

21.01.2021

State Vs. Untrace
FIR No.186/19
PS Civil Lines
Case No. 9742/20

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Smt. Dhan Pati, applicant/LR with Ld. Counsel Sh. Satyawan Attri.
File taken up today on application for early hearing being moved on behalf of applicants/ LRs of deceased.

Heard.

In view of reasons mentioned in the application, the same stands allowed. At request, matter be re-listed for 04.02.2021.

Earlier date i.e. 16.02.2021 stands cancelled.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

Pratima Duggal & Anr. Vs Satish Rani & Ors.
FIR No. 247/17
PS Sadar Bazar

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. M.K. Jha, Ld. Counsel for applicant.

Ahlmad of this Court submits that he is unable to trace the reply filed by IO on 18.11.2020 electronically.

Let notice be issued to IO to file reply dated 18.11.2020 to the present application afresh for **01.02.2021**.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/21.01.2021

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nishu s/o Sh. Shyam Lal.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Vikas Agrawal, Id. LAC for applicant/accused.

It is submitted by Ld. LAC for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 20.09.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation as charge-sheet has already been filed. It is further submitted that the applicant is a labourer by profession and is the sole bread earner of his family. It is further submitted that applicant/accused is a resident of Delhi. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. LAC for the applicant/accused electronically. IO, in his reply, has opposed the bail application on the ground that the applicant/accused is involved in other criminal cases as well.

Ld. Substitute APP for the State has opposed the bail application on the ground that the applicant/accused has previous involvement in other criminal cases of a similar nature and he may commit similar offences again, if released on bail.

Sharma

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Applicant/accused is languishing in J/C since 4 months. Investigation is complete and charge-sheet has already been filed in the present matter. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

1. That the accused person(s) shall join investigation as and when called.
2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.
3. That the accused person(s) shall not commit similar offence and;
4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

State Vs. Nishu
FIR No. 127/20
PS Sadar Bazar
U/s 379/411/34 IPC

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nishu s/o Sh. Shyam Lal.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Vikas Agrawal, Id. LAC for applicant/accused.

IO HC Mithun has joined the meeting through V.C. on Cisco Webex.

It is submitted by Ld. LAC for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 20.09.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation as charge-sheet has already been filed. It is further submitted that the applicant is a labourer by profession and is the sole bread earner of his family. It is further submitted that applicant/accused is a resident of Delhi. It is further submitted that charge-sheet has already been filed in the present matter. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. LAC for the applicant/accused electronically. Perusal of the same reveals that reply has been filed in case e-FIR No. 00027 whereas the present bail application has been filed under FIR No. 127/20. On query made by this Court, IO submits that the FIR number has been wrongly mentioned in the bail application forwarded by Jail Visiting Advocate.

Ld. LAC for applicant/accused is directed to verify the FIR number to which the present application pertains.

Put up for consideration on the said application on 23.01.2021.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

State V/s Rahul @ Kale
e-FIR No. 026807/20
P.S. Sadar Bazar
U/s 379/411/34 IPC

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

This is third bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Rahul @ Kale s/o Late Vijay Kumar.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Ms. Preeti Mittal, Ld. Proxy Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that even otherwise, recovery has already been effected in the present matter. It is further submitted that the applicant/accused is in J/C since 19.11.2020. It is further submitted that investigation qua him is already complete and no purpose would be served by keeping him behind bars. It is further submitted that the applicant/accused is young boy. It is further submitted that charge-sheet has already been filed in the present matter. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the case property i.e. stolen motorcycle has been recovered from the possession of applicant/accused and he has been previously involved in many other criminal cases. It is further stated that applicant/accused is a BC of area of PS Sadar Bazar. It is further stated that the applicant/accused may abscond, threaten/ intimidate the complainant/ witnesses and tamper with the evidence, if released on bail.

Ld. Substitute APP for the State has vehemently opposed the bail application on the ground that the case property i.e. stolen motorcycle has been



recovered from the possession of the applicant/accused. It is submitted that the applicant/accused is a habitual offender and has previous involvement in many criminal cases and he may commit similar offences again, if released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Perusal of previous involvement report of applicant/accused filed by IO reveals that applicant/accused is a habitual offender and has been committing offences of a similar nature since the year 2009. Thus, propensity to commit crime can be inferred seeing the past antecedents of applicant/accused. Thus, this Court is not inclined to grant bail to the applicant/accused at this stage. Hence, the present bail application is hereby dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.

(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Wazid s/o Sh. Sarwar.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Mahender Pal, Id. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 12.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a ladies tailor by profession and is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the applicant/accused ran away from the spot of incident and was apprehended at the instance of co-accused Dilshad, pursuant to which the complainant identified him. It is further stated that applicant/accused is involved in another case of a like nature.

