

State Suraj Halдар
FIR no. 18/2020
under Section 363/376 & Section 6 POCSO Act
PS Wazirabad

07.07.2020.

Present: Ld. Addl. PP for State.
Ld. Counsel for accused/applicant.

Heard. Perused.

Reply has been received from SI Neeraj Kumar through email. As per said reply, Sections 376 IPC and Section 6 POCSO Act have been invoked in this case.

Since Section 6 POCSO Act has been invoked in this case, this Court has no jurisdiction to hear and dispose of the application in hand and the Court dealing with POCSO Matters is having jurisdiction over present matter.

In view of aforesaid facts and circumstances, matter/present bail application be put up before court dealing with POCSO Cases **today itself at 01.00 PM.**

Ahlmad is directed to comply.

dl
07/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

State Vs. Dharmavati
FIR no. 213/2020
under Section 302 IPC
PS Wazirabad

07.07.2020.

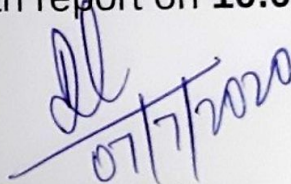
Present: Ld. Addl. PP for State.

Ld. Counsel for accused/applicant **(through V/C)**.

Heard. Perused.

Inspite of repeated calls/passovers, neither IO has appeared nor report has been received from him.

IO to appear in person alongwith report on **10.07.2020**.



(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

State Vs, Mohd. Hilal
FIR No. 11/2020
under Section 307/201 IPC
PS Maurice Nagar

07.07.2020.

Present: Ld. Addl. PP for State.

Ld. Counsel for accused/applicant **(through V/C)**.

Heard. Perused.

Inspite of repeated calls/passovers, neither IO has appeared nor report has been received from him.

IO to appear in person alongwith report on **09.07.2020**.

dl
07/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

State Vs. Jitender @ Jeetu
FIR no. 263/2019
under Section 419/ 420/467/468/471/201/120-B/34 IPC
PS Crime Branch

07.07.2020.

Present: Ld. Addl. PP for State.
SI Santosh Kumar i.e. IO in person.
Ld. Counsel for accused/applicant **(through V/C)**.

Heard. Perused.

Ld. Counsel for accused/applicant submits that present application has been filed on behalf of accused/applicant named above for grant of interim bail for a period of 45 days. During course of arguments, Ld. Counsel for accused/applicant submits that even interim bail for a period of 30 days will also serve the purpose. It is further submitted that apart from present accused/applicant, there are 07 accused persons in this case and the said 07 co-accused persons are already on bail i.e. five on regular bail and two on interim bail for a period of 45 days. It is further submitted that accused/applicant was arrested on 05.09.2019 and he is in custody since then. Investigation of the case has already been completed. Chargesheet has been filed and conclusion of trial is likely to take time. It is further submitted that the cheated amount has already been freezed in the bank accounts of accused persons. It is further submitted that accused/applicant is ready and willing to abide by any/all the conditions which this Court may impose while enlarging accused/applicant on interim bail.

On the other hand, Ld. Addl. PP for State has strongly opposed the present application filed by accused/applicant.

IO/SI Santosh Kumar submits that accused/applicant alongwith co-accused persons in furtherance of their criminal conspiracy has cheated

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07/7/2020

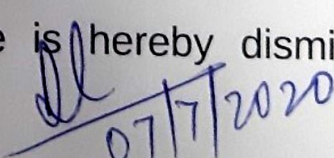
State Vs. Jitender @ Jeetu FIR no. 263/2019

four persons to the tune of Rs.15 lacs. Accused persons were running a well organized racket for sending people abroad on the basis of fake and forged documents i.e. VISA etc. It is further submitted that lot of documents/instruments/machines used for forging/fabricating documents were recovered from the possession of accused persons/at their instance. It is further submitted that accused/applicant is a permanent resident of Nepal and he has no permanent place of residence in India and accused/applicant may flee to Nepal if released on bail. It is further submitted that only present accused/applicant is a foreign national and all the remaining accused persons are citizens of India.

I have duly considered the rival submissions. I have perused the record carefully.

Perusal of record shows that **Section 467 IPC** has been invoked in this case. The maximum punishment for offence punishable under Section 467 IPC is life imprisonment. Accused/applicant is a foreign national and his role is totally different from the five accused persons who have been granted regular bail. The said five accused persons were not in direct contact with the complainant/victims. The offence in question was committed in a preplanned and well organized manner. The possibility of accused/applicant fleeing away from country cannot be ruled out.

