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**FIR No. 53/2017
PS Kirti Nagar
State Vs. Sonu
U/s 302/34 IPC**

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

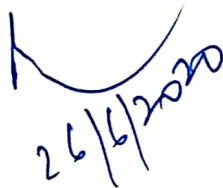
Shri Ujas Kumar, Ld. Counsel for the applicant/accused namely Sonu, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard.

The report of concerned Jail Superintendent has not come so far before the court as per last order regarding the medical condition of the applicant/accused Sonu.

On request, put up for consideration of this application on


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24.06.2020

2020 onwards in the Subordinate
16/DHC/2020

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30.06.2020 through video conferencing, as prayed. Meanwhile, report of concerned Jail Superintendent be summoned as per last order as mentioned above.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 326/2016
PS Vikas Puri
State Vs. Aamir Khan S/o Sh. Naeim Khan
U/s 302/307/452/427/147/148/149/120B/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri S.P. Sharma, Ld. Counsel for the applicant/accused namely Aamir Khan S/o Sh. Naeim Khan.

Report of Jail Superintendent has not come so far.

On request be awaited.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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26.06.2020

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri S.P. Sharma, Ld. Counsel for the applicant/accused namely Aamir Khan S/o Sh. Naeim Khan.

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Report of Inspector R.K. Maan dated 25.06.2020 regarding previous involvement has come.

Report of concerned Jail Superintendent has not come so far.

Ld. Addl. P.P. for the State submits that the case is not covered under the guidelines of the Hon'ble High Powered Committee dated 18.05.2020 since the provisions of rioting are also involved.

Ld. Counsel for the applicant prays that the matter be kept on 29.06.2020 for consideration and meanwhile report of concerned Jail Superintendent may come.

On request put up for consideration of this bail application on 29.06.2020.



(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 259/2019
PS Nihal Vihar
State Vs. Sital Mandal
U/s 395/397/412/120B/382/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Mahesh Kumar Patel, Ld. Counsel for the applicant/accused namely Sital Mandal, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard.

This is an application for early hearing of the bail application.

Ld. Counsel for the applicant submits that bail application is

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Handwritten signature and date: 26/6/2020

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SESSION JUDGE COURT: (WEST
TIS HAZARI COURTS: DELHI

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already pending which is fixed for 06.08.2020 due to lock-down. He prays that the present application be put up with file on 30.06.2020, if convenient.

On request put up the present application with file on 30.06.2020 through video conferencing. Meanwhile, Ahlmad to do the needful.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 326/2016
PS Vikaspuri
State Vs. Nasir Khan @ Pali & Ors.
U/s 302/307/452/427/147/148/149/120B/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Naveen Kohar, Ld. Counsel for the applicant/accused namely Salman @ Riyazuddin, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.


Reply dated 26.06.2020 of Inspector Ram Kumar Maan, PS Vikas Puri, Delhi has come.

Heard.

This is an application u/s 439 Cr.P.C.

At the outset Ld. Addl. P.P. for the State has submitted that

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in the present matter bail application of this applicant/accused is already pending before the Hon'ble High Court of Delhi and in fact one application for early hearing of the said bail application was moved on behalf of the applicant before the Hon'ble High Court of Delhi and the said application for early hearing was dismissed vide order dated 22.06.2020 passed by the Hon'ble High Court of Delhi in Bail Application No. 402/2020, titled as Riyazuddin Vs. State.

On query put to the Ld. Counsel for the applicant as to why he has not disclosed about the pendency of the bail application in the present case, the Ld. Counsel for the applicant has submitted that earlier he was not having the knowledge of the said bail application and he came to know subsequently that the other bail application which is now pending before the Hon'ble High Court of Delhi has been filed by some other counsel for the applicant.

Ld. Addl. P.P. for the State has submitted that this is a material concealment on the part of the applicant/accused. The downloaded print out of the order dated 22.06.2020 of the Hon'ble High Court of Delhi has been furnished on behalf of the State. It be taken on record. It is further submitted by Ld. Addl. P.P. for the State that the IO has also not disclosed about the pendency of the bail

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26/6/2020

application before the Hon'ble High Court of Delhi in his reply dated 26.06.2020. Ld. Addl. P.P. for the State has clarified that although the said fact regarding pendency of the bail application before the Hon'ble High Court of Delhi is not mentioned in the reply of IO, however, it was communicated telephonically to him by IO and copy of the order dated 22.06.2020 was transmitted electronically to the Naib Court.

In these circumstances, Ld. Counsel for the applicant/accused prays that the present application may be disposed off as withdrawn.

