

FIR No. 264/2018
PS: Nabi Karim
State Vs. Arjun

06.06.2020


Present: Sh. K.P.Singh, Ld. Addl. PP for State with HC Sanjeev
Kumar.

Sh. Naveen Gaur, counsel for accused-applicant Arjun.

This is an application for grant of regular bail on behalf of
accused Arjun in case FIR No. 264/2018.

Reply is filed.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 4 pm

ORDER

This is an application for grant of regular bail on behalf of
accused Arjun in case FIR No. 264/2018.

Ld. Counsel for the accused-applicant submits that the
accused-applicant has been falsely implicated and was neither present at
the spot nor has committed any offence. That the co-accused who is
alleged to have inflicted the stab injury has already been granted bail. That
the injured has also been examined and has not attributed any role to the
accused-applicant and has not supported the prosecution version. That



nothing was recovered from the possession of accused-applicant. That though the accused-applicant does not have clean antecedents however has no complicity in the present case.

Ld. Addl. PP submits that as per the prosecution, it is the co-accused Ashu @ Sahilender who inflicted the stab injury while the accused-applicant restrained the victim and that the accused-applicant has 15 criminal cases registered against him.

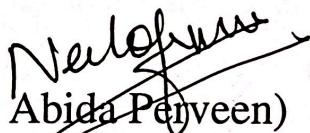
Arguments heard. Reply and annexures perused.

Ld. Counsel for the accused-applicant has drawn the attention of the Court to the deposition of the injured as PW1, copy of which is filed at page 11 of the paper book. The co-accused Ashu @ Shailender who is alleged to have inflicted the stab injury has already been granted regular bail vide order dated 06.10.2018.

Taking into consideration that the co-accused who is alleged to have inflicted stab injury has already been granted bail and as the victim already stands examined, it is a fit case to grant bail to the accused-applicant Arjun in the present case FIR No. 264/2018 despite the adverse previous involvement report. The application for grant of regular bail is allowed. Accused ~~is~~^{is} Arjun is admitted to regular bail in case FIR No. 264/2018 upon furnishing personal and two sureties in the sum of Rs.30,000/- to the satisfaction of the Id. Duty MM and subject to the condition that accused-applicant shall not make any contact by any mode with the complainant/injured and shall not threaten, intimidate the witnesses in this case in any manner and shall not tamper with the

Arjun

evidence nor interfere with the course of justice in any manner whatsoever and shall scrupulously appear before the court concerned on every date of hearing during pendency of present proceedings. The accused and the sureties shall furnish their mobile phone numbers along with addresses to the IO concerned and shall not change their mobile phone numbers or addresses without prior intimation to the IO till the pendency of the present proceedings.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 440/2014
PS: Kashmere Gate
State Vs. Arshad

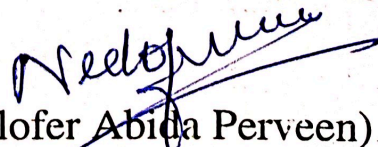
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for seeking certified copy of the bail order on behalf of the accused Arshad in case FIR No. 440/2014.

The date of the order, certified copy of which is being sought, is not mentioned anywhere in the application. The application appears to have been preferred under some misconception that the undertrial prisoners have been granted interim bail under one blanket order passed by the Hon'ble the High Court of Delhi on 09.04.2020 in W. P. (Crl.) No. 779/2020 and that the applicant in terms thereof is entitled to be released on furnishing of personal bond to the satisfaction of the Jail Superintendent. The application is devoid of material particulars and appears to have been filed under a misconception of law and is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 205/2020

PS: Chandni Mahal

State Vs. Zubair

06.06.2020

Fresh bail received. Be registered.

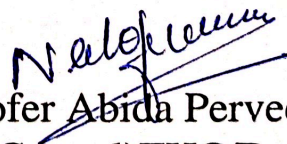
Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Sandeep Yadav, Counsel for accused-applicant.

This is second application for grant of regular bail on behalf of accused Zubair in case FIR No. 205/2020.

Accused is stated to be in custody since 14.03.2020 and was granted interim bail of 45 days vide order dated 24.04.2020.

After arguing for sometime, ld. Counsel submits that he does not press the present application and that same may be dismissed as withdrawn. It is ordered accordingly. The present application for grant of regular bail on behalf of accused Zubair in case FIR No. 205/2020 is dismissed as withdrawn.


(Neelofer Abrida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 66/2015
PS: Crime Branch
State Vs. Vijay @ Kale

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.
Sh. K. Singhal, counsel for accused-applicant
(through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Vijay @ Kale in case FIR No. 66/2015.

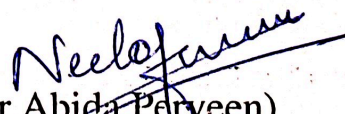
Ld. Counsel for the accused-applicant submits that accused-applicant was granted ^{interim} bail vide order dated 29.05.2020 and is to surrender on 08.06.2020 and that the infant daughter of the accused-applicant is still running fever and has been diagnosed to be suffering from pneumonia and has been advised admission ⁱⁿ the hospital, however, due to covid-19 pandemic instead of hospitalization daily visit has been advised.