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.


07/07/2020
(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

State Vs. Urmila
FIR no. 238/2018
under Section 302/34 IPC
PS Sarai Rohilla

07.07.2020.

Present: Ld. Addl. PP for State.

Sh. Sunil Kumar, Ld. LAC for accused/applicant.

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of interim bail for a period of 45 days on the basis of minutes of meeting of High Powered Committee dated 18.05.2020. It is further submitted that accused/applicant was arrested on 22.06.2018 and she in custody since then i.e. for more than two years. It is further submitted that accused/applicant is having absolutely clean antecedents and she was never involved in any other case nor she is a previous convict. It is further submitted that conduct of accused/applicant in Jail is good and she has not been awarded with any punishment in jail till date.

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand on the ground that offence in question is very serious one and as per guidelines/minutes of meeting dated 18.05.2020, interim bail is not be claimed as a matter of right.

I have duly considered the rival submissions. I have perused the record carefully.

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dl
07/7/2020

State Vs. Urmila FIR no. 238/2018

As per conduct certificate dated 01.07.2020 annexed with present application accused/applicant has spent two years and five days in JC till 26.06.2020 and her case falls in the criteria of the minutes of meeting of High Powered Committee dated 18.05.2020. As per said certificate, no punishment has been recorded against her in Jail and her conduct is good.

Admittedly, accused/applicant is in JC since the last more than two years. Conduct of accused/applicant in jail is good/satisfactory. No previous conviction has been proved/alleged against accused/applicant.

Keeping in view the aforesaid facts and circumstances, **accused/applicant is hereby admitted to interim Bail for a period of 45 days from the date of her release from jail on her furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount to the said satisfaction of this court. Accused/applicant shall surrender before concerned jail superintendent on expiry of period of interim bail.**

Application stand disposed of accordingly.

Copy of order be given dasti as requested.

DL
07/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

Order Received
8/07/20
7/7/20
SUXIL KUMAR
PDC (DZSA)
D-2011/06

State Vs. Satendra @ Sikandar
FIR no. 493/2015
under Section 302 IPC
PS DBG Road

07.07.2020.

Present: Ld. Addl. PP for State.

Sh. Uma Shankar Gautam and Sh. Nitin Gautam, Ld.

Counsel(s) for accused/applicant.

Heard. Report received from IO through email perused.

Present application has been filed on behalf of accused/applicant named above for grant of interim bail for a period of 45 days on the basis of minutes of meeting dated 18.05.2020 of High Powered Committee.

Ld. Counsel for accused/applicant submits that accused/applicant was arrested on 01.09.2015 and he is in JC since then i.e. for the last about five years. It is further submitted that accused/applicant was never released on interim bail during this period. It is further submitted that investigation is complete. Chargesheet has been filed. Charge has been framed and even material witnesses have been examined. It is further submitted that conduct of accused/applicant in jail is very good and certificate/letter of recognition issued by concerned jail superintendent has been annexed with this application. It is further submitted that accused/applicant is having absolutely clean antecedents and he was never involved in any

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07/7/2020

State Vs. Satendra @ Sikandar FIR no. 493/2015

other case nor he is a previous convict.

On the other hand, Ld. Addl. PP for State has strongly opposed the present application filed by accused/applicant.

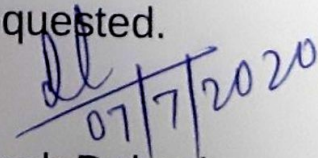
I have duly considered the rival submissions. I have perused the record carefully.

It is not in dispute that accused/applicant is in JC since 01.09.2015 i.e. for the last about five years. No previous conviction/involvement has been alleged against accused/applicant. Conduct of accused/applicant in Jail is good as a letter of recognition has been issued in his favour by concerned jail superintendent.

Keeping in view the aforesaid facts and circumstances, ***accused/applicant is hereby admitted to interim Bail for a period of 45 days from the date of his release from jail on his furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount to the said satisfaction of this court. Accused/applicant shall surrender before concerned jail superintendent on expiry of period of interim bail.***

Application stand disposed of accordingly.

Copy of order be given dasti as requested.


(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

Cr Rev No. 684/2019
Pooja & Ors. Vs. State

07.07.2020.

