

State Vs. Gurmukh Singh
FIR No. 81/2016
U/s 392/397/414/411/34 IPC
PS Gulabi Bagh

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Mr. Manoj Kumar and Mr. Ajay Prakash Chahar, Advocates
for the accused / applicant.

ORDER

1. This is an application U/s 439 of '*The Code of Criminal Procedure, 1973*' (Hereinafter referred to as '*the Code*') seeking interim bail in respect of the accused, namely, Gurmukh Singh (Hereinafter referred to as '*the applicant*').
2. Report received from Superintendent, CJ-03, Tihar, Delhi that the applicant was not released as he did not fulfill the criteria in terms of Minutes of Meeting dated 11.05.2021.
3. Heard.
4. Ld. Counsel for the applicant conceded that the case of the applicant is not covered under criteria formulated by Hon'ble High Powered Committee *vide* Minutes of Meeting dated 04.05.2021 and 11.05.2021.
5. Ld. Counsel for the applicant submitted that the applicant is in judicial custody since 5 years and he be released on bail on humanitarian ground as he has the responsibility to maintain his wife and minor children.

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6. The applicant is accused of committing robbery by using a country made pistol. He was identified in the Test Identification Parade (TIP). This Court does not find any reason to take any humanitarian view, in view of the gravity of the offence, severity of the punishment and manner of the commission of the offence.

7. Accordingly, the application U/s 439 of the Code for interim bail in respect of the applicant, namely, Gurmukh Singh is dismissed.

8. A copy of the order be sent to concerned Jail Superintendent for compliance. A copy of this order be also sent to Ld. Counsel for the applicant and IO / SHO through *Whatsapp*.

AS/ASJ-03

Sanjay Sharma-II
Vacation Judge /ASJ-03, Central District
Tis Hazari Courts, Delhi
03.06.2021

State Vs. Sonu @ Suraj

FIR No. 188/17

U/s 308/34 IPC

PS Burari

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Mr. Krishan Mohan, Ld. Legal Aid Counsel for the
accused / applicant.

Reply filed. Copy supplied. Issue notice to the investigating
office to submit antecedents / previous involvements, if any,
of the applicant for 07.06.2021. To come up for arguments
on **07.06.2021**.



Sanjay Sharma-II
Vacation Judge /ASJ-03, Central District
Tis Hazari Courts, Delhi
03.06.2021

State Vs. Neeraj @ Rohit

FIR No. 1195/15

U/s 380/392/397/458/307/186/353/411/34 IPC

PS Kotwali

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Mr. Hari Shankar, Advocate for the accused / applicant.

This is an application for seeking early hearing of the bail application already filed on 13.10.2020 in respect of the accused / applicant, namely, Neeraj @ Rohit. The next date in this case is stated to be 02.09.2021. The date of hearing of the case is pre-poned to **14.06.2021**. In terms of aforesaid, the application for seeking early hearing of the bail application is disposed off. A copy of order be sent to Ld. Counsel for the applicant and the trial court through *Whatsapp*.



Sanjay Sharma-II
Vacation Judge /ASJ-03, Central District
Tis Hazari Courts, Delhi
03.06.2021

State Vs. Saroj Subudhi

FIR No. 155/2017

U/s 20 NDPS Act

PS Crime Branch

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Ms. Sonakshi Monga, Advocate for the accused / applicant.

This is an application U/s 439 of '*The Code of Criminal Procedure, 1973*' seeking extension of interim bail in respect of the accused, namely, Saroj Subudhi on the ground that the accused is diagnosed with Typhoid on 28.05.2021 and advised bed rest for a month. IO is seeking Hindi / English translation of the medical report for verification. English translation of the medical report be made available to the IO within 3 days and thereafter, investigating officer shall verify the medical record and medical condition of the applicant and the nature of the treatment required by him. IO is also directed to seek report from a government hospital in Delhi regarding the medical record and medical condition of the accused. He shall also verify the authenticity and credibility of the medical record and ensure that the medical record was not forged to seek extension of interim bail. To come up for report on **07.06.2021**. Till then interim bail is extended. A copy of order be sent to Ld. Counsel for the applicant, IO and concerned Jail Superintendent and the trial Court.


Sanjay Sharma-II

Vacation Judge /ASJ-03, Central District

Tis Hazari Courts, Delhi

03.06.2021

State Vs. Rakesh @ Sonu @ PK S/o Gyan Singh
FIR No. 347/2016
U/s 302/34 IPC
PS Kotwali

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Mr. Anil Kumar Kamboj, Advocate for the accused /
applicant.
IO Inspr. Jagdeep Singh, PS Kotwali.