IO has filed report that the medical record could not be verified as the concerned doctor is available only on Mondays, Wednesdays and Fridays.

Report be now filed on or before next date of hearing.

For report and consideration, put up on **12.06.2020**. **Interim bail is extended till then on the same conditions.**

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Parveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 247/2018

PS: Nabi Karim

State Vs. Jitender Kumar Yadav

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Haneef Mohammad, Counsel for accused.

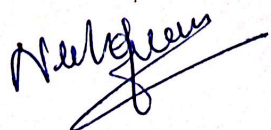
Sh. Manish Kumar, Counsel for complainant.

This is an application for grant of regular bail on behalf of accused Jitender Kumar Yadav in case FIR No. 247/2018 under Section 376/506 IPC and Section 6 of POCSO Act.

Ld. Counsel for the accused-applicant submits that now the complainant has been examined, that the accused-applicant was earlier granted interim bail and has never misused the concession. That the accused-applicant is in JC since 11.07.2018 and that the accused-applicant belongs to Pilibeeth in UP and the prosecutrix hails from Uchahar, UP which is at a distance of more than 500 km from Pilibeeth.

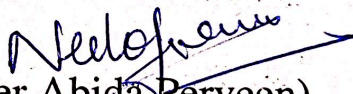
Ld. Counsel for the complainant submits that the last regular bail application of the accused-applicant was dismissed on 23.01.2020 by the Ld. Trial Court and thereafter his interim bail was also dismissed was withdrawn as it was put before the Ld. Trial Court that during the period that the accused-applicant was on interim bail he had tried to influence the prosecutrix. That another application for grant of interim bail was dismissed on 12.05.2020.

When it is put to the Ld. Counsel for the accused-applicant



that it has been suppressed from the Court that the last application for grant of regular bail was dismissed on 23.01.2020, Ld. Counsel for the accused-applicant submits that this fact was not mentioned as now the matter is before the Court under the Covid Roster and not as the regular Court. On a query of the Court, it is clarified that even when the last bail application was dismissed on 23.01.2020, examination of the complainant had stood completed by that time.

At this stage, Ld. Counsel for the accused-applicant seeks leave to withdraw the application. Application is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.06.2020

FIR No. 222/2017
PS: Crime Branch
State Vs. Guddu Khan

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO SI Ajit.
Sh. Siddharth Yadav, counsel for accused-applicant
(through video conferencing)

Hearing conducted through Video Conferencing.

This is the fourth application under Section 439 CrPC for grant of interim bail on behalf of accused Guddu Khan in case FIR No. 222/2017.

Ld. Counsel for the accused-applicant submits that interim bail is being sought only on the ground that there is no one to take care of the old and ailing parents of the accused-applicant and that the treatment of the mother of the applicant who remains unwell could not be completed due to absence of the accused-applicant, that the parents of the accused-applicant are at the the mercy of the neighbours however due to the pandemic neighbours are also not coming forward to the help of the parents of the accused. That parents of the accused are not able to arrange basic necessities for their survival and are to be taken to the hospital for treatment.

Ld. Addl. PP submits that the IO had personally verified the family status of the accused-applicant that the father of the accused-applicant is bed ridden and is not in a good state of health and the mother

Nalgun

of the accused-applicant is also in a pitiable condition and recently had undergone cataract surgery and the old and indisposed parents of the accused-applicant are literally on the mercy of the neighbours and there is no one to take the parents of the accused-applicant to the hospital for treatment and for prescription of medication.

Taking into consideration that the parents of the accused-applicant are old and indisposed and bed ridden and due to the pandemic are not in a position to avail of medical facilities and to obtain treatment for their ailments, ten days interim bail is being granted to the accused-applicant Guddu upon furnishing personal bond and two sureties in the sum of Rs. 40,000/- and with the directions that the accused-applicant shall furnish his mobile phone number and the mobile phone numbers of the sureties to the IO and shall ensure that numbers ^{are} is kept activated and location shared with the IO throughout the period of interim bail.

Accused-applicant Guddu khan to surrender on expiry of the period of interim bail of 10 days.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.

Neelofer
(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 316/2019

PS: Pahar Ganj

State Vs. Farooq Dandoo & Ors.

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Rajiv Sirohi, Counsel for accused-applicants.

This is a joint application for grant of anticipatory bail on behalf of two accused Farooq Dandoo and Ali Dandoo.


Ld. Counsel for the accused-applicants submits that the main accused has already been granted bail and notice is yet to be issued to the State and the prosecutrix.

Ld. Addl. PP seeks some time to file reply.

Ld. Addl. PP submits that advance copy of the application has not been supplied to the prosecution.

Issue notice in the application to the State as well as the prosecutrix.

