FIR No. 207/19
PS: I. P. Estate
U/s: 328/376 IPC
Mahesh Solanki Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

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

IO be called on next date to apprise the court regarding the status of the investigation/chargesheet. Complainant be also called on next date through IO. **In the meantime, interim order to continue.**

Put up on 04.07.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 251/19
PS: Prasad Nagar
U/s: 304 IPC & 27 DMC At
Amrit Kundra Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

Ld. Counsel for applicant/accused. **(Through electronic mode).**

At request on behalf of counsel for applicant, put up for arguments, on 29.06.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 436/18
PS: Karol Bagh
U/s: 395/397/120-B/34 IPC
Pankesh Kumar & Ors. Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

Ms. Neha Kapoor, Ld. Counsel for applicant/accused Bir Bahadur. **(Through V/C)**.

TCR not received.

Ld. Counsel for applicant submits that she has otherwise sent the e-mail record of all the bail orders of the applicant as well as the chargesheet to the Co-ordinator Sh. Gurvinder Sodhi. Filing Centre is directed to send the e-mail record of bail orders of the applicant to this court on or before next date. **In the meantime, TCR be called for next date.**

Put up on 24.06.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 210/20
PS: Sarai Rohilla
U/s: 307/186/353/147/148/149/379 IPC & 27 Arms Act
Shahrukh Vs. State

22.06.2020

Fresh bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**

IO Inspector Ram Kishore.

Sh. Anil Dutt Sharma, Ld. Counsel for applicant/accused Shahrukh.

The present application u/s 439 Cr.PC has been filed on behalf of applicant Shahrukh, seeking regular bail. Reply filed by the IO.

At this stage, counsel for applicant submits that he does not want to press the present application, therefore, same be dismissed as withdrawn. Statement of counsel for applicant recorded separately to this effect.

In view of the statement of applicant's counsel, the present application is dismissed as withdrawn.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 377/18
PS: Prasad Nagar
U/s: 420/406/468/471/120-B IPC
Dhirender Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Kuldeep Chaudhary, Ld. Counsel for applicant/accused Dhirender.

Ld. Counsel for applicant submits that applicant is not present as he has been quarantine. He seeks time to file copy of undertaking furnished before Ld. Duty MM in compliance of order dated 04.05.2020. Copy of undertaking be furnished on next date positively.

In the meantime, interim order dated 18.01.2020 to continue.

Put up on 08.07.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

e-FIR No. CBKO-71/20
PS: Karol Bagh
U/s: 392/34 IPC
Ritik Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

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

This is an application u/s 439 Cr.PC on behalf of applicant/accused Ritik, for regular bail of the applicant. Reply filed by the IO. Ld. Counsel for applicant submits that the bail application of this applicant in some other FIR is listed for 24.06.2020, therefore, this application be also listed for 24.06.2020.

At request of applicant's counsel, put up on 24.06.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

CC No. 427/19
PS: Crime Branch
Ashok Kumar Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Naresh Kumar, Ld. Counsel for applicant/accused Ashok Kumar. **(Through V/C).**

This is an application u/s 439 Cr.PC on behalf of applicant/accused Ashok Kumar, seeking extension of interim bail. It is stated in the application that two cases are pending against the applicant, one is the present case and other is FIR bearing no. 74/18, PS Crime Branch. Vide order dated 02.05.2020, applicant was granted interim bail for 15 days by Ld. ASJ in the present case and vide order dated 19.05.2020, passed by Ld. ASJ in complaint case no. 427/19, he was granted interim bail for 15 days. However, due to some typographical errors in the orders the accused could not be released from the jail immediately after passing the orders by the concerned courts and finally he got released from the jail on 29.05.2020. Ld. Counsel submits that immediately after his release, applicant suffered from fever and throat pain for which he got examined himself in Navjeevan Hospital on 03.06.2020. Thereafter, for sometime he remained in quarantine at home. Vide order dated 11.06.2020, the interim bail of the applicant was extended in both the matters till today.