ORDER

1. This is an application U/s 439 of '*The Code of Criminal Procedure, 1973*' (Hereinafter referred to as '*the Code*') seeking interim bail in respect of the accused, namely, Rakesh @ Sonu @ PK (Hereinafter referred to as '*the applicant*').
2. Heard.
3. Reply filed. Copy supplied.
4. Ld. Counsel for the applicant the applicant is in judicial custody since 06.05.2021.
5. The case of the applicant is not covered under the criteria formulated by Hon'ble High Powered Committee.
6. In Minutes of Meeting dated 31.07.2020 at item No. 6 on "*Consideration of the Representations received*" Hon'ble High Powered Committee while dealing with a similar situation pertaining to offence U/s 302/397 IPC observed as under:

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"It is pertinent to mention here that this Committee in its meeting dated 18.05.2020 had recommended release of, "Under trial prisoners (UTPs) facing trial for a case under Section 302 IPC and are in jail for more than two years with no involvement in any other case", for grant of interim bail for a period of 45 days. It is apparent that that applicant in the present FIR is facing trial for an additional offence U/s 397 IPC besides offence U/s 302 IPC. Members of the Committee while laying down the criteria on 18.05.2020 had intentionally omitted such like offences i.e. dacoity, robbery, kidnapping for ransome etc. The said class/category of cases and sections of IPC, therefore, were not mentioned in the minutes while laying down criteria in meeting dated 18.05.2020."

7. The applicant is also involved in 5 criminal cases in which he has been convicted in 2 criminal cases.

8. Accordingly, the application U/s 439 of the Code for interim bail in respect of the applicant, namely, Rakesh @ Sonu @ PK is dismissed.

9. A copy of the order be sent to concerned Jail Superintendent for compliance. A copy of this order be also sent to Ld. Counsel for the applicant and IO / SHO through Whatsapp.


Sanjay Sharma-II
Vacation Judge /ASJ-03, Central District
Tis Hazari Courts, Delhi
03.06.2021

PS Kashmere Gate

03.06.2021

Proceedings convened through Video Conferencing.

Present : Ms. J.S. Malik, Ld. Addl. PP for the State.
Mr. Kamlesh Kumar, Ld. Legal Aid Counsel for the accused
/ applicant.
Mr. M.P.S. Kasana and Mr. Bhopal Singh Rawal, Advocates
for the complainant.
IO Inspr. Dinesh Kumar.

ORDER

1. This is an application U/s 439 of '*The Code of Criminal Procedure, 1973*' (Hereinafter referred to as '*the Code*') seeking interim bail in respect of the accused, namely, Ishtiaq Ali (Hereinafter referred to as '*the applicant*').
2. Reply filed. Copy supplied.
3. Heard.
4. Ld. Counsel for the applicant submitted that the applicant is in judicial custody since 14.02.2019. The applicant is in judicial custody since more than 2 years. He submitted that the case of the applicant is squarely covered under the guidelines laid down by High Powered Committee (HPC) dated 11.05.2021. He submitted that the the applicant is not involved in any other criminal case.

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5. Ld. Counsel for the complainant submitted that the case of the applicant is not covered under criteria.

6. Besides offence U/s 302 IPC, the applicant is also facing trial for offence U/s 397 IPC.

7. It appears that robbery and dacoity cases are not included in the criteria for grant of bail. Likewise, in minutes of meeting dated 31.07.2020 at item No. 6 on "Consideration of the Representations received" Hon'ble High Powered Committee while dealing with a similar situation pertaining to offence U/s 302/397 IPC observed as under:

"It is pertinent to mention here that this Committee in its meeting dated 18.05.2020 had recommended release of, "Under trial prisoners (UTPs) facing trial for a case under Section 302 IPC and are in jail for more than two years with no involvement in any other case", for grant of interim bail for a period of 45 days. It is apparent that that applicant in the present FIR is facing trial for an additional offence U/s 397 IPC besides offence U/s 302 IPC. Members of the Committee while laying down the criteria on 18.05.2020 had intentionally omitted such like offences i.e. dacoity, robbery, kidnapping for ransome etc. The said class/category of cases and sections of IPC, therefore, were not mentioned in the minutes while laying down criteria in meeting dated 18.05.2020."

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8. Accordingly, the application U/s 439 of the Code for interim bail in respect of the applicant, namely, Ishtiaq Ali is dismissed.

9. A copy of the order be sent to concerned Jail Superintendent for compliance. A copy of this order be also sent to Ld. Counsel for the applicant and IO / SHO through Whatsapp.



Sanjay Sharma-II
Vacation Judge /ASJ-03, Central District
Tis Hazari Courts, Delhi
03.06.2021