Present: None for petitioners.
Ld. Addl. PP for State.

Heard. Perused.

Inspite of repeated calls/passovers, none has appeared for petitioners.

In view of aforesaid facts and circumstances, present matter is hereby adjourned for **07.12.2020**.


07/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020

State vs. Parmod Kumar
FIR No. 86/2018
under Section 20 of NDPS Act
PS Crime Branch

07.07.2020.

Present: Ld. Addl. PP for State.

SI Santosh Kumar i.e. IO in person.

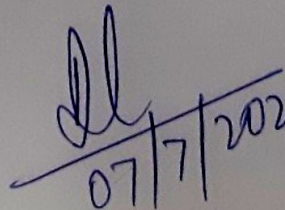
Ld. Counsel for accused/applicant **(through VIC)**

Arguments heard. File perused.

Present application has been filed on behalf of accused/applicant namely Parmod Kumar for grant of regular bail.

Ld. Counsel for accused/applicant submits that accused/applicant was arrested on 25.03.2018 and he is in custody since then. It is further submitted that investigation of the case has already been completed, chargesheet has been filed and even charge has been framed. It is further submitted that out of total 14 witnesses cited in list of witnesses, examination-in-chief of 09 witnesses has already been recorded and even 4-5 witnesses have been cross examined. It is further submitted that there is no compliance of Section 50 of NDPS Act and other mandatory provisions of NDPS Act. The whole prosecution story is unreliable. It is further submitted that lot of contradictions/lacunas have emerged in the cross examination of PW-1 as well as other material witnesses and accused persons are likely to be acquitted in this case. It is further submitted that the bags containing the case property were in torn condition and the chances of tempering with the case property cannot be ruled out. It is further submitted that Hon'ble High Court of Delhi has directed trial Court to conclude trial of

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07/7/2020

State vs. Parmod Kumar

FIR No. 86/2018

this case within six months but the same could not be completed.

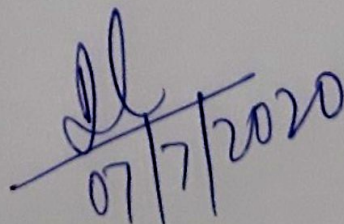
On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand. Ld. Addl. PP for State argued that in the present case, 53 kg of 'Ganja' was recovered from the possession of accused/applicant and the same is commercial quantity. Ld. Addl. PP for State has drawn attention of this Court towards Section 37 of NDPS Act and argued that in view of said Section the application in hand is without merits and same is liable to be dismissed.

I have duly considered the rival submissions. I have perused the record carefully.

It is not in dispute that accused/applicant was arrested on 25.03.2018 and he is in JC since then. As per prosecution version, **53 kg 'Ganja'** i.e. commercial quantity has been recovered from the possession of accused/ applicant. As per Section **37 of NDPS Act**, bail in such cases can be granted only when the Court is satisfied that there are reasonable grounds for believing that accused is not guilty of such offence and he is not likely to commit any offence while on bail.

In the present case, at this stage, there are no reasonable grounds for believing that accused/applicant is not guilty of such offence and he is not likely to commit any offence while on bail. The allegations against accused/applicant are of very serious nature and some material witnesses are yet to be examined/cross-examined. The Hon'ble High Court of Delhi vide order dated 10.05.2019 directed the Trial Court to expedite the

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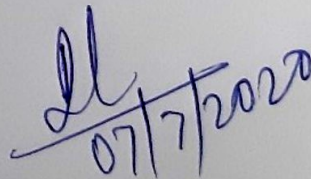
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State vs. Parmod Kumar

FIR No. 86/2018

recording of prosecution evidence and endeavor to conclude the same within a period of six months. In compliance of order dated 10.05.2019, recording of prosecution evidence has been expedited, however, due to some unavoidable circumstances, the same could not be completed. It is pertinent to mention that I had taken charge of this Court w.e.f. 06.01.2020. In the month of January 2020, for a considerable period, under trial prisoners were not produced from jail on the ground that concerned staff is busy in Republic Day Parade preparations. In the month of February 2020 also, UTPs were not produced from jail for a considerable period and even police witnesses failed to appear in Court on account of Delhi Assembly Elections. It is also pertinent to mention that since 15th March 2020, regular functioning of courts is suspended on account of pandemic of COVID-19 and the same is continuing till date.

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.



(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/07.07.2020