

FIR No. 142/2018
PS: Darya Ganj
State Vs. Rahul @ Mohd. Salman
U/s 302/201/34 IPC

21.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Amjad Khan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

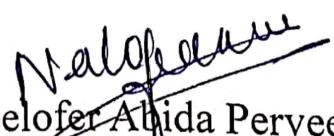
This is an application for grant of interim bail on behalf of accused Rahul @ Salman under Section 439 CrPC in case FIR No. 142/2018 invoking the guidelines dated 18.5.2020 issued by the High Powered Committee of H'ble the High Court of Delhi for release of undertrial prisoners on interim bail of 45 days in order to decongest the prisons in the wake of outbreak of Covid-19 pandemic.

Report in respect of accused Rahul @ Salman is received from Jail Superintendent to the effect that accused Rahul @ Salman is in custody in the present case from 23.06.2018 and that his over all conduct in jail is satisfactory and he has not been awarded any punishment in jail till date. As per report received from the IO, accused-applicant is not involved in any other case. IO has further reported that accused-applicant does not have any known permanent or temporary residential address and any address of the accused-applicant is neither available on the record nor could be traced.



Ld. Counsel for accused-applicant submits that the relative of the accused, who was pursuing the matter, due to covid-19 has not been able to contact him and further that accused-applicant is a vagabond.

In such facts and circumstances relying upon the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 for release of undertrial prisoners for 45 days interim bail in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic, and as the accused-applicant fulfills all the criteria prescribed under the guidelines, **interim bail for 45 days is granted to the accused Rahul @ Salman in case FIR No. 142/2018 on furnishing personal bond in the sum of Rs.50,000/- to the satisfaction of the jail Superintendent** and subject to the condition that accused-applicant shall not in any manner threaten/ influence the witnesses in this case or tamper with the evidence or interfere with the course of justice in any manner whatsoever, and shall furnish his mobile phone number to the IO and shall ensure that the mobile phone number remains throughout on switched on mode with location activated and shared with the IO. That every day once in 24 hrs telephonically accused-applicant shall confirm his location to the IO. That accused-applicant once in every two days shall mark his presence with the SHO of PS Darya Gang. That the accused-applicant shall not leave the territorial limits of NCR Region during the period of interim bail.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
21.07.2020

FIR No. 27/2019

PS: Wazirabad

State Vs. Vijay @ Sunil @ Munna

U/s 15/61/85 NDPS Act

21.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh.Sudarshan Singh, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

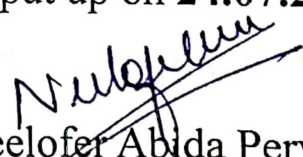
This is an application for grant of regular bail filed on behalf of accused Vijay @ Sunil @ Munna in case FIR No. 27/2019.

The present bail application has been preponed for hearing.

Reply is not filed. Ld. Addl. PP seeks some time to file reply.

Reply, if any, be filed on or before the next date of hearing.

For reply and consideration, put up on **24.07.2020**.


(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

21.07.2020

FIR No. 54/2020
PS: Crime Branch
State Vs. Bali Khan
U/s 20/29 NDPS Act

21.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. Kamal J. S. Maan, counsel for accused (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application on behalf of the accused-applicant for filing of medical report in terms of order dated 14.07.2020 and for filing of order dated 13.07.2020 passed by Hon'ble High Court of Delhi in W. P. (C) No. 3037/2020 for extension of interim bail of inmates till 31.08.2020.

Ld. Counsel for accused-applicant submits that accused-applicant was initially granted interim bail on 09.06.2020 for the purpose of surgery of his wife for 15 days which was further extended by another 15 days. That as the accused was showing symptoms of covid-19, vide order dated 09.07.2020 interim bail of the accused-applicant was extended till 14.07.2020 and he was directed to get himself tested for covid-19 and to file report. On 14.07.2020 the accused-applicant filed his first report of



Covid-19 which was negative and submitted that doctor has advised for second test which was to be conducted on 15.07.2020 whereupon interim bail of the accused was extended till 20.07.2020. Ld.Counsel for accused-applicant submits that in view of the directions passed by Hon'ble the High Court of Delhi in W. P. (C) No. 3037/2020 interim bail of the accused-applicant may be extended till 31.08.2020.

