects that the accused has undergone multiple surgeries and is still unwell. He is being treated inside the Jail. It can be assumed without much evidence that the accused may be having low immunity due to multiple surgeries and hence is prone to the risks of COVID-19. No doubt the allegations are serious in nature. The record however reflects that the accused was admitted to interim bail earlier also and he did not misuse the liberty.

Considering the aforesaid reasons, the accused Sunny is admitted to interim bail for a period of 30 (thirty) days, on furnishing of bail bond in the sum of Rs.30,000/- (Rs. Thirty Thousand only) with one surety in the like amount to the satisfaction of the concerned Ld. MM/Ld. Link MM/Ld. Duty MM, subject to the conditions that:

- (i) the accused/applicant shall attend the Court in accordance with the conditions of the bond executed;
- (ii) the accused/applicant shall not tamper with the evidence or induce, threaten, coerce or influence the witnesses;
- (iii) the accused/applicant shall not commit an offence similar to the offence of which he is accused of;
- (iv) the accused shall inform about his mobile number that he shall be using during the period of his interim bail by mentioning it on the bail bond; shall install Arogya Setu App, and keep the



Bluetooth & GPS on at all times. This condition is being put to ensure that the directives issued by the Government of India are complied, and also in alternative to the direction to the accused to appear before the SHO and mark his attendance every week considering that asking the accused to travel every week may expose him to COVID-19.

The accused/applicant is directed to surrender before the jail authority after expiry of the period of interim bail. The application is disposed off accordingly.

A copy of this Order be sent to Jail Superintendent and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 341/20

FIR No. 227/2019

PS: Hauz Khas

State Vs. Lalit

U/s 307/34 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Sunil, Ld. Counsel for the Accused/Applicant Lalit.

Heard on the grounds of urgency.

The instant bail application has been moved on the ground that wife and minor child of the accused are alone amid COVID-19 Pandemic. It is also averred that case of the accused/applicant falls in the categories recommended for bail by the Hon'ble High Powered Committee of the Hon'ble High Court of Delhi.

Let a report be called from the IO with further direction to the IO to file a legible copy of the FIR, returnable for **21.05.2020**.

Let a copy of this order be uploaded on the Website of the District Court and be also supplied to the counsel for the accused and the IO through email.



**ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020**

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 342/20
FIR No. 566/2018
PS: Saket
State Vs. Prashant @ Badal @ Shivam
U/s 307/34 IPC

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Jitender Tyagi, Ld. Counsel for the Accused/Applicant Prashant
@ Badal @ Shivam

Heard on the bail application.

Accused is seeking interim bail on the ground that his case falls in the categories recommended for bail by the Hon'ble High Powered Committee of the Hon'ble High Court of Delhi. It is also stated in the application that evidence in this matter is already complete and material witnesses of the prosecution have turned hostile.

IO has filed the report, which is perused. It is stated in the report that the accused absconded initially and was declared a proclaimed offender. He was later arrested on 25.03.2019.

The bail application has been opposed by the Ld. Addln. PP for the State on the ground that the allegations are grievous in nature and injured in this case had received stab injuries due to which the offence alleged against the accused is punishable with life imprisonment and not with a sentence of 10 years, and thus does not fall in the categories recommended for bail by the Hon'ble High Powered Committee.

I have considered the rival contentions.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a vertical line and a small flourish at the bottom right.

Considering the nature of allegations, maximum sentence that the offence attracts and previous conduct of the accused (i.e. he absconded and was declared proclaimed offender), the bail application is dismissed and stands disposed off.

A copy of this Order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 286/20

FIR No. 644/19

PS - Mehrauli

State Vs. Rakesh Kumar

U/Sec. 302/34 IPC

19.05.2020

**Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Kaushal Kishore, Ld. Counsel for the accused/applicant.**

Part arguments on the bail application advanced.

During arguments, Ld. Counsel for the accused/applicant has sought permission to withdraw the bail application with liberty to file it afresh once normal functioning in the courts resumes. Bail application is thus disposed off as withdrawn with liberty as prayed.

Copy of the order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of the District Court. A copy of this order be further supplied to Ld. Counsel for the accused through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts

19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 310/20

FIR No.1635/16

PS- Mehrauli

State Vs. Dinesh Kumar

U/Sec. 392/394/506 IPC

19.05.2020

**Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Pawan Gupta, Ld. Counsel for the accused/applicant.**

Medical report was called from the Jail Superintendent, has been awaited till hearing of the matter today but is not received. Let the report regarding medical condition of the accused be called from the Jail Superintendent for **22.05.2020**.

Copy of the order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through email.


(Jyoti Kler)

**ASJ on Duty/South District/Saket Courts
19.05.2020**

Through Video Conference via CISCO WebEx

Reg. No. by AOJ (South) : 319/20
FIR No. 3086/2015
PS: Mehrauli
State Vs. Anil Kumar
U/s 376/506 IPC & 4 POCSO Act

19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. M.P. Sinha, Ld. Counsel for the Accused/Applicant Anil Kumar.

Heard on the bail application.

The instant bail application has been moved by the accused on the ground that wife of the accused is suffering from heavy bleeding and is a suspected case of ovarian tumor. Accused has sought interim bail for 45 days on the ground that his wife requires urgent medical treatment.

Reply has been filed by the IO wherein application for interim bail has been opposed. It is stated that the allegations are grievous in nature.

Notice of the application was issued to the victim however none has appeared for the victim.

Bail application has been opposed by the Ld. Addln. PP for the State on the ground that the instant case is of incest. Accused is the maternal grandfather of the Victim and Victim currently is in the custody of her maternal grandmother. It is contended that if bail is granted to the accused, Victim may be at risk.

I have considered the rival contentions. Record is perused.

The accused has filed copy of a medical certificate with his application. It is mentioned in the certificate that wife of the accused is a



suspected case of Ovarian Tumor, however no prescription, medical advise or investigation report has been attached with the said certificate. Court asked Ld. Counsel for the accused to file such documents, however, Ld. Counsel submits that the certificate furnished with the application is the only document available with the wife of the applicant, as per instructions received by him. The medical certificate per se is not credible in the absence of supporting documents.

Allegations against the accused are serious in nature. Examination of the Victim, as reflected from the application, is not yet.

Considering the serious nature of allegations, and other reasons mentioned hereinabove, the bail application is dismissed and stands disposed off.

A copy of this Order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant through e-mail.



(Jyoti Kler)
ASJ on Duty/South District/Saket Courts
New Delhi/19.05.2020

Through Video Conference via CISCO WebEx

Reg. No. by AO (J) (South) : 318/20

FIR No.26039/18

PS- Mehrauli

State Vs. Yogesh@Lala@Yash

U/Sec. 395/411/120B IPC and Sec.25 & 27 Arms Act


19.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Sh. Vikrant Chowdhary, Ld. Counsel for the accused/applicant.

Heard on the bail application.

During arguments, Ld. Counsel for the accused seeks liberty to file fresh documents regarding the medical condition of daughter of the accused. Let the documents be filed by 4.00 PM of 22.05.2020. Application be put up for consideration on 23.05.2020.

Copy of the order be uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts

19.05.2020