Today, Ld. Counsel for applicant submits that applicant is admitted in Kalra Hospital due to his consistent fever and throat pain since 19.06.2020. He has also filed the medical documents of the applicant to support his arguments.

CC No. 427/19
PS: Crime Branch

In view of the submissions of counsel for applicant, the interim bail of the applicant is extended **till 02.07.2020** on the same terms and conditions as mentioned in the order dated 02.05.2020 & 19.05.2020, passed by Ld. ASJ. On last date of hearing i.e. 11.06.2020, IO was directed to verify earlier medical documents of the applicant. IO has not filed his report in compliance of order dated 11.06.2020. IO is directed to verify all the medical documents of the applicant annexed with the application and filed today.

Copy of this order be sent to Jail Superintendent for information/compliance.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

22/6/2020

FIR No. 74/18
PS: Crime Branch
U/s: 420/468/471 IPC & 18 (a)/27 (b) (11)/27 (c) Durg & Cosmetic Act
Ashok Kumar Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Sh. Naresh Kumar, Ld. Counsel for applicant/accused Ashok Kumar. **(Through V/C)**.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Ashok Kumar, seeking extension of interim bail. It is stated in the application that two cases are pending against the applicant, one is the present FIR and other is complaint case no. 427/19, PS Crime Branch. Vide order dated 02.05.2020, applicant was granted interim bail for 15 days by Ld. ASJ in the present case and vide order dated 19.05.2020, passed by Ld. ASJ in complaint case no. 427/19, he was granted interim bail for 15 days. However, due to some typographical errors in the orders the accused could not be released from the jail immediately after passing the orders by the concerned courts and finally he got released from the jail on 29.05.2020. Ld. Counsel submits that immediately after his release, applicant suffered from fever and throat pain for which he got examined himself in Navjeevan Hospital on 03.06.2020. Thereafter, for sometime he remained in quarantine at home. Vide order dated 11.06.2020, the interim bail of the applicant was extended in both the matters till today.

Today, Ld. Counsel for applicant submits that applicant is admitted in Kalra Hospital due to his consistent fever and throat pain since 19.06.2020. He has also filed the medical documents of the applicant to support his arguments.

FIR No. 74/18
PS: Crime Branch

In view of the submissions of counsel for applicant, the interim bail of the applicant is extended **till 02.07.2020** on the same terms and conditions as mentioned in the order dated 02.05.2020 & 19.05.2020, passed by Ld. ASJ. On last date of hearing i.e. 11.06.2020, IO was directed to verify earlier medical documents of the applicant. IO has not filed his report in compliance of order dated 11.06.2020. IO is directed to verify all the medical documents of the applicant annexed with the application and filed today.

Copy of this order be sent to Jail Superintendent for information/compliance.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

22/06/2020

FIR No. 273/19
PS: I. P. Estate
U/s: 420/406/468/471 IPC
Indira Rani Sagar Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Sh. R.K. Pillai, Ld. Counsel for applicant/accused Indira Rani Sagar.

This is an application u/s 438 Cr.PC on behalf of applicant/accused Indira Rani Sagar, seeking anticipatory bail. Reply already filed by the IO.

The FIR of this case was registered at the behest of J. P. Meena, Assistant Commissioner, Ward No. 4, Department of Trade & Taxes, Government of NCT of Delhi, on his complaint dated 11.10.2019. The applicant/accused was also Assistant VAT Officer in Ward No. 4 in the year 2011-12 and took VRS in the year 2017. The allegations against the applicant are that in the year 2011-12, she illegally passed 24 refund orders amounting to Rs. 56,43,194/- in favour of firm "M/s Satnam Impex", TIN No. 7480340096, whereas the registration of the said firm was cancelled in the year 2009 itself. As per the FIR, the firm "Satnam Impex" has taken the TIN Number on the basis of forged and fabricated documents i.e. Aadhar Card, Ration Card etc.

