IN THE COURT OF G. N. PANDEY, ASJ -09 (POCSO) (WEST), TIS HAZARI COURTS, DELHI.

> FIR No.591/2020 P.S. Tilak Nagar State v. Naval Kishore Khanna U/s 376B/377 IPC

27.08.2020

(Through Video Conferencing)

The court of undersigned is having duty today as per computer generated circular/duty Roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 439 Cr.P.C. for granting regular bail moved on behalf of the applicant/accused.

Present:

Ms. Nimmi Sisodia, Addl. PP for the State.

Sh. Ritesh Oberoi, counsel for the applicant/accused

(Through VC).

Sh. Rajiv Bhasin, counsel for the complainant alongwith

complainant.

IO SI Rooma Yadav with case file.

Arguments heard.

It is submitted by the counsel for the applicant/accused that the applicant/accused is innocent and has been falsely implicated in this case by the complainant and he is in JC since 22.08.2020. It is submitted by him that the complainant is the ex-wife of the applicant/accused and since the complainant has not vacated the properties as per MOU dated the complainant and the between (executed 27.09.2018 applicant/accused) and also not relinquished her share in favour of the applicant/accused, the present FIR has been lodged by her to falsely implicate the applicant/accused. It is further submitted by him that the applicant/accused had already filed the contempt petition against the complainant. In addition thereto, the complaint dated 21.07.2020 with PS Tilak Nagar has already been lodged by the applicant to the fact that a new account was opened in the name of complainant with Canara Bank as per the SMS received on the mobile phone of applicant/accused. He

prayed that keeping in view the facts and circumstances of the case, the applicant/accused be enlarged on bail.

On the other hand, Ld. Addl. PP for the State and the counsel for the complainant opposed the bail application. It is submitted by them that the allegations made against the applicant/accused are serious in nature. They prayed to dismiss the bail application.

I have heard the rival submission of the parties and gone through the record.

The present case was registered on the complaint of the complainant where she stated that she is subjected to sexual assault, unnatural sex and threat by her ex-husband i.e. the applicant/accused with whom she was living after divorce. Medical examination of the victim was also conducted and her exhibits have already been sent to FSL for expert opinion. Matter is at initial stage and the investigation is in progress. Charge sheet is yet to be filed. Considering the overall facts and circumstances of the case coupled with the gravity of offence, the bail application is accordingly dismissed.

Copy of the order be given dasti,

## IN THE COURT OF G. N. PANDEY, ASJ -09 (POCSO) (WEST), TIS HAZARI COURTS, DELHI.

FIR No.512/2020 P.S. Moti Nagar State v. Heera Lal Shah U/s 354/354A/506/509 IPC & 8/12 POCSO Act.

27.08.2020

(Through Video Conferencing)

The court of undersigned is having duty today as per computer generated circular/duty Roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 439 Cr.P.C. for granting regular bail moved on behalf of the applicant/accused.

Present:

Ms. Nimmi Sisodia, Addl. PP for the State.

Sh. Ankit Tyagi, counsel for the applicant/accused.

IO SI Rajani with case file.

Arguments heard. Reply to the bail application filed by the IO perused.

It is submitted by the counsel for the applicant/accused that the applicant/accused is innocent and has been falsely implicated in this case by the complainant/victim and he is in JC since 27.07.2020. It is further submitted by him that the applicant/accused is a labour by profession and he is the sole bread earner of his family. It is prayed that keeping in view the custody period of the applicant/accused, he be enlarged on bail.

On the other hand, Ld. Addl. PP for the State opposed the bail application. It is submitted by her that the allegations made against the applicant/accused are serious in nature. She prayed to dismiss the bail application.

I have heard the rival submissions of the parties and gone through the reply of the IO.

It is alleged against the applicant/accused that he molested and abused the victim and her mother. On the complainant of the victim,

the present FIR was registered. The victim in her statement u/s 164 Cr.P.C. corroborated the facts of FIR. Investigation is at initial stage and charge sheet is yet to be filed. There is possibility of tampering of evidence if the applicant/accused is granted bail at this stage. Keeping in view the overall facts and circumstances of the case coupled with the gravity of offence, the bail application is according dismissed.

Copy of the order be given dasti.

IN THE COURT OF G. N. PANDEY, ASJ -09 (POCSO) (WEST), TIS HAZARI COURTS, DELHI.