For reply and consideration, put up on **10.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 525/2018
PS: DBG Road
State Vs. Raja Sonkar

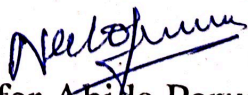
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for seeking certified copy of the bail order on behalf of the accused Raja Sonkar in case FIR No. 525/2018.

The date of the order, certified copy of which is being sought, is not mentioned anywhere in the application. The application appears to have been preferred under some misconception that the undertrial prisoners have been granted interim bail under one blanket order passed by the Hon'ble the High Court of Delhi on 09.04.2020 in W. P. (Crl.) No. 779/2020 and that the applicant in terms thereof is entitled to be released on furnishing of personal bond to the satisfaction of the Jail Superintendent. The application is devoid of material particulars and appears to have been filed under a misconception of law and is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 174/2016
PS: Chandni Mahal
State Vs. Arifil

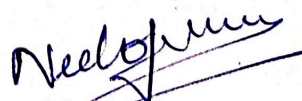
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for seeking certified copy of the bail order on behalf of the accused Arifil in case FIR No. 174/2016.

The date of the order, certified copy of which is being sought, is not mentioned anywhere in the application. The application appears to have been preferred under some misconception that the undertrial prisoners have been granted interim bail under one blanket order passed by the Hon'ble the High Court of Delhi on 09.04.2020 in W. P. (Crl.) No. 779/2020 and that the applicant in terms thereof is entitled to be released on furnishing of personal bond to the satisfaction of the Jail Superintendent. The application is devoid of material particulars and appears to have been filed under a misconception of law and is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 130/2016

PS: BHR

State Vs. Bahar Khanam

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Aman Gaurav, counsel for accused-applicant
(through video conferencing)


Hearing conducted through Video Conferencing.

Ld. Counsel for the accused-applicant submits that this is an application for grant of regular bail on behalf of accused Bahar Khanam who is in custody since 16.12.2016 and is 70% handicapped lady and that all material witnesses have since been examined and the victim is the daughter of the accused-applicant.

Issue notice in the application to the State as well as to the concerned Child Welfare Committee and to Delhi State Legal Services Authorities, Central, Tis Hazari, Delhi for allocation of 'Support Person' for the victim and the victim through IO for 16.06.2020. IO be also summoned for the said date.

For consideration, put up on **16.06.2020**.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 144/2019
PS: Jama Masjid
State Vs. Chandan

06.06.2020


Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Pardeep Kumar, Counsel for accused-applicant.

This an application for grant of regular/interim bail on behalf of accused Chandan in case FIR No. 144/2019.

Ld. Addl. PP submits that the victim in his statement recorded under Section 164 CrPC has implicated the accused-applicant by name and has attributed specific role to the accused-applicant though it is not denied that all the accused and the victim were previously known to each other. The IO is directed to place on record copy of the statement of the victim recorded under Section 164 CrPC before the next date of hearing.

For arguments, put up on **15.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 103/2019
PS: Sadar Bazar
State Vs. Gautam
06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.


None for accused-applicant.

This is third application under Section 439 CrPC for grant of interim bail on behalf of accused Gautam in case FIR No. 103/2019.

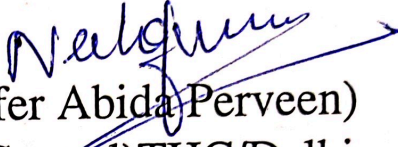
Reply is filed.

The only ground raised for grant of interim bail on behalf of accused-applicant is that due to covid-19 virus it has become dangerous for the accused and that bail may be granted for the safety of the country. The FIR is registered for commission of offences under Section 394/397 IPC. The accused-applicant is in custody since 28.05.2019. From the reply it emerges that the charge under Section 394 read with 34 IPC is framed against the accused-applicant. Case of the applicant does not fulfill the criteria laid down under the several guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi. No plausible ground is raised for grant of interim bail, however ^{as per} there is no appearance for the accused-applicant today, no adverse orders are being passed.

In the interest of justice, for consideration, put up on
18.06.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At this stage, Sh. Nitin Gautam, Ld. Counsel for the accused-applicant appears and seeks leave to withdraw the present application for grant of interim bail on behalf of accused Gautam in case FIR No. 103/2019. It is ordered accordingly. the present application for grant of interim bail on behalf of accused Gautam in case FIR No. 103/2019 is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 27/2019

PS: Wazirabad

State Vs. Vijay @ Sunil @ Munna

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

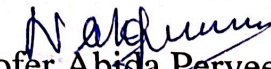
Sh. Sudarshan Singh, Counsel for accused-applicant.

This is an application for grant of interim bail on behalf of accused Vijay @ Sunil @ Munna in case FIR No. 27/2019.

Reply is filed.

Ld. Counsel for the accused-applicant submits that interim bail is being sought invoking the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020. When it is put to the Ld. Counsel for the accused that under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi cases falling under the NDPS Act have been specifically excluded out of the purview, Ld. Counsel submits that he was not aware of the exclusion clause.

As no plausible ground is set up for grant of interim bail, the present application for grant of interim bail is hereby dismissed.


