

FIR No. 426/2021
PS : Sarai Rohilla
U/s 356/379/411 IPC

31.07.2021

(Through Video Conferencing)

Present: Ld. APP for the State

Accused Haseen @ Hassan S/o Mohd. Shakil produced from observation home with welfare officer Sh. Subhash Deshwal.

IO in person

Age determination report filed by the IO, in compliance of order dated 24.07.2021 of this court. As per the report of attending doctor after physical, dental and radiological examination, the estimated age of accused Haseen @ Hassan S/o Mohd. Shakil is found to be between 21-22 years.

On perusal of the report, estimated age of accused is found to be above 18 years; date of offence is stated to be in the month of May 2021. In its entirety, it appears that the accused was of age at the time of commission of offence, if any.

Accordingly, accused Haseen @ Hassan S/o Mohd. Shakil is remanded to JC for 14 days, let he be produced from JC before the Duty MM on 13.08.2021.

Copy of the order be provided to IO.

Let a copy of this order be also sent to Jail Superintendent and the In-charge, OHB for necessary compliance.

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(Charu Asiwali)
MM-04/Central:
Delhi/31.07.2021

FIR No. 433/2021
PS : Sarai Rohilla
U/s 392/411/34 IPC

31.07.2021

(Through Video Conferencing)

Present: Ld. APP for the State
Accused (1) Mohd. Shahnawaz S/o Mohd. Chand and (2) Haseen @ Hassan
S/o Mohd. Shakil produced from observation home with Welfare officer Sh.
Subhash Deshwal.
IO in person.

Age determination report filed by the IO, in compliance of order dated 24.07.2021 of this court. As per the report of attending doctor after physical, dental and radiological examination, the estimated ages of both the accused persons (1) Mohd. Shahnawaz S/o Mohd. Chand and (2) Haseen @ Hassan S/o Mohd. Shakil are found to be between 21-22 years.

On perusal of the report, estimated ages of both the accused persons are found to be above 18 years; date of offence is stated to be in the month of May 2021. In its entirety, it appears that the accused persons were of age at the time of commission of offence, if any.

Accordingly, both the accused persons (1) Mohd. Shahnawaz S/o Mohd. Chand and (2) Haseen @ Hassan S/o Mohd. Shakil are remanded to JC for 14 days, let they be produced from JC before the Duty MM on 13.08.2021.

Copy of the order be provided to IO.

Let a copy of this order be also sent to Jail Superintendent and the In-charge, OHB, for necessary compliance.

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(Charu Asiwal)
MM-04/Central:
Delhi/31.07.2021

FIR No. 454/2021

PS : Sarai Rohilla

U/s 356/379/411/34 IPC

31.07.2021

(Through Video Conferencing)

Present: Ld. APP for State.
IO in person.

IO has moved an application seeking permission to interrogate accused persons namely Chintu S/o Samay Singh, R/o WPN-118, Jhule Lal Mandir, Ashok Vihar Phase-1, Delhi and Soaib S/o Aas Mohd, R/o WPX-114, Jhule Lal Mandir, Ashok Vihar Phase-1, Delhi. He submits that the accused persons were arrested in DD no. 42A dt.12.05.2021, U/s 356/379/411/34 IPC, PS Sarai Rohilla and disclosed their involvement in the present case. He further submits that both the accused persons claimed juvenility, at the time of commission of offence, and accordingly, they were sent to JJB-III. IO has further reported, vide order dated 09.07.2021 of Ld. Principal Magistrate JJB-III, both the accused persons were decalred to be 'not Juveniles'. Hence the present application.

Heard. Record perused. Grounds for seeking permission to interrogate found justified.

Application is allowed. IO is permitted to interrogate accused persons in the present case at Tihar Jail premises, where they are stated to be presently lodged, for 30 minutes.

Jail Superintendent concerned is directed to facilitate the said interrogation as per rules.

IO is at liberty to formally arrest the accused persons, if required. In case the accused persons are arrested, they be produced before the Duty MM concerned, within 24 hours of such arrest, as per law.

Copy of the order be given electronically to the IO.

