

FIR No. 198/2019  
PS Kashmere Gate  
U/s 307/397/412/34 IPC  
State Vs. Aamir Hussain

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr. Amit Saini, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that he has already moved regular bail application of the applicant/accused and therefore, he wants to withdraw the bail application.

In view of above submission, bail application is dismissed as withdrawn.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 198/2019  
PS Kashmere Gate  
U/s 307/397/412/34 IPC  
State Vs. Aamir Hussain

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Amit Saini, Ld. Counsel for applicant/accused.

This is an application for grant of bail is moved on behalf of  
applicant/accused.

Issue notice to the IO for filing reply of bail application.

List on 11.06.2020 for arguments on bail application.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 19/2014  
PS DBG Road  
U/s 498/306/304-B/34 IPC  
State Vs. Vijay & Ors.

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Varun Dhingra, Ld. Counsel for applicant/accused.

Arguments on the bail application heard through video conferencing.

Reply to the bail application is filed.

Issue notice to the IO to verify the medical documents of the mother of the applicant/accused.

A certificate regarding conduct of the applicant/accused in the jail be summoned from the concerned Jail Superintendent.

List on 12.06.2020 for arguments on bail application.

(Mohd. Fairukh)  
ASJ-05 (Central) PHC/Delhi  
09.06.2020

FIR No. 188/2019  
PS Wazirabad  
U/s 323/354/363/376 IPC  
4/6/8 POCSO Act  
State Vs. Vivek Gaur & Ors.

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Uma Shankar, Ld. Counsel for applicant/accused.

Report received from Jail Superintendent. Perused the same. As per the report of the Medical Officer, Central Jail Hospital, the general condition and vitals of the inmate (applicant/accused) are stable and satisfactory.

In view of the aforesaid reply, Ld. Counsel for applicant/accused wants to withdraw the application.

In view of above submission, application is dismissed as withdrawn.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No.000271/18

PS. DBG Road

U/s 392,394,397,326,307,34 IPC  
State Vs. Parkash @ Akash @ Chinu

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr.P.K.Garg,Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused seeks time to place on record medical documents pertaining to the illness of parents of the applicant/accused.

At his request, now to come up for arguments on 11.06.2020.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 113/19  
PS : Sadar Bazar  
U/s : 324/307/34 IPC  
State Vs. Vineet @ Mohit

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Ms. Seema Gupta, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that bail application of co-accused is listed for hearing on 11.06.2020 and requests that this bail application be also listed for hearing on 11.06.2020 through video conference.

At request, put up this bail application through video conference on 11.06.2020.

(Mohd. Farukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Sh. Kamaldeep, Ld. Counsel for accused/applicant is present through video conference.

Medical report from the Jail has been received.

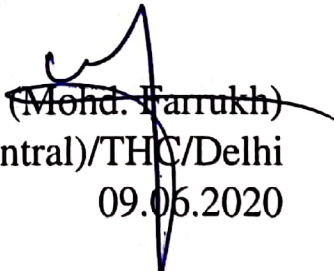
1. By way of this application, accused is seeking interim bail in the wake of outbreak of COVID-19, medical treatment of his wife and he is also suffering from major toothache.
2. Ld. Addl. PP for State has opposed the interim bail application on the ground that allegations against the accused are serious in nature and his case does not fall within the purview of the High Powered Committee of Hon'ble Delhi High Court.
3. I have heard the submissions and perused the record.
4. Perusal of ordersheet dated 30.05.2020 reflects that Ms. Neelofer Abida Perveen Ld. ASJ (Central) has already declined the interim bail to applicant/accused on the ground of illness of his wife, however, report was called regarding medical condition from the Jail Superintendent.
5. As per report received from the jail, accused was provided treatment for his toothache by the Doctor on duty in the Jail and he was referred to Dentist of Jail who examined the patient and advised him



medicine and referred him to MAIDS for further management and he will be sent to MAIDS on 10.06.2020.

6. The case of the applicant/accused does not come under the purview of the guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court where the Committee has taken the lenient view for release of the UTPs who are facing trial in a case U/s 302 IPC being in judicial custody for more than two years having no involvement in any other case.