(Neelofer Abida Perveen)
ASJ (Central) PHC/Delhi
06.06.2020

FIR No. 162/2019
PS: Chandni Mahal
State Vs. Sajid

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Ms. Vaishnavi Maheshwari, counsel for accused-applicant
(through video conferencing)

Complainant in person.

Hearing conducted through Video Conferencing.

This is an application for grant of regular bail on behalf of accused Sajid in case FIR No. 162/2019 under Section 376/506 IPC.

Reply is filed.

Ld. Counsel for the accused-applicant submits that allegations contained in the FIR on the face of it appears to be false and concocted as the prosecutrix alleges that the accused blackmailing her for establishing physical relations with him for the last one year and she also went with him to his uncle's place where again he forcibly established physical relations with her. That when the matter was listed for examination of the prosecutrix, she failed to appear for her examination.

The prosecutrix appears and submits that she had appeared for her examination in Court on 18.03.2020 but was informed that evidence will not be recorded due to restricted working of the Court and that she appeared on each and every date that her brother asked her to that it is her brother who is fully aware of the dates of hearing. The prosecutrix submits that the accused-applicant has exploited her and blackmailed her into physical intimacy and has objectionable photographs and videos of her which he had threatened to circulate

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amongst her family and friends. He was known to her family and the premises owned by her father was rented to him and that he had blackmailed her and extorted heavy amounts besides jewellery from her.

Ld. Addl. PP submits that the prosecutrix is yet to be examined. That the prosecutrix has supported the allegations in her statement under Section 164 CrPC. That the aspect of delay is a matter of trial taking into consideration that the families were known to each other.

Arguments heard.

The prosecutrix is yet to be examined and in the absence of her testimony there arises no occasion to test the broad probabilities or improbabilities of the case of the prosecution against the accused-applicant; at this stage, it would be relevant that the prosecutrix in her statement under Section 164 CrPC has supported the allegations raised in the FIR. Taking into consideration the grave nature of the offence and as the complainant is yet to be examined, at this stage, it is not a fit case for grant of regular bail to accused Sajid Khan in case FIR No. 162/2019. Present application for regular bail on behalf of accused Sajid Khan accused in case FIR No. 162/2019 is hereby dismissed.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.

IO to furnish copy of the order to the prosecutrix.

Neelofer
(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi

06.06.2020

FIR No. 07/2017
PS: Sadar Bazar
State Vs. Prem Singh

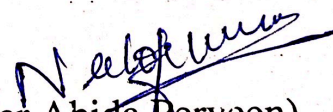
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

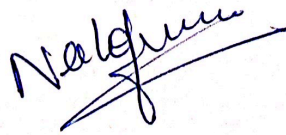
This is ^{an} application is pending only for compliance report in terms of order dated 23.05.2020 vide which the application for interim bail was dismissed. Compliance report has not been received from the Jail Superintendent. Notice be issued to the Jail Superintendent for filing of compliance report in terms of order dated 23.05.2020 vide which Jail Superintendent has been directed to provide online facility to the accused-applicant for taking online examination scheduled for 31.05.2020.

For compliance report, put up on **10.06.2020**.

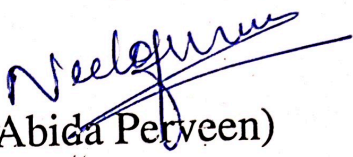

(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 12 noon

At this stage report is received from Superintendent Central Jail No. 10, Rohini, Delhi. As per report, accused was heard in person for the details of his examination, accused submitted that he does not have any information regarding the examination. Accused requested to call his Advocate to gather information of his examination and accordingly was allowed to make a call to his Advocate on 26.05.2020 and after contacting his Advocate, accused has given in written that his examination has been



postponed and the next date of the examination has not been finalized till date. In view of the report, no further directions are called for. File be consigned to Record Room.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 597/2015
PS: DBG Road
State Vs. Rajesh

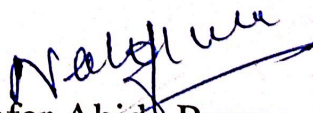
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for seeking certified copy of the bail order on behalf of the accused Rajesh in case FIR No. 597/2015.

The date of the order, certified copy of which is being sought, is not mentioned anywhere in the application. The application appears to have been preferred under some misconception that the undertrial prisoners have been granted interim bail under one blanket order passed by the Hon'ble the High Court of Delhi on 09.04.2020 in W. P. (Crl.) No. 779/2020 and that the applicant in terms thereof is entitled to be released on furnishing of personal bond to the satisfaction of the Jail Superintendent. The application is devoid of material particulars and appears to have been filed under a misconception of law and is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 123/2017

PS: Crime Branch

State Vs. Emeka Efoh Stephen

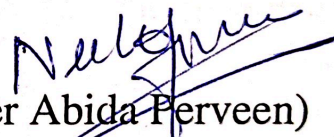
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Ravinder Samuel, counsel for accused Emeka Efoh
Stephen with sureties.

Ld. Counsel seeks some more time to furnish sound sureties.