Ld. Counsel for applicant submits that applicant has been falsely implicated in this case. He further submits that as per the FIR, the allegations pertains to the year 2012 but the FIR has been registered in the year December-2019, hence, there is almost delay of 7 ½ years in lodging the FIR by the Department. He also submits that the department has not initiated any proceedings against the firm "Satnam Impex", who is the real culprit as per the

allegations in the FIR. Ld. Counsel submits that the departmental proceedings against the applicant were initiated in the year 2012 itself which later on were decided against the applicant, therefore, she took VRS from the department in the year 2017. Ld. Counsel submits that department was well aware of all the facts and circumstances of the case even in the year 2012 for which the departmental proceedings were also initiated against the applicant despite that the FIR of this case containing the same allegations for which the departmental proceedings were initiated has been lodged belatedly in December-2019 only in order to unnecessary harass the applicant who is a female aged about 60 years and has taken VRS from the department. Ld. Counsel submits that all the documents necessary for the investigation of the case are available in the department, therefore, no custodial interrogation of the applicant is required and otherwise the applicant would join the investigation as and when required by the IO.

Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He submits that recovery of Rs. 3,73,07,394/- has already been raised on the firm "Satnam Impex". He also submits that "Satnam Impex" in connivance with applicant has caused huge loss to the Government Exchequer. He also submits that custodial interrogation of the applicant is required to unearth the true facts of the case and the other culprits of the department in connivance of whom the refund of Rs. 56,43,194/- was issued to the firm "Satnam Impex".

The rival submissions made by Ld. APP and counsel for applicant are duly considered by this court. However, without expressing any opinion on

merits of those contentions, this court is of the opinion that it shall be in the fitness of things to grant interim protection to the application in view of her age of almost 60 years, being female and also due to the threat of pandemic Covid-19. Accordingly, IO is directed not to take any coercive action against the applicant till next date. Applicant is directed to join the investigation as and when required by the IO. She is also directed not to leave India without permission of the court.

Put up for arguments on anticipatory bail application, on 06.07.2020.

(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-22.06.2020

FIR No. 36793/19
PS: Rajinder Nagar
U/s: 379/411/34 IPC
Arvind Kumar @ Bablu Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**

Ld. Counsel for applicant/accused Arvind Kumar @ Bablu. **(Through V/C).**

This is an application u/s 438 Cr.PC on behalf of applicant/accused, seeking anticipatory bail.

Vide order dated 02.05.2020, applicant was granted interim protection that IO shall not take any coercive action against him. The interim protection is still continue till date. Interim protection be continued till next date also. IO be called for next date to apprise the court regarding the status of investigation.

Put up on 02.07.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 34/20
PS: Kamla Market
U/s: 307/34 IPC
Mohd. Naved Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

Complainant with counsel Sh. Suhail Khan.

IO SI Mahesh Bhargav.

Mohd. Iqbal, Ld. Counsel for applicant/accused Mohd. Naveed.

Complainant submits that no settlement has arrived between him and the applicant/accused Naved.

Put up for arguments on the bail application, on 01.072020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 344/16
PS: Darya Ganj
U/s: 302/201/120-B/34 IPC
Kiran Kumar Vs. State

22.06.2020

Fresh interim bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Sh. Akhil Tarun Goel, Ld. Proxy Counsel for applicant/accused Kiran Kumar.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Kiran Kumar, seeking interim bail. Trial of this case is pending in the court of undersigned.

Concerned IO/SHO is directed to file reply on next date verifying the medical documents of applicant's father and specifically mentioning the previous involvement of the applicant. Jail conduct report of the applicant be also called from the concerned Jail Superintendent for next date.

At request on behalf of counsel for applicant, put up on 29.06.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 144/19
PS: Hauz Qazi
U/s: 326 IPC
Naimuddin Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
IO ASI Anuj Kumar.
Mohd. Saleem, Ld. Counsel for applicant/accused.