Ld. APP submits that the case of the accused applicant would be covered by the directions passed by H'ble the Full Bench of our High Court for extension of interim bails till 31.8.2020 in W.P. (C) N.3037/2020 on 13.7.2020.

Heard.

The Full Bench of Hon'ble the High Court in W. P. (C) N.3037/2020 titled as **Court on Its Own Motion v. State & Ors.** vide order dated 13.07.2020 has clarified in respect of extension of interim orders in following words:-

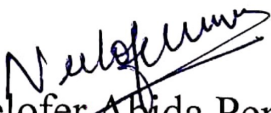
"7. In this regard, we make it clear that all the directions issued form time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these directions have been issued keeping in view of the fact that the jail authorities have limited space 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 Court 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 clarified that this order 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."

The accused-applicant as on 13.07.2020 i.e. the date mentioned in the order was on interim bail extended vide order dated 9.7.2020 till 14.7.2020, interim bail in terms of directions passed in W. P. (C) No.3037/2020 are extended till 31.08.2020.

In such circumstances, the interim bail already granted to the accused-applicant Bali Khan in case FIR No. 54/2020 is further extended till 31.08.2020 on the same terms and conditions and on the same sureties by virtue of directions passed on 13.7.2020 by H'ble the High Court of Delhi in W. P. (C) No.3037/2020.


(Neelofer Abida Perveen)
Link Special (Central)THC/Delhi
21.07.2020

FIR No. 34/2019
PS: DBG Road
State Vs. Urmila
U/s 302/120B/34 IPC

21.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

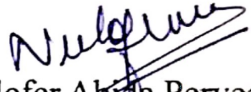
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

None for accused-applicant.

This is an application under Section 439 CrPC for grant of interim bail for 45 days on behalf of the accused-applicant Urmila in case FIR No. 34/2019.

When contacted telephonically, Ld. Counsel for accused-applicant sought pass over or 12.30 pm.

Put up at 12.30pm.


(Neelofer Abrid Perveen)
Link Special (Central)THC/Delhi
21.07.2020

At 12.30 pm

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Gagan Bhatnagar, counsel for accused (through video conferencing)

Hearing conducted through Video Conferencing.

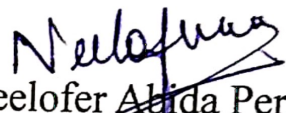
This is an application under Section 439 CrPC for grant of interim bail for 45 days on behalf of the accused-applicant Urmila in case FIR No. 34/2019.

Ld. Counsel for the accused-applicant submits that applicant is facing acute medical problem in chest and has been taken several times outside jail premises for treatment to hospitals but there has been no improvement in her health condition.

Let report be called in respect of the medical health condition of the

accused-applicant from jail Superintendent concerned.

For report and consideration, put up on **25.07.2020**.


(Neelofer Akida Perveen)
Link Special (Central)THC/Delhi
21.07.2020

FIR No. 80/2018
PS: Crime Branch
State Vs. Ansalam Nayak
U/s 20NDPS Act

21.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Puneet Jaiswal, counsel for accused (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail for 30 days on behalf of the accused-applicant Ansalam Nayak in case FIR No. 80/2018.

Ld. Counsel for the accused-applicant submits that accused is suffering from piles and his condition is critical and there is not improvement in the condition of the accused-applicant by the treatment provided by the jail authorities. That doctor has advised for surgery and applicant wants to get himself operated from a private hospital in view of the Covid-19 situation.

Let report be called in respect of the medical health condition of the accused-applicant from Jail Superintendent concerned.

For report and consideration, put up on **28.07.2020**.



(Neelofer Abida Perveen)
Link Special (Central)THC/Delhi
21.07.2020

FIR No. 356/2019
PS: Sarai Rohilla
State Vs. Faisal
U/s 302/34 IPC

21.07.2020

Application is put up before this Court, as it is informed by the staff of the Court of Sh. Deepak Dabas, Ld. ASJ, Delhi that Ld. Presiding Officer is not holding court due to covid-19 infection, as Link Court.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Mohd. Saleem, Counsel for accused (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail for on behalf of the accused-applicant Faisal in case FIR No. 356/2019.