As per request, put up on **08.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi

06.06.2020

FIR No. 95/2017
PS: Nabi Karim
State Vs. Sonu

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.
Sh. Hari Krishan, counsel for accused-applicant
(through video conferencing)
Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Sonu in case FIR No. 95/2017 under Section 363/376/506 IPC and 4 & 6 of POCSO Act.

Ld. Counsel for the accused-applicant submits that accused is in custody since 18.04.2017 in connection with the present case and has clean antecedents and that as per guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020, all the UTPs in custody for over two years are to be considered for release on interim bail and that the mother of the accused-applicant is solely dependent upon accused-applicant who is sole bread earner of the family and that father of the accused-applicant himself is unwell and not in a position to take care of the mother of the accused-applicant.

The only ground raised for grant of interim bail is in accordance with the guidelines issued by the High Powered Committee of Hon'ble the High court of Delhi on 18.05.2020 however, the case of the applicant is not covered under the said guidelines for grant of interim bail as offences u/s 376 IPC and 4 & 6 of POCSO Act along with other categories of offences are specifically excluded and kept out of the purview of the guidelines issued from time to time for release of UTPs on interim bail of 45 days in order to decongest the prisons

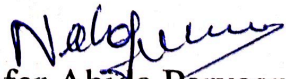
Nabi Karim

in Delhi.

IO has filed report that original medical documents in respect of the mother of the accused-applicant were not handed over for verification, hence report in respect of the same could not be filed. However, it is has been verified by the IO that besides the mother and father of the accused-applicant, accused-applicant has four brothers who all are adults and gainfully employed.

Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. In the case at hand, there are no such compelling circumstances or exceptional exigencies set up warranting the release of the accused-applicant on interim bail as there are four brothers of the accused-applicant who are capable of taking care of the mother of the accused-applicant and it cannot be said that personal presence of the accused-applicant is absolutely indispensable for treatment of the mother of the accused-applicant. No ground is made out to grant interim bail to the accused-applicant Sonu in the present application. **Application for grant of bail interim bail on behalf of accused Sonu in case FIR No. 95/2017 is therefore dismissed.**

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.06.2020

FIR No. 239/2019
PS: Pahar Ganj
State Vs. Qahid Azim

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for grant of interim bail on behalf of accused Qahid Azim in case FIR No. 239/2019.

Reply is filed.

None for the accused-applicant. The only ground raised for grant of interim bail is that the accused-applicant is the sole bread earner of the family and due to the lockdown his family is on the verge of starvation and his father had to take personal loan from a family friend to meet day to day expenses. Details of the family members is not mentioned in the application. The present case is registered for commission of offence under Section 376 IPC and Section 6 of the POCSO Act. From the contents of the application there appears to be no merit in the ground raised for grant of interim bail, however, as there is no appearance for the accused-applicant for today, no adverse orders are being passed.

For consideration, put up on 17.06.2020.



(Neelofer Abida Perveen)

ASJ (Central) TMC/Delhi

06.06.2020

At this stage, Ms. Nayan Maggo, Counsel for accused-applicant has appeared. On a query of the Court, Id. Counsel for the accused-applicant clarifies that the family of the accused-applicant consist of mother, father and younger sister.

Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. No such circumstances is setup in the present application. No ground is made out to grant interim bail to the accused-applicant in the present case. **Application for grant of interim bail on behalf of accused Qahid Azim in case FIR No. 239/2019 is therefore dismissed. Previous date stands cancelled.**


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.06.2020

FIR No. 173/2018

PS: Crime Branch

State Vs. Chanderpal Singh @ Fauji


06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Rishi Pal Singh, Counsel for accused-applicant.

This is an application for grant of interim bail for 45 days on behalf of accused Chanderpal Singh @ Fauji in case FIR No. 173/2018 on the ground of illness of his wife.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 4 pm

ORDER

This is an application for grant of interim bail for 45 days on behalf of accused Chanderpal Singh @ Fauji in case FIR No. 173/2018 on the ground of illness of his wife.

Ld. Counsel submits that the wife of the accused-applicant is undergoing treatment for cyst in the chest and there is no other male member to take care of the wife of the accused-applicant and that earlier also accused-applicant was granted interim bail and has surrendered in terms thereof.

So far as the family status is concerned, Ld. Addl. PP submits




that the second wife of the accused-applicant lives in Delhi and four sisters of the wife of the accused-applicant are living alongwith the wife of the accused-applicant, which contention is refuted by the Ld. Counsel for the accused-applicant and it is submitted that the sisters are residing separately with their respective families.

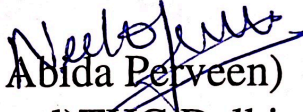
Arguments heard. Report perused.

I have gone through the certificate annexed to the report issued by Dr. Ajeet Kumar Talukdar, Jeevan Hospital and Nursing Home. It emerges that the wife of the accused-applicant is receiving treatment at the hospital as OPD patient since March 2020 for chest infection. On 29.05.2020, again as OPD patient she was treated for lump and chest infection and again on 01.06.2020 for chest infection. Wife of the accused-applicant is receiving treatment as an OPD patient. No hospitalization has been advised. No surgical procedure has been prescribed. In the course of the arguments, it also transpired that the sister of the wife of the accused-applicant if not residing in the same house with the wife of the accused-applicant are living in the vicinity.

Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. In the case in hand, there are no such compelling circumstances or exceptional exigencies set up warranting the release of the accused-applicant on interim bail as no hospitalisation or surgical treatment is advised or prescribed for the wife of the accused-applicant and the sisters of the wife of the accused-



applicant are there to take care of the wife of the accused-applicant for receiving treatment as OPD patient. No ground is therefore made out to grant interim bail to the accused-applicant Chanderpal Singh @ Fauji in case FIR No. 173/2018. Application is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 116/2018

PS: Kashmere Gate

State Vs. Altaf @ Ganja

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Kameshwar Mishra, counsel for accused-applicant
(through video conferencing)

Hearing conducted through Video Conferencing.

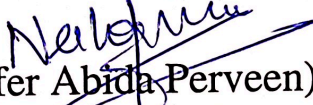
This is an application for grant of interim bail on behalf of accused Altaf @ Ganja invoking the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020. Ld. Counsel for the accused-applicant submits that accused-applicant is in custody since 29.03.2018 in connection with the present case FIR which is registered for commission of offence under Section 307 IPC and that case of the accused-applicant fulfills all the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi.

Reply has been filed by the IO alongwith previous involvement report. As per report filed by the IO, accused-applicant is a previous convict and is involved in several criminal cases including for commission of offences of similar nature. As accused-applicant does not have clean antecedents, case of the accused-applicant does not fulfill all the criterion laid down under the guidelines issued by the High Powered

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Committee of Hon'ble High Court of Delhi. No other ground is setup for interim bail. The present application for grant of interim bail on behalf of accused Altaf @ Ganja in case FIR no. 116/2018 is accordingly dismissed.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 160/2019

PS: EOW

State Vs. Dharmendra Kumar

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

None for the accused-applicant.

IO has appeared in terms of directions issued on 03.06.2020.

It is submitted by the Ld. Addl. PP that this a multiple cheating case involving more than 500 victims and more than Rs.500 crores of money

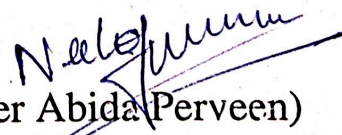
and accused-applicant is the 94% shareholder of the defrauding company.

An apprehension is also expressed^{ed} that accused-applicant from the cheated amount has acquired several immovable properties and if released on bail

would dispose of the same to defeat the creditors. That investigation is

going^{on} and more and more victims are coming forward.

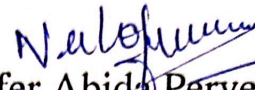
None for the accused-applicant. No intimation is received for hearing of the matter through video conferencing. In the interest of justice, for arguments, put up on **18.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi

06.06.2020

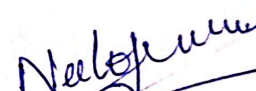
At 12 noon

At this stage, application is taken up once again on the request of Id. Counsel for accused-applicant. Ld. Addl. PP submits that some clarifications are required from the IO. At request, put up at 2 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 2 pm

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.
Sh. B. K. Rai, Counsel for the accused-applicant.
Arguments heard. For orders, put up at 4 pm.

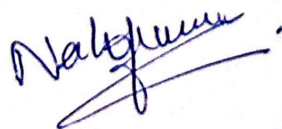

(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 4 pm
ORDER

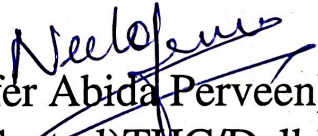
This is an application for grant of interim bail on behalf of accused Dharmendra Singh in case FIR No. 160/2019.

Accused is in custody since 18.09.2019 in connection with FIR No. 160/2019 under Section 406/420/120B IPC investigated by the Economic Offences Wing.

Case of the accused-applicant for grant of the interim bail fulfills all the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 28.03.2020 in



order to decongest the prisons in Delhi and does not fall amongst any of the excluded categories. The accused-applicant is allowed interim bail of 45 days in terms of the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 28.03.2020, upon furnishing personal bond in the sum of Rs.1 lac before the Jail Superintendent and subject to the condition that accused-applicant shall deposit his passport with the IO and shall not dispose of any immovable property existing in his name or in the name of his wife and in the name of the company BLS Reality Infra India Ltd. during the period of interim bail.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 252/2016

PS: Kotwali

State Vs. Sunder etc.

06.06.2020

Fresh bail received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Arvind Kumar, Counsel for accused-applicant.


This is an application for grant of regular bail on behalf of accused Ranjeet @ Nandu in case FIR No. 252/2016.

Reply is filed.

Ld. Counsel for the accused submits that though the present application is captioned for grant of regular bail, it may be treated as an application for grant of interim/extension of interim bail.