7. Keeping in mind the aforesaid guidelines, accused is not entitled for grant of interim bail as he is in judicial custody since 09.07.2018 i.e. for about 23 months. Accordingly, application is dismissed. Copy of this order be sent to the applicant/accused through the Jail Superintendent concerned.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020



FIR No. 56/20  
PS : Wazirabad  
U/s : 376/323 IPC  
State Vs. Abhinandan Singh

09.06.2020

- Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Sh. M. Mukul, Ld. Counsel for applicant/accused.  
Complainant is present.  
IO WSI Renu is present. Further reply to anticipatory bail has been filed.
1. It is submitted by the IO that applicant/accused is not cooperating in the investigation and he is not producing his mobile phone containing photographs of the prosecutrix.
  2. Ld. Counsel for applicant/accused submits that applicant/accused shall produce the mobile phone before the Investigating Officer.
  3. In view of the aforesaid submissions, applicant/accused is directed to join the investigation with the IO within a week and further as and when required by the IO.
  4. Put up for further proceedings on 19.06.2020. Till then interim order to continue.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

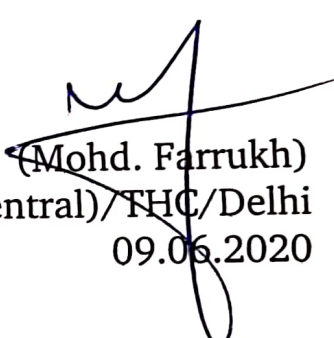
09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Zia Afroz, Ld. Counsel for applicant/accused is present  
through video conferencing.

1. This is application seeking grant of bail filed on behalf of applicant/accused on medical ground of his son.
2. It is submitted by Ld. Addl. PP for State that case of applicant/accused does not fall within the purview of guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court.
3. I have heard Ld. Counsel for applicant/accused as well as Ld. Adl. PP for State and perused the reply filed by the IO.
4. As per the case of the prosecution, accused/applicant Rakesh @ Tinda alongwith with his co-accused came at the place of occurrence in drunken condition and accused-applicant started abusing the complainant and slapped him. When the complainant raise objection, applicant-accused caught hold him and co-accused Aman @ Chatu stabbed in the waist of the complainant with knife. The complainant picked the knife from co-accused Aman @ Chatu and thereafter they both ran away from the spot. The accused is facing trial for commission of offence punishable u/s 307/324/34 IPC.
5. It is submitted in the reply that, son of applicant/accused was medically examined on 28.05.2020 in OPD with history of loose motion and his condition was stable. It is further mentioned in the application that accused-applicant is involved in 03 other cases.



6. Considering the aforesaid circumstances where accused-applicant is involved in 03 other cases, the case of applicant/accused does not fall within the purview of guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court. Hence, I am not inclined to grant bail to applicant/accused, hence, bail application is dismissed. A copy of this order be sent to the applicant/accused through the Jail Superintendent.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 558/2015

PS Nabi Karim

U/s 328/308/376D/354/34 IPC

State Vs. Jai Bhagwan @ Rahul

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr. Chetan Kumar Sharma, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused seeks time to place on record medical documents pertaining to the illness of mother of the applicant/accused.

At his request, now to come up for arguments on 15.06.2020.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 245/2018

PS Nabi Karim

U/s 302 IPC

State Vs. Parveen Kumar @ Pummy

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr. Siddharth Sharma, Ld. Counsel for applicant/accused.

IO Inspector Tej Dutt Gaur in person.

IO submits that documents could not be verified.

At his request, now to come up on 12.06.2020.

(M~~ohd.~~ Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Sh. Suraj Prakash, Ld. Counsel for accused/applicant.

ASI Abhay Raj is present. Reply is filed.

1. By way of this application, accused is seeking interim bail for 45 days for medical treatment of his wife.
2. As per reply filed, accused is facing trial for the offence U/s 302 IPC which is listed for prosecution evidence on 27.06.2020. Wife of applicant/accused is residing at her parental home at Agra, UP and is taking treatment from there. Medical papers of wife of applicant/accused are found to be genuine. It is further stated in the reply that as per the available record, accused is previously convicted in case FIR No. 256/13 U/s 354B/384/506 IPC of PS Uttam Nagar.
3. Ld. Addl. PP for State has opposed the interim bail application on the ground that allegations against the accused are serious in nature and his case does not fall within the purview of the High Powered Committee of Hon'ble Delhi High Court.
4. I have heard the submissions and perused the record.
5. Though the medical papers of wife of applicant/accused are found to be genuine, however, case of the applicant/accused does not come under the purview of the guidelines dated 18.05.2020 issued by the High

