

BAIL APPLICATION

State V. Ajay @ Nathu

FIR No. : 48/2015

PS.: Nabi Karim

U.S: 186,353,333,307,201,75,34 IPC

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Sh. Deepak Sharma, Ld. counsel for accused/ applicant Ajay @ Nathu through VC.

An application filed on behalf of such accused regarding his medical documents/his medical status report.

It is stated by counsel for accused that he wants copy of medical status report dated 27.06.2020 filed by Medical Officer Incharge, Jail no. 3, Tihar Jail, Delhi filed at the time of hearing on interim bail application.

Heard.

Let a soft copy of the same be supplied to counsel for accused through electronic mode.

With these observations, present application is disposed of.

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**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020**

BAIL APPLICATION

State V. Akash Kumar S/o Ashok Kumar
FIR No. : 191/2019
PS.: Karol Bagh
U.S: 302,307,120B,201,34 IPC

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State
through VC.
Sh. Saleem Malik, Ld. counsel for accused/
applicant through VC.

Fresh interim bail application filed.

**Put up for reply including regarding medical
condition of the father or any other family member of the
accused, arguments and appropriate orders on 22.07.2020.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020

BAIL APPLICATION

FIR No. :19/2019
PS:Timar Pur
STATE v. Mohit s/o Shadev
U/S:323, 341, 308, 34 IPC

17.07.2020.

Present: Sh. Pawan Kumar, Addl. PP for the State through VC.
Mr. Alamine, learned counsel for the applicant / accused through VC.

Reply filed by the IO ASI Sanjeev Kumar.

As per such reply, such accused Mohit is still undergoing treatment for corona virus infection.

AS such matter is put up for further proceeding /appropriate order for NDOH.

Let a fresh reply be filed by the IO by next date ,regarding latest medical condition of such accused Mohit relating to corona virus infection. **Issue fresh notice to IO accordingly.**

Put up for reply, arguments and appropriate order for **28/07/2020.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020

: 1 :

Interim Bail Application

**State v. Murgan @ Anna S/o Sh. Ganesh
FIR No. 359/2014
PS.: Pahar Ganj
U/s: 307,387,120B, IPC &
25,27,54,59 Arms Act**

17.07.2020.

**Present: Mr. Pawan Kumar Learned Addl. PP for State
through VC.
Mr. Ramesh Puniya, Ld. Counsel for the
applicant/accused through V.C.**

1. Vide this order present interim bail application of the accused dated 03.07.2020 filed through counsel is disposed of.

2. It is stated in such application that accused is in JC since 06.08.2014. That he falls under the relaxed criteria given by the Hon'ble High Court. That he is the only bread earned of the family. He has deep roots in the society. That he is the permanent resident of Delhi. That on 15.06.2020, his son met with an road accident and suffered multiple injuries on the body. As such, it is prayed that he be granted interim bail for 45 days.

3. Reply filed by IO dated 15.07.2020. Further, on the same line, it is argued by learned APP that present offence is very serious in nature. That this accused is involved in serious offence including attempt to kill. Further, PW-1 Raju Yadav deposed specifically against him during course of evidence in the court and he even suffered bullet injury in the same. Further, it is further stated that such accused is involved in other two criminal cases. As such, it is stated that although his conduct in

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jail is found to be good but he does not fall in the criteria dated 18.05.2020. As such, present bail application is opposed.

4. I have heard both the sides and gone through the record. The ground stated by accused are not sufficient and vague in nature. Further, offence, is serious in nature and the present accused played a specific role in the same. As such, this court is not inclined to grant relief claimed in the present case. **With these observations present bail application is disposed of as dismissed.**

5. **Learned counsel for the applicant / accused is at liberty to collect the order through electronic mode. Further, a copy of this order be sent to Jail Superintendent concerned.**

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(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
17.07.2020.