In view of the above facts and circumstances and submissions made, the present application is hereby disposed off as withdrawn.

Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 797/2017
PS Ranhola
State vs. Manoj Kumar
U/s 498-A/304-B/306/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

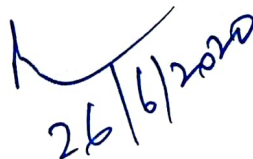
Sh. Shahryar Khan and Sh. Akash Arora, Ld. Counsels for the applicant/accused namely Manoj Kumar through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Report of IO regarding involvement of applicant/accused in any other criminal case during the period of interim bail in this case has not come so far as per last order.

Ld. Addl. P.P. for the State prays that the said report may be summoned for any short date.

Heard.


26/6/2020

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This is an application for extension of interim bail.

In the interest of justice, put up for consideration of this application on 30.06.2020 through video conferencing. Meanwhile, report of IO as mentioned above as per last order be summoned for next date.

In the interest of justice the interim bail of applicant/accused Manoj Kumar is extended till next date only on the same terms and conditions.

Copy of this order be provided to both the sides. One copy of the order be sent to concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 512/2019
PS Ranhola
State Vs. Ranjeet
U/s 302 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Reader of the court has submitted that Shri Santosh Kumar, Ld. Counsel for the applicant/accused namely Ranjeet could not be connected through video conferencing through CISCO Webex App. and he has been contacted on his mobile no. 9718935613 as mentioned in the application under consideration.

This is a fresh bail application u/s 439 Cr.P.C.

Request has been made to fix the matter for consideration through video conferencing on 29.06.2020.

On request put up for consideration through video

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26/6/2020

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conferencing on 29.06.2020. Meanwhile, report of IO be called including the report of previous involvement of the applicant in any other case.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 326/2016
PS Vikas Puri
State Vs. Harish
U/s 302/307/452/147/148/149/120B/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Sumit Sarna, Ld. Counsel for the applicant/accused namely Harish through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

This is an application for interim bail u/s 439 Cr.P.C.

Ld. Counsel for applicant submits that the said application is on the basis of the guidelines of Hon'ble High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Report of this interim bail application has come which is of dated 26.06.2020. The report regarding previous involvement of applicant/accused has also come.


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Ld. Counsel for the applicant submits that the applicant/accused is in JC in this case since 21.07.2016. It is prayed on behalf of the applicant that the report regarding conduct of applicant in jail may be summoned from the concerned Jail Superintendent. However, on the other hand, Ld. Addl. P.P. for the State submits that the present application is not covered under the guidelines of the Hon'ble High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Ld. Counsel for the applicant further submits that in this case the co-accused Behruddin has been admitted to bail by Hon'ble High Court of Delhi as per order dated 11.06.2020 and he wants to furnish copy of the said order on record. Short adjournment sought on behalf of applicant.

On request and in the interest of justice, put up for consideration of this application through video conferencing on 29.06.2020, as prayed. Meanwhile, report of concerned Jail Superintendent be summoned regarding the conduct of applicant in jail during his period of custody. Meanwhile, copy of said order of Hon'ble High Court of Delhi be furnished on behalf of the applicant.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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**FIR No. 390/2015
PS Mundka
State Vs. Pawan Kumar
U/s 302/365/201/120B/34 IPC**

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri S.K. Verma, Ld. Counsel for the applicant/accused namely Pawan Kumar.

Report of SI Ramesh Kumar dated 26.06.2020 has come.

Heard.

Ld. Counsel for the applicant wants to withdraw the present bail application u/s 439 Cr.P.C. due to some technical reasons. He has also made endorsement on the bail application today itself with the permission of the court regarding its withdrawal.

In view of the above facts and circumstances and submissions made, the application under consideration is hereby dismissed as withdrawn.

[Handwritten Signature]
26/6/2020

P.T.O.

On request copy of this order be given dasti to both sides. One copy of this order be sent to the concerned Jail Superintendent for information.

At this stage, Reader of the court has brought to my notice that Ld. Counsel for the applicant has put the date of 25.06.2020 today instead of 26.06.2020 under his signatures on the endorsement regarding withdrawal of this bail application today and Ld. Counsel for the applicant has already left the court. Since the endorsement has been made today itself, therefore, it is not going to prejudice any of the parties.