Ld. Counsel for accused-applicant submits that accused is suffering from piles and requires immediate surgery. That adequate treatment is being not provided to the accused-applicant in custody.

Let report be called in respect of the medical health condition of the accused-applicant from Jail Superintendent concerned.

For report and consideration, put up on **27.07.2020**.



(Neelofer Abida Perveen)
Link Special (Central)THC/Delhi
21.07.2020

FIR No. 327/2018
PS: Prasad Nagar
State Vs. Ramesh
U/s 307 IPC

21.07.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Om Sharma, counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

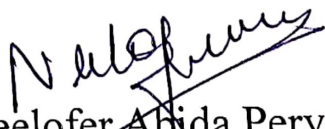
This is an application under Section 439 CrPC for extension of interim bail by 45 days on behalf of accused Ramesh in case FIR No. 327/2018.

Ld. Counsel for the accused-applicant submits that accused-applicant was granted interim bail of 45 days vide order dated 08.06.2020 and interim bail period is going to expire on 23.07.2020.

It emerges that the High Powered Committee in its meeting dated 20.06.2020 had recommended for extension of interim bails further by 45 days of the undertrial prisoners who had been granted interim bail in the first place on the basis of guidelines issued by the High Powered Committee which recommendation has been accepted by H'ble the High Court of Delhi vide order dated 22.6.2020 passed in WP (C) No. 3080/2020. The prayer for extension is rendered infructuous in the wake of the directions issued by the Hon'ble the High Court of Delhi in WP (C) No.



3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr. Dated 22.06.2020 vide which accepting the recommendation of High Powered Committee dated 20.06.2020, the interim bail for a period of 45 days granted to 2961 UTPs as per High Powered Committee criteria has been ordered to have been extended by another period of 45 days from the date of the respective expiry on the same terms and conditions. Case of the accused-applicant is covered under the blanket order of Hon'ble High Court dated 22.06.2020 of extension of interim bails. There arises no necessity by this Court to pass individual extension orders separately in every such case covered under the blanket order extending interim bails granted as per Covid-19 criteria by further period of 45 days. Application is disposed of as infructuous in terms of order dated 22.06.2020 passed by the Hon'ble the High Court of Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
21.07.2020

FIR No. 261/2019

PS: Kotwali

State Vs. Mohd. Farhaz Khan

U/s 392/397/411/34 IPC & 27 Arms Act

21.07.2020

Fresh application received. Be registered.

Present: Sh. K.P. Singh, Ld. Addl. PP for State (through video conferencing)

Sh. S. N. Shukla, LAC for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Mohd. Farhaz Khan in case FIR No. 261/2019.

Ld. Counsel for accused-applicant submits that the accused-applicant in custody has developed various medical issues including breathlessness with cold and fever.

Let report be called for in respect of the medical health condition of the accused-applicant from jail Superintendent.

For report and consideration, put up on **25.07.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
21.07.2020

FIR No. 73/2018
PS: ODRS
State Vs. Abdul Hakim Ansari
U/s 302/201 IPC

21.07.2020

Fresh application received. Be registered.

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

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Abdul Hakim Ansari in case FIR No. 73/2018 invoking guidelines issued by High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

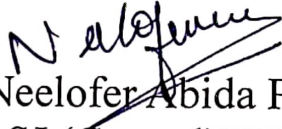
Ld. Counsel for accused-applicant submits that accused-applicant has almost completed two years in judicial custody and that in view of the guidelines issued by High Powered Committee of Hon'ble High Court, lenient view may be taken for release of the accused-applicant on interim bail of 45 days as per guidelines.

Ld. Addl. PP, on the other hand, submits that accused-applicant does not fulfill the criteria as accused-applicant is involved in commission of offence under Section 302 IPC.

Admittedly, accused-applicant has not yet completed two years in custody and the case FIR No. 73/2018 pertains to commission of

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offence under Section 302 IPC. As the accused-applicant does not fulfill the criteria for grant of interim bail in accordance with the guidelines issued by High Powered Committee of Hon'ble High Court dated 18.5.2020 for release of UTP's on interim bail pf 45 days in order to decongest the prisons in Delhi, the present **application for grant of interim bail on behalf of accused Abdul Hakim Ansari in case FIR No. 73/2018 is therefore dismissed.**


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
21.07.2020