: 1 :

EXTENSION OF INTERIM BAIL APPLICATION

State v. Pooja
FIR No. 292/2014
PS.: Rajinder Nagar
U.S: 302,392,411,120B,34 IPC

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State
through VC.
None for accused.

Today the case was fixed for order/clarifications, if any.

1. Vide this order, application dated 14.07.2020 filed by accused through counsel for extension of interim bail is disposed off.

2. It is stated that he was earlier in JC and thereafter he was granted interim bail for 45 days vide order dated 11.05.2020 by learned ASJ Neelofer Abida Parveen, Central District and again an order was passed on 22.06.2020. Now, it is prayed that there is another order dated 13.07.2020 passed by Hon'ble High Court and in view of the same, interim bail of the accused be extended further.

3. Arguments heard from both the sides and I have gone through the record including interim bail order dated 11.05.2020 and 22.06.2020.

4. At this stage it may be noted that Full bench of Hon'ble High Court of Delhi in its order dated 13/07/2020 in W.P. (C) 3037/2020 titled as "Court on its own motion v. Govt. of NCT of Delhi & Anr. Held as under :

".....5. In view of the above, we hereby further extend

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the implementation of the directions contained in our order dated 25th March, 2020 and 15th May, 2020 and 15th June, 2020, till 31st August, 2020 with the same terms and conditions.

6. The Hon'ble Single Bench of this Court in Crl.A.193/2020 titled as Harpreet Singh vs. State vide order dated 1st July, 2020 sought clarification to the following effect:

“7. The queries that the Hon'ble Full Bench may consider and decide for the guidance of all concerned are as follows:

a. Whether the orders made by the Hon'ble Full Bench in W.P. (C) No.3037/2020, **including last order dated 15.06.2020**, apply to all interim orders, whether made in civil or criminal matters, and regardless of whether such orders were made on or before 16.03.2020 or thereafter?

b. Where interim bail or interim suspension of sentence has been granted by a Bench of this court exercising discretion and based upon specific facts and circumstances of a given case, would such orders also stand automatically extended by operation of orders made by the Full Bench in W.P.(C) No.3037/2020?

8. While deciding the issue, the Hon'ble Full Bench may consider the aspect of parity, namely that, on a plain reading of the orders in W.P.(C) No.3037/2020, interim orders granted on or before 16.03.2020 appear to be getting extended by general directions; but those made after 16.03.2020 appear not to be covered thereby.”

7. In this regard, we make it clear that all the directions issued from 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 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 Courts subordinate to this Court**, to other inmates of the jail on their return to the jail, the decision of extension of interim

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bail/bail/parole has been taken from time to time. ***It is clarified that this order of 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.***

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9. List this matter on 24th August, 2020 for further directions.”.

5. In view of such order and clarification dated 13.07.2020 by Hon'ble High Court, there is no need to pass any specific order in the present application. Same is disposed off accordingly.

6. Both side are at liberty to collect the order through electronic mode. **A copy of this order be sent to Jail Superintendent concerned.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020

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EXTENSION OF INTERIM BAIL APPLICATION

**State v. Ravi Dhika
FIR No. 303/2014
PS.: Subzi Mandi
U.S: 302,307,120B IPC**

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Sh. Sanjay Kumar, Ld. Counsel for accused/ applicant through electronic mode.

1. Vide this order, fresh application dated 16.07.2020 filed by accused through counsel for extension of interim bail based on directions given by Hon'ble High Court is disposed off.

2. It is stated that he was earlier in JC and thereafter he was granted interim bail for 30 days by this court. Further, thereafter, same was extended till 15.07.2020. it is stated that thereafter, his application for further extension of interim bail was dismissed by this court vide order dated 14.07.2020. but now, it is further stated that Hon'ble High Court in the meanwhile passed order dated 13.07.2020 and in view of the same, interim bail of the accused be extended further, as that order was not received by this court when order dated 14.07.2020 was passed.