FIR No.501/2020 P.S. Moti Nagar State v. Kartik Vaid U/s 354/354A/354D/323/506 IPC & 8/12 POCSO Act

27.08.2020

The court of undersigned is having duty today as per computer generated circular/duty Roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 439 Cr.P.C. for granting regular bail moved on behalf of the applicant/accused.

Present:

perused.

Ms. Nimmi Sisodia, Addl. PP for the State.

Sh. D. K. Singhal, counsel for the applicant/accused.

Father of the applicant/accused.

Sh. Harpreet Singh, counsel for the complainant.

Father of the complainant. IO SI Rajni with case file.

Arguments heard. Reply to the bail application filed by the IO

It is submitted by the counsel for the applicant/accused that the applicant/accused is innocent and has been falsely implicated in this case by the complainant/victim and he is in JC since 29.07.2020. It is further submitted by him that the applicant/accused helping his father in his jewellery shop and the complainant is the friend of the applicant/accused. It is further submitted by him in order to pay for the jewellery articles handed over by the applicant/accused and his father in March, 2020, the complainant hatched the conspiracy and falsely implicated the applicant/accused in this case. He also relied upon the judgment passed in Crl. Appeal No.324/16 tilted Sonu v. State of Uttarakhand passed by High Court of Uttarakhand at Nainital in support of his submission. The counsel for the applicant/accused also filed the written arguments. The counsel for the applicant/accused prayed that keeping in

view the custody period of the applicant/accused and the facts of the case, bail application of the applicant/accused be allowed.

On the other hand, Ld. Addl. PP for the State opposed the bail application. It is submitted by her that the allegations made against the applicant/accused are serious in nature. She prayed to dismiss the bail application.

I have heard the rival submissions of the parties and gone through the reply of the IO. I have also gone through the judgment and written arguments filed on behalf of the applicant/accused.

It is alleged against the applicant/accused that the victim met him before one year and they became friends. Applicant/accused started following her everywhere and started blackmailing her through her photographs and threatened her. On the complaint of victim, the present FIR was registered. In her statement under Section 161 Cr.P.C. also, the victim has made allegations against the applicant/accused that he kissed her in the park forcefully and clicked her photograph when she objected for the same, he slapped her and started blackmailing her through the kissing photographs. It is also stated that the applicant/accused threatened the victim to kill her and her family. No doubt, the allegations levelled against the applicant/accused are serious in nature. Investigation is at initial stage and charge sheet is yet to be filed. There is possibility of tampering of evidence if the applicant/accused is granted bail at this stage. Keeping in view the overall facts and circumstances of the case coupled with the gravity of offence, the bail application is according dismissed.

Copy of the order be given dasti.

IN THE COURT OF G. N. PANDEY, ASJ -09 (POCSO) (WEST), TIS HAZARI COURTS, DELHI.

FIR No.500/2020 P.S. Paschim Vihar East State v. Suraj U/s 323/506/509/341/354B/34 IPC

27.08.2020

The court of undersigned is having duty today as per computer generated circular/duty Roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 438 Cr.P.C. for granting anticipatory bail moved on behalf of the applicant/accused.

Present:

Ms. Nimmi Sisodia, Addl. PP for the State.

Sh. K. K. Bharti, counsel for the applicant/accused.

IO ASI Dilbagh Singh with case file.

Arguments heard. Reply to the bail application filed by the IO perused.

It is submitted by the counsel for the applicant/accused that the applicant/accused is innocent and has been falsely implicated in this case by the complainant and he is nothing to do with the alleged offence. It is further submitted by him that the applicant is a young boy aged 19 years and is doing a private job in Delhi. It is further submitted that the applicant/accused has clean antecedent and due to this false case, there is apprehension of arrest of the applicant/accused. The counsel for the applicant/accused prayed that the anticipatory bail application of the applicant/accused be allowed.

On the other hand, Ld. Addl. PP for the State opposed the bail application. It is submitted by her that the allegations made against the applicant/accused are serious in nature. She prayed to dismiss the bail application.

