

**State Vs. Lakhn Verma**  
**FIR No.30/2020**  
**PS Rajender Nagar**

**10.07.2020**

Present: Sh. Sanjay Singh Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/SI Ali Akram (through VCC over Cisco Webex)

**Matter is heard through VCC over CISCO Webex Application at 1:32PM.**

*The present urgent application was filed on behalf of the applicant on email id of this court on 09.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.*

This order shall dispose off the application moved on behalf of **applicant /accused Lakhn Verma** seeking supply of copy of charge sheet to him.

Ld. Counsel for applicant/accused submits that in present case, the charge sheet has already been filed in the court but due to present Covid-19 pandemic situation, the same has not been supplied to applicant/accused on account of restricted functioning of courts. It is averred that the applicant/accused has been admitted on interim bail and wants to apply for regular bail, therefore the copy of charge sheet is required by him.


IO/SI Ali Akram submits that he is having the copy of charge sheet in electronic form and same would be supplied by him to counsel representing the accused, subject to directions of this court.

In view of above circumstances and keeping in view the larger interests of justice, the prayer made on behalf of applicant/accused is accepted and IO/SI Ali Akram is hereby directed to supply the copy of charge sheet in electronic form, to the counsel for applicant/accused through his email id during the course of the day itself.

Ld. Counsel for applicant/accused is also directed to send his email address through text message/whatsapp on the mobile number of IO/SI Ali Akram forthwith, for enabling him to comply this order.

Application is accordingly disposed off.

Scanned copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for transmitting the same to the Counsel for applicant/accused and also to IO/SI Ali Akram, electronically, for compliance.

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



**(RISHABH KAPOOR)**

**MM-03 (Central), THC, Delhi**

**10.07.2020**

State Vs. Sandeep and Anr.

FIR No: 139/2020

PS: Rajender Nagar

10.07.2020

Present: Sh. Vakil Ahmad, Ld. APP for State (through VCC over Cisco Webex)  
IO/ASI Vijay Shankar (through VCC over Cisco Webex)

**Matter is heard through VCC over CISCO Webex Application at 2:20 PM.**

In furtherance of directions issued vide order dated 30.06.2020, the scanned copy of report under the signatures of SHO PS Rajender Nagar, is received through email id of this court.

Vide previous order, this court while taking into account the gravity of the situation and to rule out the commission of any act of custodial violence against the accused persons, issued directions to SHO PS Rajender Nagar to file a detailed report on following aspects:

- (i) the time of arrest of both accused persons in respect of case FIR No.146/2020 PS Rajender Nagar,
- (ii) the period for which the accused persons were detained in police lockup in connection with FIR No.146/2020, prior to their production before the LD. MM,
- (iii) the exact time when they were taken for conducting their medical examinations and
- (iv) also to ascertain the CCTV footage of cameras installed inside/outside the lockup for the relevant time period.

As per the report filed by SHO PS Rajender Nagar, the aforesaid queries raised by this court were answered stating that (i) in case FIR NO. 146/2020, accused Anil was arrested at 11:00PM on 14.06.2020 and accused Sandeep was arrested at 11:20 PM on 14.06.2020, (ii) both accused were reportedly put inside lockup at about 2:45 AM on 15.06.2020 and remained in lockup till 1:00 PM dated 15.06.2020 i.e for a duration of 10.15 hours, (iii) it is also reported that in case FIR No. 146/2020, both accused were taken for medical examination to RML Hospital at 1:20 AM on 15.06.2020 and were medically examined at 1:45 AM and 1:50 AM, respectively and (iv) that the SHO Concerned has reportedly examined the CCTV footage of lockup at PS Rajender Nagar, as per which total 6 inmates were present inside lockup during the period of detention of accused persons namely Sandeep and Anil and no entry or interference of any police official was found, in the whole CCTV footage.

  
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It is further submitted in the report that the injuries in question were infact sustained by accused persons when they fell off from the vehicle during their attempted retreat from the spot of occurrence and this fact has been reported in the FIR itself.

From perusal of copies of MLCs dated 15.06.2020 and 16.06.2020 pertaining to both accused persons, it emerges that in the initial MLC NO.10987 dated 15.06.2020 at 1:45 AM of accused Anil Kumar, he has been opined of pain over right wrist with painful movement @wrist joint. Pertinently, this medical examination was conducted in connection with case FIR NO.146/2020 at PS Rajender Nagar. Whereas, in subsequent MLC No. 10995 dated 15.06.2020 at 6.30 PM, injury in the nature of swelling and tenderness over right wrist ROM restricted, is reported. This is the disputed injury qua which the discrepancy has arisen in both the above MLCs. Importantly, this medical examination was conducted after obtaining one day P/C of accused in connection with present case FIR. In MLC No. 97913 dated 16.06.2020 at 2:00 PM, injury in the nature of swelling and tenderness over right wrist + restriction of wrist movement was reported. Thus, there is no discrepancy in subsequent two MLCs. This MLC was prepared prior to production of accused before Ld. Duty MM, after elapse of his P/C remand period.