3. Arguments heard from both the sides and I have gone through the record including interim bail order dated 16.05.2020.

4. At this stage it may be noted that Full bench of Hon'ble High Court of Delhi in its order dated 13/07/2020 in W.P. (C) 3037/2020 titled as "Court on its own motion v. Govt. of NCT

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of Delhi & Anr. Held as under :

“.....5. In view of the above, we hereby further extend the implementation of the directions contained in our order dated 25th March, 2020 and 15th May, 2020 and 15th June, 2020, till 31st August, 2020 with the same terms and conditions.

6. The Hon'ble Single Bench of this Court in Crl.A.193/2020 titled as Harpreet Singh vs. State vide order dated 1st July, 2020 sought clarification to the following effect:

“7. The queries that the Hon'ble Full Bench may consider and decide for the guidance of all concerned are as follows:

a. Whether the orders made by the Hon'ble Full Bench in W.P. (C) No.3037/2020, **including last order dated 15.06.2020**, apply to all interim orders, whether made in civil or criminal matters, and regardless of whether such orders were made on or before 16.03.2020 or thereafter?

b. Where interim bail or interim suspension of sentence has been granted by a Bench of this court exercising discretion and based upon specific facts and circumstances of a given case, would such orders also stand automatically extended by operation of orders made by the Full Bench in W.P.(C) No.3037/2020?

8. While deciding the issue, the Hon'ble Full Bench may consider the aspect of parity, namely that, on a plain reading of the orders in W.P.(C) No.3037/2020, interim orders granted on or before 16.03.2020 appear to be getting extended by general directions; but those made after 16.03.2020 appear not to be covered thereby.”

7. In this regard, we make it clear that all the directions issued from 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 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

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bail/bail/parole granted by this Court **or the Courts 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 is clarified that this order of 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.***

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9. List this matter on 24th August, 2020 for further directions.”.

5. In view of such order and clarification dated 13.07.2020 by Hon'ble High Court, there is no need to pass any specific order in the present application. Same is disposed off accordingly.

6. Both side are at liberty to collect the order through electronic mode. **A copy of this order be sent to Jail Superintendent concerned.**

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ASJ-04/Central/THC
17.07.2020

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EXTENSION OF INTERIM BAIL APPLICATION

State v. Sanjay @ Dharamvir

FIR No. 130/2014

PS.: Kamla Market

U.S: 419,420,365,392,395,412,120B,34 IPC

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
None for accused.

Today the case was fixed for order/clarifications, if any.

1. Vide this order, application dated 10.07.2020 filed by accused Sanajy @ Dharamvir through counsel for extension of interim bail is disposed off.

2. It is stated that he was earlier in JC and thereafter he was granted interim bail for 30 days vide order dated 06.05.2020 by this court. Same was extended vide order dated 06.06.2020 by the court of Learned ASJ-01, Ms. Deepali Sharma. It is further stated that same was further extended in view of order dated 15.06.2020 passed by Hon'ble High Court. Now, it is prayed that there is another order dated 13.07.2020 passed by Hon'ble High Court and in view of the same, interim bail of the accused be extended further.

3. Arguments heard from both the sides and I have gone through the record including interim bail order dated 06.05.2020 and interim order passed thereafter.

4. At this stage it may be noted that Full bench of Hon'ble High Court of Delhi in its order dated 13/07/2020 in W.P. (C) 3037/2020 titled as "Court on its own motion v. Govt. of NCT

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of Delhi & Anr. Held as under :

“.....5. In view of the above, we hereby further extend the implementation of the directions contained in our order dated 25th March, 2020 and 15th May, 2020 and 15th June, 2020, till 31st August, 2020 with the same terms and conditions.