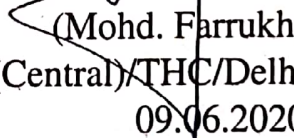


FIR No. 302/18  
PS : Pahar Ganj  
U/s : 302 IPC  
State Vs. Dharam Singh @ Vicky

2

Powered Committee of Hon'ble Delhi High Court where the Committee has taken the lenient view for release of the UTPs who are facing trial in a case U/s 302 IPC being in judicial custody for more than two years having no previous involvement.

6. Keeping in mind the aforesaid guidelines, accused is not entitled for grant of interim bail as he is a previous convict and has been convicted in FIR No. 256/13 U/s 354B/384/506 IPC of PS Uttam Nagar. Accordingly, application is dismissed. Copy of this order be sent to the applicant/accused through the Jail Superintendent concerned.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Sh. Mukesh Kalia, Ld. Counsel for accused/applicant.

Reply is filed.

Report from the Jail has also been received.

1. By way of this application, accused is seeking interim bail for 45 days on the ground that applicant/accused is aged about 65 years and is suffering from fever, diarrhea and other old aged ailments like heart disease, high blood pressure and back bone problem and due to outbreak of COVID-19, patients above the age of 60 years and suffering from various diseases are in danger.
2. I have heard the submissions and perused the record.
3. Applicant/accused is facing trial in the present case U/s 302 IPC. It has been argued by Ld. Counsel for applicant/accused that the case of the applicant/accused falls under the purview of the guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court where the Committee has taken the lenient view for release of the UTPs who are facing trial in a case U/s 302 IPC being in judicial custody for more than two years having no previous involvement and male UTPs (above 65 years of age) facing trial in a case except the ones excluded hereunder and are in jail for more than six months with no involvement in





FIR No. 176/17  
PS : Pahar Ganj  
U/s : 302 IPC  
State Vs. Bhagat Ram

2

any other case. As per reply filed by the Police, accused is not involved<sup>ed</sup> in any other case except the present one. Report received from the Jail also reflects that conduct of accused is satisfactory in the jail and he has not been awarded any punishment.

4. Keeping in mind the aforesaid guidelines and good conduct of the accused in jail, accused is granted interim bail for 45 days commencing from the date of his release on his furnishing personal bond in sum of Rs. 50,000/- with one surety in the like amount subject to the condition that he will not try to influence the prosecution witnesses. After expiry of interim bail period, accused will surrender himself before the Jail Superintendent concerned. Copy of this order be sent to the applicant/accused through the Jail Superintendent as well as Jail Superintendent concerned for intimation.

(Mond. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 0050/2020

PS Chandni Mahal

U/s 307 IPC

State Vs. Mohd Umair @ Umer

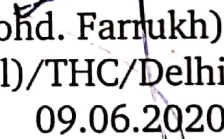
09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State assisted  
by Sh. Sumit Kumar, Ld. Counsel for complainant.  
Mr. Jaspal Singh, Ld. Counsel for applicant/accused.  
IO SI Ram Niwas in person. Reply has been filed.

This is an application for extension of interim bail u/s 439 Cr.P.C.  
moved on behalf of applicant/accused.

After addressing some arguments, Ld. Counsel for  
applicant/accused wants to withdraw the application.

In view of above submission, application is dismissed as  
withdrawn.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 089/2019

PS Jama Masjid

U/s 364-A/323/34 IPC

State Vs. Islam

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr. Lalit Kumar Mavi, Ld. Counsel for applicant/accused is present through video conferencing.