I have heard the rival submissions of the parties and gone through the reply of the IO. It is alleged against the applicant/accused that

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on 01.08.2020, he gave beatings to the complainant; torn her clothes and also molested her. On the complaint of the complainant, the present FIR was registered. No doubt, the allegations levelled against the applicant/accused are serious in nature. It is reported by the IO that the statement u/s 164 Cr.P.C. of the complainant is yet to be recorded. Investigation is at initial stage and charge sheet is yet to be filed. There is possibility of tampering of evidence if the applicant/accused is granted bail at this stage. Keeping in view the overall facts and circumstances of the case coupled with the gravity of offence, no ground for grant of anticipatory bail to the applicant/accused is made out. Bail application is according dismissed.

Copy of the order be given dasti.

FIR No.859/2020 PS : Nihal Vihar

U/S: 376/506/313 IPC & 6 POCSO Act.

State Vs Nazir Ali

27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Bijender Singh Sharma, Ld. Counsel for applicant/accused.

IO along-with victim present.

Reply filed by the IO be taken on record.

Victim opposed the bail application in view of allegations levelled against the accused. She further submits that she wants to marry with the accused.

Pup for arguments on behalf of accused on 02.09.2020.

DELHI

Bail Application No. 2213

FIR No. 410/2017

PS : Rajouri Garden U/S: 498A/406/34 IPC

State Vs. Tejinder Pal Singh

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for cancellation bail filed on behalf of the applicant/complainant.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

None has appeared on behalf of applicant/complainant.

In the interest of justice, no adverse order is being passed today, case is adjourned to 30.09.2020.

(G.N. PANDEY)
ASJ-09 (POCSO) West
Tis Hazari Courts, Delhi
27.08-2020

At this stage, Counsel for the applicant / accused appeared and apprised the next date of hearing.

Put up for date already fixed ie on 30.09.2020.

DELHI

Bail Application No. 1751

FIR No. 13704/2020

PS: Rajouri Garden

U/S: 379 IPC

State Vs. Daulat Singh

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 438 CrPC for grant of

anticipatory bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Tajinder Siingh, Ld. Counsel for applicant/accused.

IO/HC Tej Singh present.

Reply filed by the IO be taken on record.

Arguments heard.

Ld counsel for the applicant/ accused directed to produce the photograph of the accused. IO is also directed to appear in person with case file and CCTV footage to compare photograph of the accused on the next date of hearing.

In the meanwhile, no coercive steps be taken against the applicant/ accused till next date subject to applicant/accused joining the investigation and cooperating with the IO as and when required.

Put up for consideration on **31.08.2020.** A copy of the order be given dasti.

DELHI

Bail Application No. 1786 FIR No. Not Known PS: Rajouri Garden U/S: Not Known State Vs. Harjeet Singh

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 438 CrPC for grant of anticipatory bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

None has appeared for applicant/accused despite repeated calls since morning.

Reply already filed.

As observed, none appeared for the applicant/accused on the last date of hearing as well.

It is observed that there is no FIR registered in this case. In view of report and submission, nothing is to be required accordingly. Therefore, the application is dismissed and disposed off accordingly.

#### **DELHI**

Bail Application No. 1687

FIR No. 18/20 PS : Patel Nagar

U/S: 392/397/411/34 IPC & Sec. 25/27/54/59 Arms Act.

State Vs. Sidharth @ Sidhu

27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

None has appeared for applicant/accused despite repeated calls since morning.

Reply already filed.

As observed, none appeared for the applicant/accused on the last date of hearing as well.

It is observed that there is no FIR registered in this case. In view of report and submission, nothing is to be required accordingly. Therefore, the application is dismissed and disposed off accordingly.



#### DELHI

**Bail Application No. 1802** 

FIR No. 753/2020

PS: Nangloi U/S: 308 IPC

State Vs. Rajan @ Shaym @ Shama

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Ajay Uppal, Ld. Counsel for applicant/accused.

Complainant also present.

Reply already filed.

On the request of Ld. Counsel for accused, put up for

consideration on 28.08.2020.

DELHI

Bail Application No. 1809

FIR No. 752/2020

PS: Nangloi

U/S: 392/376/506/34 IPC State Vs. Laltesh @ Kalu

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Rajesh Kumar, Ld. Counsel for applicant/accused.

Sh. R R. Jha, Ld. LAC for the complainant.

IO present.

Reply filed to the bail application be taken on record.

It is informed that charge-sheet has been filed before the Ld MM, therefore, let the charge-sheet be summoned for next date of hearing.

Put up for arguments on 07.09.2020. Dasti.