1. This is the third application u/s 439 Cr.PC on behalf of applicant/accused Naimuddin, seeking regular bail alternatively interim bail. Reply already filed by IO.

2. Arguments heard.

3. The FIR of this case was registered at the behest of complainant Mohd. Amir. Complainant and accused are neighbours as residing in the same street. The case of the prosecution is that on 28.09.2019, at about 05:30 PM, complainant and accused both were sitting outside their houses respectively. In the meantime, injured Sorabuddin came on a scooty to meet complainant. On seeing the injured Sorabuddin, the accused started abusing and attacked upon him with a blade due to which Sorabuddin sustained injuries. Thereafter, the applicant/accused started inflicting injuries to himself on his neck, hand and other body parts with the same blade. On these allegations, the FIR of this case was registered against the applicant.

4. Ld. Counsel for applicant submits that applicant has been falsely implicated in this case and is in JC since 20.11.2019. Chargesheet has already been filed in the court of Ld. ACMM-II, Tis Hazari Court, Delhi, where the applicant is facing trial but due to pandemic disease Covid-19, the case is not

progressing further. Ld. Counsel submits that applicant is 43 years old and is physically disabled person as his right leg has been amputated. He also submits that applicant is the victim of the crime as on the day of incident i.e. 28.09.2019, he was attacked and beaten up by 5 persons namely Sorab, Zeeshan, Saifi, Amzad and Azad due to which the applicant sustained injuries. Ld. Counsel submits that these persons gave beatings to the applicant in order to take revenge from him on the suspicion that the applicant has pointed out their Acid factory to the officers of Pollution Control Board.

Ld. Counsel submits that the applicant has also lodged his complaint on the same day i.e. 28.09.2019 in the concerned Police Station (PS) but on his complaint only the NCR that too on 21.11.2019, was lodged by the Police, thereafter, the police has not taken any action even on the said NCR lodged on the complaint of the applicant.

Ld. Counsel submits that the earlier bail applications of the applicant were dismissed due to his previous involvement in almost 23 cases but all the said cases were falsely planted upon the applicant by the police since in past applicant was drug addict. He also pointed out that all the previous involvement of the applicant are from the years 1991 till 2008 but since 2008 no other criminal case was registered against the applicant except the present FIR.

He also submits that initially the FIR of this case was registered u/s 324 IPC but later on after receiving the result on the injuries of the victim, the FIR was converted u/s 326 IPC. Ld. Counsel submits that injured was discharged from the hospital on the very same day. He also reiterates the ground

of Covid-19 to seek bail for the applicant and submits that since dismissal of earlier bail applications of the applicant and till today, the circumstances have totally changed in view of the Covid-19 situation and also in view of further custody of 3 months.

5. Ld. APP oppose the bail application as he submits that the allegations against the applicant are serious in nature and he is a habitual offender involved in almost 23 cases out of which he has been convicted in 8 cases. Ld. APP submits that the first bail application of the applicant was dismissed as withdrawn in the court of Sh. Satish Kumar, Ld. ASJ-02, Central, vide order dated 17.01.2020. The second bail application of the applicant was dismissed on merits by Dr. Kamini Lau, Ld. ASJ, Central, vide order dated 17.03.2020, due to the previous involvement of the applicant. He submits that there is no change of circumstances since the dismissal of the earlier bail applications of the applicant and till date. Ld. APP submits that as per the reply of the IO, sisters of the applicant are constantly threatening the victim to withdraw this case for which the victim has also lodged his complaints in the concerned Police Station. Copy of such complaints are stated to be placed on record by the IO. He also submits that applicant is BC of the area against whom his neighbours have also lodged various complaints.