1. This is second application for grant of regular bail filed on behalf of applicant/accused Islam. Reply to the bail application is filed.
2. FIR No. 89/2019 had been registered against the applicant/accused and co-accused Irsad and Yajid on 02.06.2019 at PS Jama Masjid for the offences U/s 364A/323/34 IPC on the statement of complainant Nargis with the allegations that on 2/3-06-2019 at about 3 am she has received a ransom call of Rs 75, 000/- for release of her son. Later on the said ransom amount of Rs 75, 000/- was reduced to Rs. 18,000/- . The complainant was unable to arrange the said ransom amount so she contacted the police. After registration of case, all the three accused persons were arrested.
3. It is submitted by Ld. Counsel for applicant/accused that he has been falsely implicated in this case. Applicant/accused is in judicial custody since 04.06.2019. It is further submitted that co-accused namely Wazid was released on police bail and co-accused Irshad was admitted on regular bail on 05.06.2020. It is further submitted that a quashing petition in the present case was in the process of being preferred but was stalled during the nationwide lock down. It is further



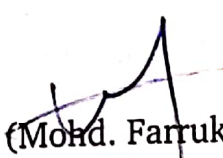
submitted that due to breakdown of COVID-19, applicant/accused has apprehension to be affected in the Jail and accordingly, Ld. Counsel has prayed that applicant/accused may be granted bail.

4. On the other hand, Ld. Addl. PP for State has vehemently opposed the bail on the ground that allegations against the applicant/accused are very serious in nature.

5. I have heard the arguments and perused the record.

6. Perusal of the record reflects that investigation of this case qua the applicant/accused is complete. Applicant/accused is in J/C since 04.06.2019. Trial of this case may take substantial time to conclude. The other co-accused persons have already been released on bail.

7. Considering the aforesaid facts and circumstances coupled with the directions in the Minutes of the Meeting held on 07.04.2020 under the chairmanship of HMJ Hima Kohli, it is directed that applicant/accused be enlarged on bail on his furnishing personal bond in sum of Rs. 30,000/- with one surety of like amount with direction that (1) he will not indulge himself in any such activity which may hamper trial of the case (2) he will appear before the Trial Court on each and every date (3) he will not try to influence the witnesses. Application stands disposed of. A copy of this order be sent to the applicant/accused through the Jail Superintendent for intimation.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Sh. Kamal J.S. Maan, Ld. Counsel for accused/applicant.

Reply to interim bail application is filed.

1. By way of this application, accused Bali Khan is seeking interim bail for getting surgery of his wife which is scheduled for 16.06.2020 as no responsible person is available with her at this time due to outbreak of COVID-19.

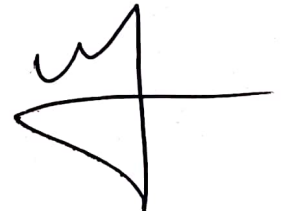
2. Ld. Counsel for applicant/accused has placed reliance upon the Judgment in **Athar Pervez Vs. State CrI. Ref. No. 1/2015** passed by Division Bench of Hon'ble Delhi High Court.

3. As per reply filed by IO, FIR No. 54/20 had been registered against the applicant/accused U/s 20/29 NDPS Act at PS Crime Branch as 180 kg of ganja was recovered from the possession of applicant/accused.

4. Ld. Addl. PP for State has opposed the interim bail application on the ground that allegations against the accused are serious in nature and his case does not fall within the purview of the High Powered Committee of Hon'ble Delhi High Court.

5. I have heard the submissions and perused the record.

6. In the Judgment of **Athar Pervez Vs. State (supra)**, Hon'ble **Delhi High Court** has observed that *'interim bail can be granted to the*



*accused/convict when exceptional and extra-ordinary circumstances would justify this indulgence and the power is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release.'*

7. Accused is seeking interim bail for getting the surgery of his wife and no responsible person is available with her at this time due to outbreak of COVID-19. Medical papers of wife of accused have been verified by the IO, according to which, she is to undergo surgery on 16.06.2020.

8. Considering the aforesaid facts and circumstances, applicant/accused is granted interim bail for 15 days commencing from the day of his release on his furnishing personal bond in sum of Rs. 50,000/- with two local sureties in the like sum each subject to the conditions that (1) he will appear before the IO concerned STARS-II/Crime Branch, Delhi at 5 p.m. daily during the interim bail period and (2) he will not try to influence the prosecution witnesses. After expiry of interim bail period, accused will surrender himself before the Jail Superintendent concerned. Copy of this order be sent to the applicant/accused through the Jail Superintendent as well as Jail Superintendent concerned for intimation.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

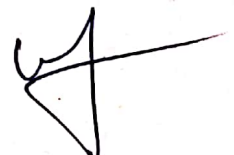
FIR No. 0005/18  
PS Crime Branch  
U/s 20 NDPS Act  
State Vs. Khokan Haque

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

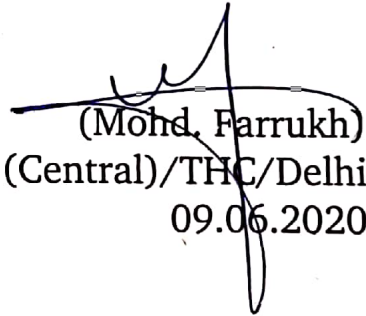
Mr. Mohd. Shajahan Islam Ld. Counsel for applicant/accused.