It emerges that the order vide which interim bail was granted to the accused-applicant which is sought to be extended by way of the present application has not been annexed with the application. Needful be done by the next date of hearing.

For consideration, put up on **08.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 302/2018

PS: Pahar Ganj

State Vs. Dharam Singh @ Vicky

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.


Sh. Suraj Prakash, Counsel for accused-applicant.

Ld. Counsel for the accused-applicant submits that legible copies were filed however, report in respect of the medical documents has not been received yet. Ld. Counsel further submits that as per the latest reports of the wife of the accused-applicant further complications have been detected.

Applicant is at liberty to file further medical documents sought to be filed alongwith appropriate application.

IO be summoned for the next date of hearing to appear in person and to explain as to why report in terms of order dated 22.05.2020 is not filed till date.

For report and consideration, put up on **09.06.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 142/2020
PS: DBG Road
State Vs. Vishal

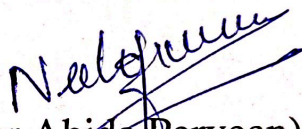
06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

None for accused-applicant.

This is an application for grant of anticipatory bail on behalf of accused Vishal in case FIR No. 142/2020.

Be awaited. Put up at 12 noon.



(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 12 noon

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Nishant Sharma, Counsel for accused-applicant.


Arguments heard. For orders at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 4 pm
ORDER

This is an application for grant of anticipatory bail on behalf of accused Vishal in case FIR No. 142/2020.

Id. Counsel for the accused-applicant submits that the accused



is falsely implicated and is totally innocent and was not even present at the place of occurrence at the alleged time of occurrence. That the accused-applicant was intimated that his scooty is to be produced in the police station and thereafter for some reason the police is bent upon to falsely implicate the accused-applicant. That there is no evidence to connect the accused-applicant with the alleged incident. That accused-applicant is ready to join investigation and to assist the IO in every possible manner.

Reply is filed.

Ld. Addl. PP submits that the accused-applicant alongwith co-accused had committed robbery of the mobile phone of the complainant after threatening to shoot him and that the scooty used in the incident was traced to the brother of the accused-applicant who disclosed that the accused-applicant had taken the scooty and his friend namely Rahul @ Deepak went with him. The co-accused Deepak was traced and he disclosed commission of the offence alongwith the co-accused applicant and further that the robbed mobile phone is with the accused-applicant.

Arguments heard. Reply perused.

The accused-applicant alongwith co-accused Rahul @ Deepak who is running into custody is alleged to have stolen the mobile phone of the complainant after putting him under fear of injury and in the commission of the offence the scooty bearing no. DL 8SCR 8029 was employed which was traced to the brother of the accused-applicant. The vehicle used in the commission of the offence has been traced to the brother of the accused-applicant. The co-accused arrested has disclosed

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the involvement of the accused-applicant and the prosecution is sanguine of the possibility of recovery of the stolen mobile phone from the accused-applicant. In such facts and circumstances, it would be necessary for the progress of the investigation that TIP is conducted of the accused-applicant and further the stolen mobile phone is yet to be recovered. In case anticipatory bail is granted to the accused-applicant, it would impede the future progress of the investigation. It is therefore not a fit case for grant of anticipatory bail. Present application for grant of anticipatory bail on behalf of accused Vishal in case FIR No. 142/2020 is therefore dismissed.



(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

FIR No. 72/2011

PS: Sadar Bazar

State Vs. Naresh & Ors.

06.06.2020


Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Manoj Sharma, Counsel for accused-applicant.

This is an application for grant of interim bail on behalf of accused Naresh in case FIR No. 72/2011.

It is put to the Ld. Counsel that interim bail is being sought on what ground at which Ld. Counsel submits that interim bail is being sought on the ground that the mother of the accused-applicant is on death bed and that she is blind and that there is no male member in the family to look after her and it is the widow of the deceased brother of the accused-applicant who is looking after the mother of the accused-applicant.

There are no documents annexed in respect of any medical condition of the mother of the accused-applicant. Ld. Counsel for the accused-applicant submits that brother of the accused-applicant is also in custody in connection with the present case and was earlier granted interim bail previously on the same ground. The orders however are not annexed alongwith the application. The ground setup is not substantiated by any supporting medical report/documents. No ground is made out to grant interim bail to the accused-applicant Naresh for treatment of his mother. Application is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.06.2020

FIR No. 67/2020

PS: Wazirabad

State Vs. Tahir Khan

06.06.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Akram Khan, counsel for accused-applicant
(through video conferencing)

Complainant in person.

Hearing conducted through Video Conferencing.

This is an application for grant of anticipatory bail on behalf of accused Tahir Khan in case FIR No. 67/2020 under Section 323/354/354B/506/509 IPC.


Reply is filed.