#### DELHI

Bail Application No. 1834

FIR No. 780/2020

PS: Khyala

U/S: 33/38/58 Delhi Excise Act.

State Vs. Sandeep

27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Lokesh Khanna, Ld. Counsel for applicant/accused.

Reply filed to the bail application by the IO be taken on record.

On the request of Ld. Counsel for accused, put up for consideration on **09.09.2020**.

#### DELHI

Bail Application No. 1835 FIR No. 769/2020 PS: Khyala U/S: 308/34 IPC State Vs. Vinod.

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 438 CrPC for grant of anticipatory bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. C.B. Garg, Ld. Counsel for applicant/accused.

Reply filed to the application be taken on record.

The presence of IO is required, therefore, let notice be issued to the IO to appear in person along-with case file on the next date of hearing.

On the request of Ld. Counsel for accused, put up for consideration on **04.09.2020**.

#### DELHI

Video Conferencing. Bail Application No. 1287 FIR No. 85/2020

PS : Patel Nagar

U/S: 307/186/353/506/34 IPC & 25/27 Arms Act

State Vs. Gaurav Kakkar

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of

regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Kunal Kalra, Ld. Counsel for applicant/accused through VC.

It is submitted by counsel for applicant/ accused that accused Gaurav Kakkar was granted interim bail vide order dated 20.05.2020, which was further extended vide order dated 01.06.2020.

Since the accused is already on interim bail, which stands extended till 31.10.2020 in terms of order dated 13.07.2020 of the Hon'ble High Court of Delhi, the regular bail application of accused / applicant Gaurav Kakkar will be heard on **31.10.2020**. A copy order be sent to the Jail Superintendent for information. Copy order be given dasti.

DELHI

Video Conferencing. **Bail Application No. 1597** FIR No. 609/2020 PS: Khyala U/S: 307/34 IPC & 27/54/59 Arms Act State Vs. Shahbuddin @ Totan

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. V.K Sharma, Ld. Counsel for applicant/accused through VC.

IO absent, therefore, let notice be issued to the IO to appear with case file and apprise the court regarding the status of the charge-sheet on the next date of hearing.

Put up for consideration on **02.09.2020**.

(\$.N. PANDEY) ASJ<sub>09</sub> (POCSO) West Tis Hazari Courts, Delhi 27,08,2020

#### **DELHI**

Video Conferencing. Bail Application No. 1577

FIR No. 229/2020 PS : Patel Nagar

U/S: 468A/406/34 IPC

State Vs. Chanchala Devi and Naveen Kumar

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 438 CrPC for grant of anticipatory bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Ganesh Chand, Ld. Counsel for applicant/accused through VC.

Complainant absent, therefore, let notice be issued to the complainant for next date of hearing. Till then, IO is directed not to take any coercive action against the applicants subject to applicants shall join the investigation as and when required by the IO.

Put up for consideration on 15.09.2020. IO be summoned.

Dasti

#### DELHI

Video Conferencing Bail Application No. 1804 FIR No. 665/2020

PS : Rajouri Garden

U/S: 419/420/468/471/34 IPC & Sec. 14 of Foreigners Act.

State Vs. Rajesh Kumar

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of regular bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Sh. Manoj Sonkar, Ld. Counsel for applicant/accused through VC.

Reply already filed by the IO.

Counsel for applicant/ accused cannot produce the bail order of accused Ankit in view of the last order dated 25.08.2020.

Let notice be issued to the IO to appear in person on the next date of hearing

On the request of Ld. Counsel for accused put up for consideration on **04.09.2020**.



#### DELHI

Video Conferencing Bail Application No.1833 FIR No. 425/2020

PS: Tilak Nagar U/S: 307/34 IPC

State Vs. Sandeep Dhillon.

#### 27.08.2020

The court of undersigned is having duty today as per computer generated circular/ duty roster dated 16.08.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application under Section 439 CrPC for grant of interim bail filed on behalf of the applicant/ accused.

Pr.: Ms. Nimmi Sisodia, Ld. Addl. SPP for the State.

Ld. Proxy Counsel for applicant/accused.

IO present.

Reply filed to the bail application by IO be taken on record.

Proxy counsel for the applicant/ accused seeks adjournment as the main counsel for the applicant/ accused is not available today.

On the request of Proxy counsel for accused, put up for consideration on **05.09.2020**.