1. The accused-applicant has filed an application seeking interim bail for 45 days on the ground that he is suffering from serious lung problem. It is submitted that he is C.O.P.D patient having lung and breathing problem since long time and he could not be able to take proper breath and using Inhaler and medicines continuously and presently it is very difficult to him to stay in jail due to fear of Covid-19. The applicant/accused has relied upon guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court.
2. The bail application has been vehemently opposed by Ld. Addl. PP for State submitting that accused is facing trial u/sec. 20 NDPS Act and commercial quantity of 50 kg of *Ganja* has been recovered from him. It is further submitted that case of applicant/accused does not fall within the purview of guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court as High Powered Committee of Hon'ble Delhi High Court has specifically excluded *those inmates who are undergoing trial for intermediary/large quantity recovery under NDPS Act.*
3. I have heard Ld. Counsel for applicant/accused as well as Ld.



Adl. PP for State.

4. I am in agreement with the submissions of Ld. Adl. PP for State., The case of the applicant/accused is not covered within the purview of guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court for granting interim bail as large quantity of commercial narcotics has been recovered from the accused/applicant. Furthermore, accused-applicant is not facing such medical emergency as not to be taken care of in the jail. Hence, I am not inclined to grant bail to applicant/accused, hence, bail application is dismissed. A copy of this order be sent to the applicant/accused through the Jail Superintendent.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020



FIR No. 46/2019  
PS Chandni Mahal  
U/s 392/397/411 IPC  
State Vs. Adnan

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
None for applicant/accused.

This is an application for grant of bail moved on behalf of applicant/accused.

Reply to the bail application is filed.

As none is present on behalf of applicant/accused, hence matter is adjourned for 12.06.2020 for arguments on bail application.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 364/2016  
PS Sadar Bazar  
U/s 376/342/506 IPC  
State Vs. Maqsood Alam @ Chunnu

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Usman Chaudhary, Ld. Counsel for applicant/accused.  
IO SI Ranvijay in person. Reply filed.

This is an application u/s 439 Cr.P.C. for grant of interim bail is moved on behalf of applicant/accused.

Issue notice to the IO to file reply of bail application as well as previous involvement of accused, if any, on next date of hearing.

Notice be also issued to the complainant/victim through IO concerned as presence of complainant/victim is necessary before hearing on bail application of accused u/s 376 IPC in terms of Practice Direction bearing No. 67/Rules/DHC Dated 24.09.2019 issued by Hon'ble High Court of Delhi.

A certificate regarding conduct of the applicant/accused in the jail be summoned from the concerned Jail Superintendent.

List on 15.06.2020 for arguments on bail application.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 107/2020  
PS Nabi Karim  
U/s 394/397/34 IPC  
State Vs. Sunil @ Ajay

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Avnish Kumar Sharma, Ld. Counsel for applicant/accused.

This is an application u/s 438 Cr.P.C. for grant of bail is moved on behalf of applicant/accused.

Ld. Counsel for applicant/accused submits that due to typographical error the bail application has been captioned as anticipatory bail and same be treated as regular bail application. In view of his submissions, present bail application be treated as regular bail application.

Issue notice to the IO for filing reply of bail application.

List on 12.06.2020 for arguments on bail application.

(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 98/18  
PS Sadar Bazar  
U/s 302/307/34 IPC  
State Vs. Ranvir @ Ranglal

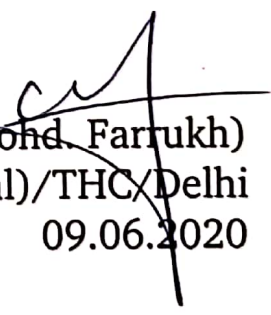
09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Lokesh Kumar Garg, Ld. Counsel for applicant/accused.  
IO SI Vijay Kumar in person. Reply has been filed.