6. The Hon'ble Single Bench of this Court in Crl.A.193/2020 titled as Harpreet Singh vs. State vide order dated 1st July, 2020 sought clarification to the following effect:

“7. The queries that the Hon'ble Full Bench may consider and decide for the guidance of all concerned are as follows:

a. Whether the orders made by the Hon'ble Full Bench in W.P. (C) No.3037/2020, **including last order dated 15.06.2020**, apply to all interim orders, whether made in civil or criminal matters, and regardless of whether such orders were made on or before 16.03.2020 or thereafter?

b. Where interim bail or interim suspension of sentence has been granted by a Bench of this court exercising discretion and based upon specific facts and circumstances of a given case, would such orders also stand automatically extended by operation of orders made by the Full Bench in W.P.(C) No.3037/2020?

8. While deciding the issue, the Hon'ble Full Bench may consider the aspect of parity, namely that, on a plain reading of the orders in W.P.(C) No.3037/2020, interim orders granted on or before 16.03.2020 appear to be getting extended by general directions; but those made after 16.03.2020 appear not to be covered thereby.”

7. In this regard, we make it clear that all the directions issued from 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 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 Courts**

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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 is clarified that this order of 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.***

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9. List this matter on 24th August, 2020 for further directions.”.

5. In view of such order and clarification dated 13.07.2020 by Hon'ble High Court, there is no need to pass any specific order in the present application. Same is disposed off accordingly.

6. Both side are at liberty to collect the order through electronic mode. **A copy of this order be sent to Jail Superintendent concerned.**

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ASJ-04/Central/THC
17.07.2020

State V. Sahajada Irfan S/o Shafiquddin
FIR No. : 27/2014
PS.: Jama Masjid
U.S: 364A,368,394,397,412 IPC & 25,37 Arms Act

17.07.2020

Report from Jail Superintendent concerned received. Next date of hearing is 25.07.2020.

Accordingly, issue production warrant of this accused through Webex/electronic mode only from Jail itself for such next date of hearing.

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17.07.2020

BAIL APPLICATION

**State V. Sohanveer
FIR No. : 445/2017
PS.: Burari
U.S: 302,34 IPC**

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Sh. S.K. Jain, Ld. counsel for accused/ applicant through VC.

Part arguments heard.

Report regarding medical status not filed by Jail Superintendent concerned.

Issue fresh notice to Jail Superintendent concerned to file status report positively.

Further, put up for filing of case law/documents, if any by the accused side.

Put up for further reply, arguments and appropriate orders on 22.07.2020.

**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020**

12.30 pm.

At this stage,

Medical status report received from Jail Superintendent concerned. Same is taken on record.

Put up on date already fixed.

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ASJ-04/Central/THC
17.07.2020**

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Bail Application

State v. Vicky @ Ravi @ Pitti
FIR No. 200/2010
PS.: Pahar Ganj
U/S: 307,34 IPC

17.07.2020.

**Present: Mr. Pawan Kumar Learned Addl. PP for State through VC.
None for accused.**

Arguments already heard yesterday.

Today, case was fixed for orders/clarifications, if any.

1. Vide this order present bail application of the accused dated 09.07.2020 filed through counsel is disposed of.

2. It is stated in such application that accused is in JC for long. That wife of the accused left him and because of that he was in distress and forward the date of hearing on earlier occasions. As such, earlier NBW and then proceedings u/s 82 Cr.P.C. were issued against him. That he is in JC thereafter for 8 months after his re-arrest. That he is suffering from serious threat of infection from corona virus and prisons are overcrowded. As such, it is prayed that he be re-admitted to bail.

3. Reply filed by IO dated 17.07.2020. Further, on the same line, it is argued by learned APP that present offence is very serious in nature. That this accused is involved in serious offence of attempt to kill. That he attacked on the chest of the complainant Khalid and then ran away from the spot. Further, it is further stated that such accused is involved in two other

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criminal cases relating bodily injuries only. It is further stated that earlier he was released on bail but he did not appear in court and as such, he was re-arrested on 12.10.2019 only when process u/s 82 Cr.P.C. was issued against him. As such, present bail application is opposed.

