

State Vs. Chand Mohd.

FIR No: 137/15

Under Section: 392/397/411/34 IPC

PS: Kashmere Gate

09.07.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Sanjay Kumar , Ld. Counsel for the applicant.

This is fresh application filed on behalf of applicant seeking a report from this court that accused is on bail in this case.

Heard. Record perused.

Ahlmad of this court has reported that accused is on bail in this case. Copy of the order whereby accused was granted bail has also been sent to me by Ahlmad of this court electronically. In these circumstances, it is clarified that accused Chand Mohd. is on bail in this case.

Copy of order be sent to concerned Jail Superintendent for information.

ANUJ  
AGRAWAL

Digitally signed  
by ANUJ  
AGRAWAL

Date: 2020.07.09  
12:40:35 +0530

(Anuj Agrawal)

ASJ-03, Central District  
Tis Hazari Courts, Delhi

09.07.2020

State Vs. Chand Mohd.

FIR No: 89/15

Under Section: 395/397/34 IPC

PS: Kashmere Gate

09.07.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Sanjay Kumar , Ld. Counsel for the applicant.

This is fresh application filed on behalf of applicant seeking a report from this court that accused is on bail in this case.

Heard. Record perused.

Ahlmad of this court has reported that accused is on bail in this case. Copy of the order whereby accused was granted bail has also been sent to me by Ahlmad of this court electronically.

**In these circumstances, it is clarified that accused Chand Mohd. is on bail in this case.**

Copy of order be sent to concerned Jail Superintendent for information.

**ANUJ  
AGRAWAL**

Digitally signed  
by ANUJ  
AGRAWAL

Date: 2020.07.09  
12:39:44 +0530

(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
09.07.2020

State Vs. Irfan Khan

FIR No: 121/18

Under Section: 411/379/328/34 IPC

PS: Sarai Rohilla

09.07.2020

Through video conferencing

This is application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

None for applicant.

The applicant is seeking extension of interim bail, granted to him vide order dated 18.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 22.06.2020 of Hon'ble High Court in *W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr*, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

**The application stands disposed off accordingly.**

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

ANUJ  
AGRAWAL  
(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
09.07.2020

Digitally signed by  
ANUJ AGRAWAL  
Date: 2020.07.09  
12:37:40 +0530

State Vs. Irfan Khan

FIR No: 194/18

Under Section: 411/379/328/34 IPC

PS: Sarai Rohilla

09.07.2020

Through video conferencing

This is application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

None for applicant

The applicant is seeking extension of interim bail, granted to him vide order dated 18.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 22.06.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

**The application stands disposed off accordingly.**

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

**ANUJ  
AGRAWAL**

(Anuj Agrawal)

ASJ-03, Central District  
Tis Hazari Courts, Delhi

09.07.2020

Digitally signed by  
ANUJ AGRAWAL  
Date: 2020.07.09  
12:38:27 +0530

State Vs. Irfan Khan

FIR No: 195/18

Under Section: 411/379/328/34 IPC

PS: Sarai Rohilla

09.07.2020

Through video conferencing

This is application for extension of interim bail filed on behalf of the applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.

None for applicant.

The applicant is seeking extension of interim bail, granted to him vide order dated 23.05.2020 by Ld. ASJ (on duty) in view of guidelines laid down by High Powered Committee.

However, in terms of the directions dated 23.05.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr., the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a further period of 45 days. Therefore, there is no requirement of filing the present application.

**The application stands disposed off accordingly.**

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

ANUJ  
AGRAWAL

Digitally signed by  
ANUJ AGRAWAL  
Date: 2020.07.09  
12:38:58 +0530

(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
09.07.2020

State Vs. Ram Kishor

FIR No: 10/2016

Under Section: 302/396/201/120B/412/34 IPC

PS: Rajender Nagar

09.07.2020

Fresh interim bail application on behalf of accused/applicant received.

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Surender Kumar Sharma, Ld. Counsel for applicant/accused.

Report of IO including verification report of medical documents of wife of accused received. Copy supplied to Ld. Counsel electronically.

The applicant is seeking interim bail on the ground that his case is covered under the guidelines laid down by High Powered Committee. As per applicant, he is in custody since 13.01.2016 and there is constant threat to his life in the jail due to current pandemic. It has been argued that wife of accused is ill and she requires constant care and better treatment. It is further argued that presence of accused is required for sorting out the matrimonial issues of his daughter who got recently married on 09.02.2020.

It has also been argued that co-accused Sanjay Kumar was also granted interim bail for 45 days on 06.06.2020 by Ld. ASJ (on duty) in terms of guidelines dated 18.05.2020 of High Powered Committee and therefore, accused also deserves to be granted bail on the ground of parity in the facts and circumstances of the present case.

Contd..2/-

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Ld. APP for State has opposed the bail application.

Heard. Record perused.

The offence involved is inter-alia U/s 396 IPC and said offence is not covered under the guidelines laid down by High Powered Committee vide minutes dated 18.05.2020. Rather, vide minutes dated 20.06.2020, it has been clarified by High Powered Committee that said offence has been deliberately omitted in the minutes dated 18.05.2020 while devising criteria for grant of bail.

The other reasons cited by accused (medical condition of wife and matrimonial issues of his daughter) for grant of interim bail does not disclose good grounds to be entertained as the very incarceration of an accused not only curtails his 'personal liberty' but also certain other rights like 'right to maintain and take care of one's family'. The medical documents attached with the application is merely an ultrasound report of wife of accused and does nowhere suggest that she requires constant support or care of any male member.

Accused cannot claim any benefit in light of the order dated 06.06.2020 (passed by Ld. ASJ on duty thereby granting interim bail to co-accused Sanjay in terms of guidelines dated 18.05.2020 of High Powered Committee) as subsequently, it has been clarified by High Powered Committee vide minutes dated 20.06.2020 that the offences like 364 A/395 IPC were deliberately omitted in the minutes dated 18.05.2020 while devising criteria for grant of bail and therefore, such cases (including the present one ) are to be judged on their own merit.

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ANUJ AGRAWAL  
Date: 2020.07.09  
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In the matter of *Ather Parvez Vs. State (Crl. Ref. No. 01/2015 Date of decision 26.02.2016)*, it has been observed by Hon'ble Delhi High Court that:

*“...The trial of the appellate courts after conviction are entitled to grant “interim bail” to the accused/convict when exceptional and extra-ordinary circumstances would justify this indulgence. The power is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release...”*

It is a settled principle of law that interim bail can only be granted in exceptional circumstances. In the instant application, there are no exceptional circumstances to release the applicant/accused on interim bail. The accused has been charge sheeted for commission of very serious offences.

In view of the above, I am not inclined to release the applicant/accused Ram Kishor on interim bail. His interim bail application is accordingly dismissed.

Copy of this order be sent concerned Jail Superintendent as well as IO for information.

ANUJ  
AGRAWAL

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by ANUJ  
AGRAWAL  
Date:  
2020.07.09  
12:41:32 +0530

(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
09.07.2020