Similarly, in initial MLC No.10988 dated 15.06.2020 of accused Sandeep Kumar, he has been opined of injury to the R+ greet toe nail. This MLC was conducted in connected with case FIR NO.146/2020 at PS Rajender Nagar. Whereas, in subsequent MLC No. 97908 dated 15.06.2020 at 6.45 PM, injury in the nature injury to the R+ greet toe nail with mild swelling ROM, has been reported. This is the disputed injury qua which the discrepancy has arisen in both of the above MLCs. Importantly, this medical examination was conducted after obtaining one day P/C of accused in connection with present case FIR. In MLC No. 10919 dated 16.06.2020 at 2:00 PM, injury to the R+ toe with mild swelling, is reported. Thus, there is no discrepancy in subsequent two MLCs. This MLC was prepared prior to production of accused before Ld. Duty MM, after elapse of his P/C remand period.

On examination of the detailed report received from SHO PS Rajender Nagar and on careful scrutiny of MLCs of both accused persons, since it emerges that injuries in the nature of pain over right wrist with painful movement @wrist joint of accused Anil Kumar and injury in the nature of R+ greet toe nail of accused Sandeep Kumar, were present in the initial MLCs, therefore the version of police that such injuries having been sustained by accused persons while their attempted retreat from spot (which is also narrated in the case FIR), culminating into swelling and tenderness as reported in the subsequent MLCs, appears to be plausible. The report as filed by SHO, PS Rajender Nagar appears to be satisfactory and same rules out any foul play on the part of police. Therefore, in this totality of circumstances, no further directions from this court are warranted in the present case.

  
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Accordingly, the present proceedings are disposed off. These papers be tagged with concerned case FIR, for record.

Scanned copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for necessary compliance.

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



**(RISHABH KAPOOR)**

**MM-03 (Central), THC, Delhi**

**10.07.2020**

State Vs. Sandeep and Anr.  
FIR No: 141/2020  
PS: Rajender Nagar

10.07.2020

Present: Sh. Vakil Ahmad, Ld. APP for State (through VCC over Cisco Webex)  
SI Mahipal Singh on behalf of IO/SI Rituraj (through VCC over Cisco Webex)

**Matter is heard through VCC over CISCO Webex Application at 2:20 PM.**


SI Mahipal Singh submits that IO/SI Rituraj be exempted from appearance today as he has proceeded on leave. In view of reason aforesaid, request is considered and allowed.

In furtherance of directions issued vide order dated 30.06.2020, the scanned copy of report under the signatures of SHO PS Rajender Nagar, is received through email id of this court.

Vide previous order, this court while taking into account the gravity of the situation and to rule out the commission of any act of custodial violence against the accused persons, issued directions to SHO PS Rajender Nagar to file a detailed report on following aspects:

- (i) the time of arrest of both accused persons in respect of case FIR No.146/2020 PS Rajender Nagar,
- (ii) the period for which the accused persons were detained in police lockup in connection with FIR No.146/2020, prior to their production before the LD. MM,
- (iii) the exact time when they were taken for conducting their medical examinations and
- (iv) also to ascertain the CCTV footage of cameras installed inside/outside the lockup for the relevant time period.

As per the report filed by SHO PS Rajender Nagar, the aforesaid queries raised by this court were answered stating that (i) in case FIR NO. 146/2020, accused Anil was arrested at 11:00PM on 14.06.2020 and accused Sandeep was arrested at 11:20 PM on 14.06.2020, (ii) both accused were reportedly put inside lockup at about 2:45 AM on 15.06.2020 and remained in lockup till 1:00 PM dated 15.06.2020 i.e for a duration of 10.15 hours, (iii) it is also reported that in case FIR No. 146/2020, both accused were taken for medical examination to RML Hospital at 1:20 AM on 15.06.2020 and were medically examined at 1:45 AM and 1:50 AM, respectively and (iv) that the SHO Concerned has reportedly examined the CCTV footage of lockup at PS Rajender Nagar, as per which total 6 inmates were present inside lockup during the period of detention

  
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of accused persons namely Sandeep and Anil and no entry or interference of any police official was found, in the whole CCTV footage.

It is further submitted in the report that the injuries in question were infact sustained by accused persons when they fell off from the vehicle during their attempted retreat from the spot of occurrence and this fact has been reported in the FIR itself.