This is an application for interim bail u/s 439 Cr.P.C. moved on behalf of applicant/accused.

After addressing some arguments, Ld. Counsel for applicant/accused wants to withdraw the bail application.

In view of above submission, bail application is dismissed as withdrawn.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 103/19  
PS Sadar Bazar  
U/s 394/397/411/34 IPC  
State Vs. Gautam

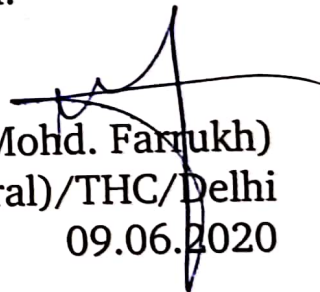
09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
Mr. Nitin, Ld. Counsel for applicant/accused.  
IO in person. Reply has been filed.

This is an application for interim bail u/s 439 Cr.P.C. moved on behalf of applicant/accused.

Trial court record be summoned for the next date.

List on 15.06.2020 for arguments on bail application.

  
(Mohd. Farukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 86/2020  
PS Nabi Karim  
U/s 376 IPC & 6 POCSO Act  
State Vs. Varun

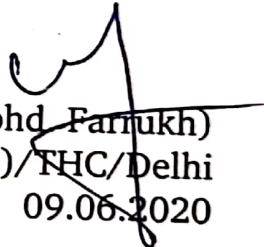
09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.  
None for applicant/accused.

This is an application for grant of bail moved on behalf of applicant/accused.

Reply to the bail application is filed.

As none is present on behalf of applicant/accused, hence matter is adjourned for 12.06.2020 for arguments on bail application.

  
(Mohd. Fariukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

FIR No. 90/18

PS Pahar Ganj

U/s 326/324/506/34 IPC

State Vs. CCL Nakul

09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Mr.P.K.Garg,Ld. Counsel for applicant/witness.

IO ASI Abhay Raj in person. Reply filed.


This is an application moved on behalf of applicant/witness Yogesh @ Chonch for issuing direction to Jail Superintendent, Tihar to release him from jail.

Ld. Counsel for applicant/witness submits that applicant/witness was ordered to be released from jail by Sh. Gopal Singh Chauhan, Ld. Principal Magistrate, Juvenile Justice Board-III, Delhi vide order dated 05.06.2020.

Perused the said order.

Issue notice of the said application to Jail Superintendent to file his reply for the next date.

List on 11.06.2020. Order dated 05.06.2020 passed by Sh. Gopal Singh Chauhan, Ld. Principal Magistrate, Juvenile Justice Board-III, Delhi be also sent alongwith the notice.

  
(Mohd. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020

In the court of Sh. MOHAMMAD FARUKH, L.A.-ASJ.

In the court of Sh. MOHAMMAD FARUKH, L.A.-ASJ.  
DUTY JUDGE, CENTRAL BENCH



FORM NO. 45

Present: Surety with Counsel  
Documents of Surety be Bond and Bail Bond for Attendance Before  
verified through SHO of Office Incharge of Police Station of Court  
(Section 436, 437, 438 (3) and 441)  
11/6/2020 in the court of Shri. Manoj Kumar, Asst. Magistrate, Delhi

Police Station Paharganj.  
Under Section 302 IPC.  
F.I.R. No. 330/2015

Next date of hearing 6.8.2020  
Sent to Jail on 28.5.2015

Bail Bond

I Umesh Kumar Patel Son of Shri. Rishi Singh  
Residence Village Umbe - P.S. Raipur, Karchuliyon, Sirft. Rithi, M.P.  
having been arrested or detained without warrant by the Officer In charge of Paharganj.  
Police Station for having been brought before this Honorable Court charged with the offence of  
IPC 302 IPC and required to give surety for my attendance  
before such Officer of Court on condition that I shall attend such Officer Officer or Court on every day on  
which any investigation or trial is held with regard to such charge and in case of my making default here  
in myself to forfeit to Government the sum of Rs. 25,000/-  
Signature J/C