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MM-04/Central:

Delhi/31.07.2021

FIR No. 434/2021
PS Sarai Rohilla
U/S 3/4/5/6 PC & PNDD Act & 120B IPC
State Vs. Naveen Singh S/o Lt. Sudharshan Singh

(Through Video Conferencing)

31.07.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Naveen Singh S/o Lt. Sudharshan Singh

Present: Ld. APP for the State
Sh. Sudhir Kumar Singh, Ld. Counsel for accused.
IO SI Vikas Tomar in person.

Counsel for accused has submitted that accused is in JC since 20.07.2021 and has been falsely implicated in the present case at the instance of management of DHRUV DIAGNOSTIC CENTRE, A-229/1, MAIN MARKET, SHASTRI NAGAR DELHI based on concocted story. Counsel for accused has further submitted that accused is well qualified person having professional degree i.e. MBA. He further submits that accused is the only earning member of his family. Counsel for accused submits that is not associated with the commission of this offence, if any as story of the prosecution is fabricated.

I have heard ld counsel for accused and perused the reply.

Ld. APP for the state has strongly opposed the bail application on the ground that offence is serious and implication of such offences have deep impact on the society.

While elaborating on the facts of the case, it is then envisaged that, police received a secret information about illegal activities being carried out under PC & PNDD Act. A team of doctors was formed for raiding the location. A decoy namely Lata @ Reena was deployed to act as a decoy patient and another person namely Imran S/o Babu was also included in the team to act as a decoy, for sex determination of foetus. Payment was made through currency with noted serial numbers. The accused/applicant Naveen Singh took the decoy customer Lata @ Reena on bike from Inderlok Metro Station to Dhruv Diagnostic Center, Shastri

Nagar for sex determination test. After reaching, applicant/accused spoke to another middle-man Sikander(co-accused) who then directed accused/applicant to get the USG of the decoy lady namely Lata @ Reena. The decoy customer then got the USG done to check the sex of foetus. After the test co-accused Sikander confirmed to accused/applicant over phone that the sex of the foetus is found to be male, thereafter, immediately in the raid, accused/applicant Naveen Singh was caught red handed with the currency notes of Rs. 15,500/-. IO has further reported that investigation of the owner and staff of the diagnostic center is also on going.

After perusal the reply, this court is of the opinion that, determination of sex of the foetus is a malaise which is affecting the society day in and day out. Despite the specific legislation the menace of sex-based destruction of foetus continues to plague the society, as the lifesaving technology is being used indiscriminately to take away precious lives, that are yet to breathe in this world. Offence is heinous in nature. As per the reply of IO accused was apprehended red handed, wherein one of the co-accused namely Sikander is still at large; part recovery of currency is also yet to be made. Furthermore, investigation is at preliminary stage with respect to a larger network of people, if any involved in the present offence. At this stage, possibility of abuse of liberty granted by bail cannot be discounted. No ground for bail is made out. Application is accordingly dismissed.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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MM-04/Central:

Delhi/31.07.2021

E.FIR No. 0359/2021
PS : Sarai Rohilla
U/s 380/411 IPC
State Vs. Sonu @ Naresh S/o Sh. Bijender

31.07.2021

Bail application U/s 437 Cr.P.C on behalf of accused Sonu @ Naresh S/o Sh. Bijender

Present: Ld. APP for the State
Sh. Sunil Tiwari, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 28.06.2021 and has been falsely implicated in the present case.

I have heard LAC for accused, Ld. APP for the State and perused the reply.

Ld. APP for the State has opposed the bail application.

Accused has been running in JC since 04.07.2021. Recovery has already been affected from the accused. Accused Sonu @ Naresh S/o Sh. Bijender is no longer even required for custodial interrogation. I see no reasons to keep the accused confined any longer. Accordingly, accused Sonu @ Naresh S/o Sh. Bijender be released on bail on furnishing bail bond for a sum of Rs. 10,000/- with one surety of like amount. Accused Sonu @ Naresh S/o Sh. Bijender be released from JC if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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Delhi/31.07.2021