(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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FIR No. 326/2016
PS Vikaspuri
State Vs. Nasir Khan @ Pall & Ors.
U/s 302/307/452/427/147/148/149/120B/34 IPC

26.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

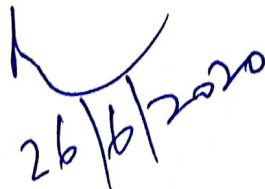
Shri M. Shuaeb Saifullah, Ld. Counsel for the applicant/accused namely Mohsin Khan, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard.

This is an application for bail u/s 439 Cr.P.C. on behalf of the applicant/accused Mohsin Khan S/o Shaukat Ali.

Ld. Counsel for the applicant has submitted that in the present application prayer is for regular bail and in alternative for


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interim bail for three months. Ld. Counsel for the applicant has submitted that co-accused Deepak and Mayser are on bail in this case. The applicant is stated to be in J.C. in this case since 04.05.2016 and the last order reflects that the Ld. Counsel for the applicant clarified that by mistake the date of arrest has been wrongly mentioned as 03.10.2016 instead of 04.05.2016. Ld. Counsel for the applicant submitted that the case of the applicant is covered under the guidelines of the Hon'ble High Powered Committee dated 20.06.2020 of the Hon'ble High Court of Delhi. Ld. Counsel for the applicant also submitted that the said guidelines create no bar to consider the bail application on merits even if it is found to be not covered under those guidelines/ recommendations. Ld. Counsel for the applicant submitted that any strong condition may be imposed and applicant may be admitted to bail. He further submitted that the evidence of IOs is to be recorded in the case. Ld. Counsel for the accused also prayed for grant of bail on parity basis.

On the other hand Ld. Addl. P.P. for the State has strongly opposed the bail application and submitted that the allegations against the applicant are serious in nature and further submitted that the present matter is not only under the provisions of Section 302/307 IPC, however, the provisions of rioting are also invoked. It is further

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submitted by Ld. Addl. P.P. for the State that the applicant was having active role in this case in commission of offence. Ld. Addl. P.P. for the State also submitted that there is no parity and no merits in the bail application under consideration. Ld. Addl. P.P. for the State further submitted that co-accused Mayser was having different role and her role was only of "Instigation", therefore, she was admitted to bail by the Hon'ble High Court of Delhi. Ld. Addl. P.P. for the State also submitted that the bail order of the co-accused Deepak may also be perused from the record.

I have also perused the judicial file of this case. Co-accused Deepak was admitted to bail on 06.04.2019 by the then Ld. Predecessor of this court on medical ground as said order reflects that accused Deepak was admitted in ICCU at D.D.U. Hospital, Delhi and his condition was critically ill.

Ld. Counsel for the applicant/accused further submitted that this is not a case of communal riots and, therefore, there is no bar in admitting the applicant/accused on bail.

Ld. Addl. P.P. for the State has submitted that as per the guidelines/ recommendations of the Hon'ble High Powered Committee of Hon'ble High Court of Delhi dated 20.06.2020, Terror related cases,

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26/6/2020

Riot cases, cases under Anti National Activities and Unlawful Activities (Prevention) Act etc. should not be considered even if falling in the criteria for grant of interim bail.

Provisions of “Rioting, armed with deadly weapon” are also invoked in the present matter.

I have also gone through the said recommendations dated 20.06.2020 of the Hon'ble High Powered Committee and under Item no. 6 of said recommendations, “Fresh category of prisoners who can be released on interim bail” is mentioned and it is also further mentioned that certain category of UTPs even if falling in the above criteria should not be considered. The Terror related cases, Riot cases etc. are specified in Clause-(vi) of category/ matters which should not be considered. Hence, in my considered opinion the present matter is not covered under those guidelines of Hon'ble High Powered Committee. Even otherwise, the applicant/accused cannot be admitted to bail on parity as there is no parity with co-accused.

Report of Inspector R.K. Maan also reflects that Dr. Pankaj Narang and Vikas Sethi were lynched by an organized mob and the applicant/accused was very much involved in this mob.

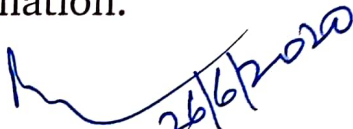
I have considered the rival submissions of both the sides and

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perused the material on record.

In view of the above detailed facts and circumstances, I see no merits in the bail application under consideration. Hence, the same is hereby dismissed. However, any expression of opinion made herein shall not tantamount to any expression of opinion made on the merits of the case. Ordered accordingly. Copy of this order be provided to both the sides. One copy of this order be sent to the concerned Jail Superintendent for information.


(Manish Gupta)
ASJ-04(West)
Tis Hazari Courts/Delhi
26.06.2020

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