Ld. Counsel for the accused-applicant has drawn the attention of the Court to order dated 29.02.2020 at page 20 of the paper book. Ld. Counsel submits that in respect of the incident that allegedly occurred on 25.01.2020, FIR is registered against the accused on 04.03.2020 on complaint dated 20.02.2020. There is considerable and unexplained delay in filing of the complaint against the accused-applicant. Ld. Counsel submits that accused-applicant himself had filed a complaint against the complainant and her husband on 29.01.2020 of criminal intimidation. That even after the complaint filed by the accused-applicant on 29.01.2020, accused-applicant was further intimidated on 08.02.2020 in respect where of he again filed a complaint on 09.02.2020. Further accused-applicant has

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also filed an application before the concerned Magistrate inquiring about the status of the investigation/inquiry in his complaint. Reply is filed by the IO in the said application that no steps is taken on the complaint of the accused-applicant. That the accused-applicant was called by the IO to the police station on 22.02.2020 and was beaten up by the IO, due to which he sustained injuries in his ear drum and his medical examination was also got conducted. Subsequently, anticipatory bail application was filed in which detailed protection orders were passed referred to above on 29.02.2020. Thereafter on 19.03.2020 some police officials visited his residence and undated notice was served upon him. Learned counsel for the accused-applicant submits that yesterday he had filed alongwith application further documents including the notice that the IO alleges to have served upon the accused-applicant for joining the investigation on 19.03.2020 and the reply of the IO filed in the petition of the accused-applicant before Id. MM.

Documents have not been received from Bail Section. The same be called for. Put up alongwith documents at 2 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.06.2020

At 2 pm

Present:

Sh. K.P.Singh, Ld. Addl. PP for State with IO.

Sh. Akram Khan, counsel for accused-applicant
(through video conferencing)

Complainant in person.



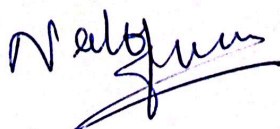
Hearing conducted through Video Conferencing.

Documents are received from Bail Section.

Arguments heard.

The complainant submits that her husband was working as a mistry for the accused-applicant and had engaged other labour at the instance of the accused-applicant, however the accused-applicant never used to make complete payment and used to dole out small payments with long delays and the labour employed got served notice upon her husband upon they pressed upon the accused-applicant for release of the balance payment and after much pleadings he finally agreed and had called her husband for collecting the payment but her husband was away and instead in order to receive the payment on behalf of her husband, she went to the office of the accused-applicant where the accused-applicant tried to disrobe her and outraged her modesty. That she has been running from pillar to post and is being harassed and pressurized and police is not taking any action against the accused-applicant who is still roaming free.

The IO submits that the previous anticipatory bail application of the applicant was disposed of with direction to him to serve advance notice upon the accused-applicant if his presence would be required in connection with the complaint of the prosecutrix and in pursuance thereto on 16.03.2020 notice was sought to be served upon him for joining the investigation in the present case, however, on the said date minor daughter of the accused-applicant met at the residence of the accused-applicant while the accused-applicant was stated to be away and not available and as

A handwritten signature in black ink, appearing to read 'N. S. Gurus', is written at the bottom center of the page. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

a result, the notice was not served upon the accused-applicant and thereafter on 19.03.2020 notice was served upon the accused-applicant to join the investigation on 22.03.2020, however, due to the janta curfew announced on 22.03.2020 and the subsequent national lockdown in the wake of the outbreak of the covid-19 pandemic, the investigation was stalled for sometime but thereafter raids were conducted at the residence of the accused-applicant and the accused-applicant is absconding and has failed to join the investigation. IO submits that the complaint filed by the accused-applicant against the complainant were also inquired into and the OPD card of the accused-applicant for 23.02.2020 of Hindu Rao Hospital was also verified and it came to light that accused-applicant was treated for some pain in his ear with no history of any kind of assault recorded.


Ld. Addl. PP submits that accused-applicant is deliberately evading process and not coming forward to join the investigation. That he has gone through the case diary of the IO which shows that the residence of the accused-applicant was visited on 28.03.2020, 15.04.2020, 29.04.2020 and 07.05.2020 in order to serve notice upon the accused-applicant but every time it is the minor children and wife of the accused-applicant who were found present, and accused-applicant having due knowledge is deliberately evading. The wife was notified and had assured that she will inform the accused-applicant and that the accused-applicant shall join investigation, however, accused-applicant has failed to join the investigation till date and instead filed the present application for anticipatory bail and that the accused-applicant is not cooperating in the

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investigation.

The allegations against the accused-applicant are grave and serious. Accused-applicant was directed to join investigation vide order dated 29.02.2020 and instead is reported to be evading service of the process/notice and is not coming forward to join the investigation and as a result the investigation in the present case into such serious allegations is not making much headway / progress. Taking into consideration the serious nature of the allegations and the conduct of the accused-applicant as the accused-applicant is evading service of the notice to join investigation and as the accused-applicant has not come forward to join the investigation since passing of order dated 29.02.2020, no ground is made out to grant anticipatory bail to the accused. Present application for grant of anticipatory bail of accused Tahir Khan in case FIR No. 67/2020 is dismissed.

Order be forwarded on e-mail to the Ld. Counsel for the accused-applicant by the Coordinator.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.06.2020