6. I have considered the rival contentions of Ld. APP and counsel for applicant. Though, there are change of circumstances since dismissal of the earlier bail applications of the applicant and till date due to applicant's further custody of 3 months and threat of Covid-19 but the court cannot ignore the previous conduct of the applicant that he was involved in more than 23 cases

and *presently* also IO has reported that his sisters are regularly threatening the victim. Two such complaints are annexed by the IO with his reply. The first such complaint is dated 28.11.2019 and then on 15.02.2020, in which the victim/injured has specifically mentioned that he is receiving threats from the sisters of the applicant. The IO has also annexed copy of one complaint dated 03.10.2019, signed by several neighbours of the applicant alleging that applicant is a quarrelsome person and is in the habit of abusing the neighbours on money issues. Ld. APP has also drawn attention of this court on DD No. 67-A dated 20.11.2019, PS Hauz Qazi, that applicant has created problem while his transfer from Tis Hazari Complex to Tihar Jail at the time of his first arrest. The contents of the said DD shows that at the time the applicant was taken into custody, he misbehaved with the police officials of PS Hauz Qazi as well as with the jail staff. Considering the conduct of the applicant brought on record by the State, at this stage, no ground for bail is made out be it regular or interim bail. Accordingly, the present application is hereby dismissed.

Copy of this order be given dasti to the applicant.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 34/20
PS: Kamla Market
U/s: 307/34 IPC
Mohd. Naved Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

Complainant with counsel Sh. Suhail Khan.

IO SI Mahesh Bhargav.

Mohd. Iqbal, Ld. Counsel for applicant/accused Mohd. Naveed.

Complainant submits that no settlement has arrived between him and the applicant/accused Naved.

Put up for arguments on the bail application, on 01.072020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 36793/19
PS: Rajinder Nagar
U/s: 379/411/34 IPC
Arvind Kumar @ Bablu Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.

Ld. Counsel for applicant/accused Arvind Kumar @ Bablu. **(Through V/C)**.

This is an application u/s 438 Cr.PC on behalf of applicant/accused, seeking anticipatory bail.

Vide order dated 02.05.2020, applicant was granted interim protection that IO shall not take any coercive action against him. The interim protection is still continue till date. Interim protection be continued till next date also. IO be called for next date to apprise the court regarding the status of investigation.

Put up on 02.07.2020.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020

FIR No. 273/19
PS: I. P. Estate
U/s: 420/406/468/471 IPC
Indira Rani Sagar Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Sh. R.K. Pillai, Ld. Counsel for applicant/accused Indira Rani Sagar.

This is an application u/s 438 Cr.PC on behalf of applicant/accused Indira Rani Sagar, seeking anticipatory bail. Reply already filed by the IO.

The FIR of this case was registered at the behest of J. P. Meena, Assistant Commissioner, Ward No. 4, Department of Trade & Taxes, Government of NCT of Delhi, on his complaint dated 11.10.2019. The applicant/accused was also Assistant VAT Officer in Ward No. 4 in the year 2011-12 and took VRS in the year 2017. The allegations against the applicant are that in the year 2011-12, she illegally passed 24 refund orders amounting to Rs. 56,43,194/- in favour of firm "M/s Satnam Impex", TIN No. 7480340096, whereas the registration of the said firm was cancelled in the year 2009 itself. As per the FIR, the firm "Satnam Impex" has taken the TIN Number on the basis of forged and fabricated documents i.e. Aadhar Card, Ration Card etc.

Ld. Counsel for applicant submits that applicant has been falsely implicated in this case. He further submits that as per the FIR, the allegations pertains to the year 2012 but the FIR has been registered in the year December-2019, hence, there is almost delay of 7 ½ years in lodging the FIR by the Department. He also submits that the department has not initiated any proceedings against the firm "Satnam Impex", who is the real culprit as per the

allegations in the FIR. Ld. Counsel submits that the departmental proceedings against the applicant were initiated in the year 2012 itself which later on were decided against the applicant, therefore, she took VRS from the department in the year 2017. Ld. Counsel submits that department was well aware of all the facts and circumstances of the case even in the year 2012 for which the departmental proceedings were also initiated against the applicant despite that the FIR of this case containing the same allegations for which the departmental proceedings were initiated has been lodged belatedly in December-2019 only in order to unnecessary harass the applicant who is a female aged about 60 years and has taken VRS from the department. Ld. Counsel submits that all the documents necessary for the investigation of the case are available in the department, therefore, no custodial interrogation of the applicant is required and otherwise the applicant would join the investigation as and when required by the IO.

Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He submits that recovery of Rs. 3,73,07,394/- has already been raised on the firm "Satnam Impex". He also submits that "Satnam Impex" in connivance with applicant has caused huge loss to the Government Exchequer. He also submits that custodial interrogation of the applicant is required to unearth the true facts of the case and the other culprits of the department in connivance of whom the refund of Rs. 56,43,194/- was issued to the firm "Satnam Impex".

The rival submissions made by Ld. APP and counsel for applicant are duly considered by this court. However, without expressing any opinion on

merits of those contentions, this court is of the opinion that it shall be in the fitness of things to grant interim protection to the application in view of her age of almost 60 years, being female and also due to the threat of pandemic Covid-19. Accordingly, IO is directed not to take any coercive action against the applicant till next date. Applicant is directed to join the investigation as and when required by the IO. She is also directed not to leave India without permission of the court.

Put up for arguments on anticipatory bail application, on 06.07.2020.

(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-22.06.2020

FIR No. 176/19
PS: Civil Lines
U/s: 302/308/325/323/149 IPC
Imran Khan Vs. State

22.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Sh. Ashish Laroia, Ld. Counsel for applicant/accused Imran Khan.
(Through V/C).

This is the second application u/s 439 Cr.PC on behalf of applicant/accused Imran, seeking interim bail on the ground of illness of his wife. Reply filed by IO. IO has verified the medical documents of the wife of applicant annexed with the present application and same are found to be genuine. Vide order dated 02.06.2020, the first bail application of the applicant was dismissed by Ld. Predecessor of this court.

Applicant is booked for the offence u/s 302/308/325/323/149 IPC. He is in JC since 24.10.2019. Trial of the case is pending in the court of undersigned. Vide order dated 05.03.2020, charge under the aforesaid provisions has already been framed.

Ld. Counsel for applicant submits that applicant has been falsely implicated in this case as he was not even present at the spot. He submits that chargesheet has already been filed in the court, therefore, no purpose shall be served by keeping accused behind bar. For interim bail, Ld. Counsel submits that wife of the applicant is suffering from cyst in the ovary region of the body and enlarged liver for which she immediately needs medical treatment/surgery from the hospital situated at Barielly, Uttar Pradesh. Ld. Counsel submits that no other adult male member in the family of the applicant is available to take care of his wife. He also submits that applicant's wife is residing alone in the rented accommodation with her 3 minor children who all are dependent upon the applicant for their day to day requirements.

Ld. Counsel submits that earlier bail application of the applicant was dismissed by the Ld. Session Court on 02.06.2020 since at that point of time, the IO could not verify the medical documents of applicant's wife which has now been verified and found to be genuine.

Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He submits that as per the report of the IO three other brothers of the applicant and his father are available in the family to lookafter the applicant's wife. Ld. APP submits that from the record it is clear that the relationship amongst the family members of the applicant are cordial as vide order dated 13.02.2020, the applicant was granted custody parole to attend marriage of his brother Rihan Khan. Ld. APP submits that matter is at very initial stages only charge has been framed against the applicant but the prosecution evidence has not even commenced, therefore, if the applicant is enlarged on bail, there are all possibilities that he may try to influence the witnesses.

I have considered the rival contentions of Ld. APP and counsel for the applicant and considering the facts and circumstance of the case that applicant is facing trial for the heinous offence of murder and further considering that three major brothers of the applicant are available in the family to lookafter his ailing wife, no ground for interim bail is made out. Accordingly, the present application is hereby dismissed.

Copy of this order be given dasti to the applicant.

(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
22.06.2020