Ld. Substitute APP for the State has opposed the bail application on the ground that applicant/accused ran away from the spot of incident and was apprehended at the instance of co-accused Dilshad, pursuant to which complainant identified him. It is further submitted that applicant/accused is

Sarwar

involved in another case of a like nature and he may commit similar offences again, if released on bail.


I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that recovery of case property has been made from co-accused, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars as the trial is likely to take time to conclude. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 15,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Shrikant @ Arjun s/o Sh. Kuldeep Singh.

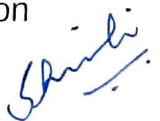
Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. A.K. Sharma, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that applicant/accused has been apprehended on the basis of disclosure statement of other co-accused persons. Ld. Counsel for applicant/accused seeks grant of bail to applicant/accused on the ground of parity since co-accused Vijay @ Mikka has been granted by this Court vide order dated 16.01.2021. It is further submitted that the applicant/accused is in J/C since 12.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that two live cartridges were recovered from the possession of applicant/accused. It is further stated that the applicant/accused is previously involved in other criminal cases and his family has no control over him and he may abscond, if released on bail.

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



the ground that two live cartridges have been recovered from the possession of the applicant/accused. It is further submitted that applicant/accused is previously involved in other criminal cases and his family has no control over him, thus, he may abscond and commit similar offences again, if enlarged on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Perusal of previous involvement report of applicant/accused reveals that applicant/accused has been previously involved in another case of a like nature. Thus, applicant/accused is not entitled to grant of bail on the ground of parity. Investigation of the case is still at an initial stage and this Court does not deem it fit to grant bail to applicant/accused at this stage. Hence, bail application of applicant/accused stands dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

State Vs. Nitin Verma
FIR No. 560/20
PS Civil Lines
U/s 392/411/34 IPC

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nitin Verma s/o Sh. Natthu Lal Verma.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Pintoo Thakur, Id. Counsel for applicant/accused has joined through V.C. on Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he has not been previously involved in any other case. It is further submitted that the applicant/accused is in J/C since 17.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused has the responsibility of maintaining his two minor children. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that three co-accused persons disclosed that they have sold the robbed diamond ring and gold chain to applicant/accused, however, only diamond ring has been recovered from the possession of applicant/accused. It is further stated that applicant/accused has no criminal record.

Ld. Substitute APP for the State has opposed the bail application on the ground that robbed case property i.e. diamond ring has been recovered from the possession of the applicant/accused.

Shinde

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that the applicant/accused is a first time offender, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars as the trial is likely to take time to conclude. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 20,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nishu s/o Sh. Shyam Lal.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Vikas Agrawal, Id. LAC for applicant/accused.

It is submitted by Ld. LAC for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 20.09.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation as charge-sheet has already been filed. It is further submitted that the applicant is a labourer by profession and is the sole bread earner of his family. It is further submitted that applicant/accused is a resident of Delhi. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. LAC for the applicant/accused electronically. Perusal of the same reveals that case property i.e. stolen car battery has been recovered from the possession of applicant/accused. It is further stated that the applicant/accused is involved in other criminal cases as well.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property has been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous

Nishu

involvement in other criminal cases of a similar nature and he may commit similar offences again, if released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Applicant/accused is languishing in J/C since 4 months. Recovery has already been effected. Investigation is complete and charge-sheet has already been filed in the present matter. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

1. That the accused person(s) shall join investigation as and when called.
2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.
3. That the accused person(s) shall not commit similar offence and;
4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021

Shri Ram Prakash Vs The State
FIR No. 257/20
PS Sadar Bazar

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Shubham Vishwakarma, Ld. Counsel for applicant has joined through V.C. on Cisco Webex.

Status report has been filed by IO HC Thakur Singh on the last date of hearing. Let a copy of same be supplied to Ld. Counsel for applicant electronically.

Accordingly, the present application stands disposed off.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/21.01.2021

State Vs. Harpal etc.
FIR No. 61/20
PS Civil Lines

21.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up through Video Conferencing today.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. R.M. Singh, Ld. Counsel for applicant/ surety.

Sh. Shiv Kumar, applicant/surety for accused Neeraj.

File taken up today on application seeking release of FDR being moved on behalf of applicant/ surety, Shiv Kumar.

Perusal of record reveals that the present matter has already been disposed off vide order dated 21.05.2015 passed by Ld. Predecessor of this Court.

In view of same, the present application stands allowed.

FDR retained on record be released to applicant as per rules.

Accordingly, application stands disposed off.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/21.01.2021