4. I have heard both the sides and gone through the record. Conduct of the accused was not satisfactory during trial. Further, when earlier he was admitted to bail, he did not appear before the court and was re-arrested after coercive process only.

The ground stated by accused are not sufficient and vague in nature. His presence may not be secured, if he is released on bail. As such, this court is not inclined to grant relief claimed in the present case. **With these observations present bail application is disposed of as dismissed.**

5. **Learned counsel for the applicant / accused is at liberty to collect the order through electronic mode. Further, a copy of this order be sent to Jail Superintendent concerned.**

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(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
17.07.2020.

BAIL APPLICATION

**State V. Vishal @ Mukul
FIR No. : 361/2019
PS.: Kotwali
U.S: 392,411,120B,34 IPC**

17.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Sh. Rajesh Kumar, Ld. counsel for accused/ applicant through VC.

It is stated by Sh. Rajesh Kumar that this application is wrongly filed in this case. Whereas, it is pending in the court of Sh. Mohd. Farukh, Ld. ASJ, Bail Duty Roster.


Heard.

As such, same be put up before learned concerned court through proper channel.

Learned counsel is advised to be careful in future for filing the application through electronic mode.

Be put up before concerned court at 2 pm today itself.

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**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
17.07.2020**

FIR No. :107/2020
PS: Nabi Karim
STATE v.Sunil @ Ajay
U/S:394,397,411,324,34 IPC

17.07.2020.

Present: Sh. Pawan Kumar, Addl. PP for the State through
VC.

Fresh case with regard to accused Sunil @ Ajay received
by way of assignment. It be checked and registered separately.

Heard .

**Issue production warrant of accused through VC /
electronic mode only for NDOH**

Put up for reply, arguments and appropriate order
for **18/08/2020**.

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17.07.2020

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INTERIM BAIL APPLICATION

State Vs. Karan @ Twinkle @ Hukum Singh

FIR No.: 31/2017

PS: Delhi Cantt. Railway Station

U/S: 302, 201, 34 IPC

17.07.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. J.S. Mishra, learned counsel for Accused through VC.

1. Vide this order, application dated 29.06.2020 filed by accused Karan @ Twinkle @ Hukum Singh for interim bail is disposed of.

2. Reply filed by the IO.

3. Arguments heard.

4. It is argued on behalf of the accused that his application is based on relaxed criteria is already rejected by learned Bail duty Judge on 11.06.2020 as his conduct was not found satisfactory in the jail. It is stated that as such, present application is filed on merit. It is further stated that he is sole bread earner in family and his family comprises of old aged father, wife and minor children. They are on the verge of starvation. That there is nobody to care of them . That his father is suffering from various ailments. That his medical document are enclosed with the application. That earlier interim bail granted to him was never misused by him. That is in JC since 28.04.2017 and material witnesses are already examined. As such, it is prayed that he be granted interim bail for 60 days.

5. Reply filed by IO dated 16.07.2020. It is further argued by learned Addl. PP for the state on the lines as per response from concerned hospital, no home quarantine is required for the father. It is further stated that such accused has three elder brother to take of the father. It is further stated that he is not the permanent resident of the address given in the application. That he is habitual offender. That his

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previous involvement is also enclosed with the reply. It is further stated that his interim bail application is already dismissed on the basis of criteria of Hon'ble High Court dated 18.05.2020. As such present interim bail application is opposed.

6. Accused is charged with offence u/s 302 IPC which has a minimum punishment for life imprisonment. Further, he has involvement in other criminal matters also. Further, there are other family members to take care of ailing father. **Therefore, at this stage, this court is not inclined to grant the interim bail to the present accused.**

7. The present application stands disposed off accordingly. Both side are at liberty to collect the order through electronic mode. ***Further a copy of this order be sent to Jail Superintendent concerned by electronic mode.***

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ASJ-04/Central/THC
Central District/17.07.2020