DELHI

DATED 9.6.2020

I Balram Kumar Patel Son of Shri. Raj Karan Patel  
Residence N-15-B-36, Indira Vikas colony, Mukherji Nagar, Delhi-110029  
hereby declare myself for the above said Shri. Umesh Kumar Patel  
That he shall attend the Officer-in-charge of P.S. Paharganj.  
Police Station or the Court of Shri. Balram Kumar, L.A.-ASJ Delhi  
every day on which any investigation in the charge is made or any trial on such charge is held that he  
shall be and re-appear before such officer or court for the purpose of such investigation to answer the  
charge against him ( as the case may be ) and in the case or his making default herein I have blind myself  
to forfeit to Govt. the sum of Rs. 25,000/-

Dated this 9/6 Day of June 2020

Signature. Balram  
Mobile no. 93158120

Witness



09.06.2020

Present: Ms. Reeta Sharma, Ld. Addl. PP for State.

Sh. Anupam S. Sharma, Ld. Counsel for accused/applicant is present through video conference.

Medical report from the Jail has been received.

1. By way of this application, accused is seeking regular bail on the grounds inter-alia that accused is in judicial custody for last 11 years and the case is pending for arguments for last three months. It is further submitted that final arguments would not be possible in coming days as regular Courts are not able to function due to outbreak of COVID-19. It is further submitted that accused was granted interim bail on previous occasions and on each and every occasion, he has surrendered himself before the authorities in time.
2. Ld. Counsel for applicant/accused has placed reliance upon the order in **Bail Application No. 790/2020, Crl. M.A. No. 5886/2020 & Crl. M.A. No. 5887/2020** titled as **Firoz Alam Vs. State** to contend that Hon'ble Delhi High Court in similar circumstances, has granted regular bail to the applicant
3. During the course of arguments, it is submitted by Ld. Counsel for applicant/accused that in case, this Court comes to the conclusion that applicant/accused is not entitled to regular bail, the present bail application, in the alternative, be treated as application for grant of interim bail in terms of guidelines dated 18.05.2020 issued by the High



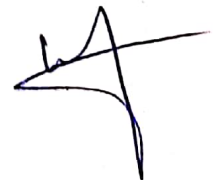
Powered Committee of Hon'ble Delhi High Court in the wake of outbreak of COVID-19.

4. Per contra, Ld. Addl. PP for State has vehemently opposed the grant of regular bail to the applicant/accused submitting that applicant/accused is facing trial for heinous offences and he has never been granted regular bail in the present case. However, she has conceded that the case of applicant/accused falls within the purview of the aforesaid guidelines dated 18.05.2020.

5. I have heard the submissions and perused the record.

6. In the present case, accused is facing trial for the offences U/s 364A/120B/506 IPC on the allegations that applicant/accused has kidnapped the minor son of the complainant and demanded ransom amount of Rs. 2 Crores. The case is at final stage as submitted by Ld. Counsel for applicant/accused. The aforesaid order relied upon by Hon'ble Delhi High Court in **Firoz Alam Vs. State** (supra) is not applicable to the facts and circumstances of the present case as in the said case, the Hon'ble High Court considering the condition of ailing parents requiring urgent assistance of the accused, took a lenient view while granting regular bail to the accused, however, such is not the case of the applicant/accused.

7. In view of aforesaid facts and circumstances, accused is not entitled for regular bail, hence, his regular bail application is dismissed.



However, since the accused is aged about 72 years being in judicial custody for 11 years and having no other involvement in any other case as per reply filed by IO, his case falls under the purview of the guidelines dated 18.05.2020 issued by the High Powered Committee of Hon'ble Delhi High Court where the Committee has taken the lenient view for release of the male UTPs (above 65 years of age) facing trial in a case and are in jail for more than six months with no involvement in any other case.

8. Keeping in mind the aforesaid guidelines, accused is granted interim bail for 45 days commencing from the date of his release on his furnishing personal bond in sum of Rs. 50,000/- with one surety in the like amount subject to the good conduct in the Jail with further condition that he will not indulge himself in any such activity which may hamper trial of this case. After expiry of interim bail period, accused will surrender himself before the Jail Superintendent concerned. Copy of this order be sent to the applicant/accused through the Jail Superintendent as well as Jail Superintendent concerned for intimation.

(Mond. Farrukh)  
ASJ-05 (Central)/THC/Delhi  
09.06.2020