From perusal of copies of MLCs dated 15.06.2020 and 16.06.2020 pertaining to both accused persons, it emerges that in the initial MLC NO.10987 dated 15.06.2020 at 1:45 AM of accused Anil Kumar, he has been opined of pain over right wrist with painful movement @wrist joint. Pertinently, this medical examination was conducted in connection with case FIR NO.146/2020 at PS Rajender Nagar. Whereas, in subsequent MLC No. 10995 dated 15.06.2020 at 6.30 PM, injury in the nature of swelling and tenderness over right wrist ROM restricted, is reported. This is the disputed injury qua which the discrepancy has arisen in both the above MLCs. Importantly, this medical examination was conducted after obtaining one day P/C of accused in connection with present case FIR. In MLC No. 97913 dated 16.06.2020 at 2:00 PM, injury in the nature of swelling and tenderness over right wrist + restriction of wrist movement was reported. Thus, there is no discrepancy in subsequent two MLCs. This MLC was prepared prior to production of accused before Ld. Duty MM, after elapse of his P/C remand period.

Similarly, in initial MLC No.10988 dated 15.06.2020 of accused Sandeep Kumar, he has been opined of injury to the R+ greet toe nail. This MLC was conducted in connected with case FIR NO.146/2020 at PS Rajender Nagar. Whereas, in subsequent MLC No. 97908 dated 15.06.2020 at 6.45 PM, injury in the nature of R+ greet toe nail with mild swelling ROM, has been reported. This is the disputed injury qua which the discrepancy has arisen in both of the above MLCs. Importantly, this medical examination was conducted after obtaining one day P/C of accused in connection with present case FIR. In MLC No. 10919 dated 16.06.2020 at 2:00 PM, injury to the R+ toe with mild swelling, is reported. Thus, there is no discrepancy in subsequent two MLCs. This MLC was prepared prior to production of accused before Ld. Duty MM, after elapse of his P/C remand period.

On examination of the detailed report received from SHO PS Rajender Nagar and on careful scrutiny of MLCs of both accused persons, since it emerges that injuries in the nature of pain over right wrist with painful movement @wrist joint of accused Anil Kumar and injury in the nature of injury in the R+ greet toe nail of accused Sandeep Kumar, were present in the initial MLCs, therefore the version of police that such injuries having been sustained by accused persons while their attempted retreat from spot (which is also narrated in the case FIR), culminating into swelling and tenderness as reported in the subsequent MLCs, appears to be plausible. The report as filed by SHO, PS Rajender Nagar appears to be satisfactory and same

  
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rules out any foul play on the part of police. Therefore, in this totality of circumstances, no further directions from this court are warranted in the present case.

Accordingly, the present proceedings are disposed off. These papers be tagged with concerned case FIR, for record.

Scanned copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for necessary compliance.

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



**(RISHABH KAPOOR)**

**MM-03 (Central), THC, Delhi**

**10.07.2020**



**State Vs. Gopesh & etc.**  
**e-FIR No.011742/2020**  
**PS Rajender Nagar**

**10.07.2020**

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

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

IO/ASI Jaiveer Singh (through VCC over Cisco Webex)

**Matter is heard through VCC over CISCO Webex Application at 1:00 PM.**

*The present urgent application was filed on behalf of the applicant on email id of this court on 09.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.*


Scanned copy of reply of under the signatures of IO/ASI Jaiveer Singh, is received through email id of the court.

This order shall dispose of the application for grant of regular bail u/s 437 Cr.PC., moved on behalf of **applicant/accused Gopesh**.

It is averred on behalf of applicant/accused that he has been falsely implicated in the present case. It is further averred that the no recovery has been effected from the applicant/accused. It is further averred that the accused has no involvement in the present case. With these averments, prayer is made for grant of bail to accused.

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

On perusal of the scanned copy of previous conviction/involvement report received along with reply of IO (through email), it emerges that the accused is having previous involvements in certain other cases, involving serious offences. More particularly, the accused has been shown to have complicity in respect of case FIR No. 0137/2016 u/s 354/354A/354D/363/342/509/506 IPC & S. 8/12 POCSO Act, case FIR No. 0173/2018 u/s 27/61/85 NDPS Act, case FIR No. 0273/2018 u/s 324/341 IPC all at PS Anand Parbat and case FIR No. 0137/2020 u/s 452/392/34 IPC, PS Rajender Nagar. If that be so, the apprehension of prosecution that if enlarged on bail,

  
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he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified.

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

Scanned copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for transmitting the same to the Counsel for applicant/accused, electronically and also for compliance.

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



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

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