

e-FIR No. 012045/2020
PS : Sarai Rohilla
U/s 379/411 IPC
State Vs. Anil @ Handa S/o Chatru

(Through Video Conferencing)

29.05.2021

Interim Bail application u/s 437 Cr.P.C moved on behalf of applicant/accused Anil @ Handa S/o Chatru

Present: Ld. APP for the State

Sh. Ajay Kumar Saini, LAC for the accused

Counsel for applicant/accused has submitted that accused is in JC for than 15 days and has been falsely implicated in the present case. Ld. Counsel for the accused has also stated that the accused has already been granted regular bail vide order dated 11.01.2021, and that condition imposed vide such order was further relaxed vide order dated 19.02.2021, however despite such orders accused has not been able to be release owing to non-satisfaction of the terms of bail. Therefore, application for interim bail has been moved.

Heard. Record perused

Applicant/accused is in JC since 18.09.2020 and after perusal of record it is revealed that the accused was indeed granted regular bail vide order dated 11.01.2021, and terms of bail were further relaxed vide order dated 19.02.2021, but accused could not be released, due to above mentioned reason. In such circumstances, where in accused is languishing in jail for further 4 months after being granted bail, this court while taking a lenient view and in light of the observations made by Hon'ble High Court of Delhi in *Ajay Verma v. Govt. of NCT of Delhi, WP (C) 10689/2017*, deem it fit to release the accused on personal bond and relax the conditions imposed vide order dated 19.02.2021.

Accordingly, accused be released on personal bond in the sum of Rs. 10,000 to the satisfaction of the Jail superintendent concerned, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;
3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;

Accused 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. In addition a copy be also sent to concerned Jail

Superintendent forthwith, by all possible modes, including electronically.

Let the present order be read in continuation of bail order dated 11.01.2021 and 19.02.2021 of this court.

Consequently, since regular bail has already been granted, present application of Interim bail is being dismissed as infructuous.

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Delhi/29.05.2021

FIR No. 161/2021
PS : Sarai Rohilla
U/s 283 IPC

29.05.2021

(Through Video Conferencing)

An application has been moved on behalf of applicant for release the 4 Pieces Baby Stool, 4 pieces round plastic stool, 1 piece shoe rack with 3 shelf, 1 piece 3X6 ply folding bed, 1 piece 3X6 Niwaar folding bed, 21 pieces plastic chairs, 1 piece computer table and 1 piece folding table on superdari.

Present: Ld. APP for the State.
Sh. Gaurav Meena, Ld. Counsel for the applicant.

Submissions heard.

It is submitted by Ld. Counsel for applicant that applicant Amit Sachdeva is the rightful owner of the abovementioned case property which is no more required for investigation purposes and therefore, the same be released to applicant on superdari.

It is submitted that the IO has no objection if the case property (**as mentioned in seizure memo**) be released to applicant who is the rightful owner. In view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014, the case property (**as mentioned in seizure memo**) be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs from all angles and get the same signed on the rear by the applicant. The photograph/CD shall be filed alongwith the final report. IO is further directed to take the address proof of the applicant before releasing the case property.

The application is disposed of accordingly. Copy of order be provided dasti too applicant/counsel on whatsapp/email.

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(Charu Asiwali)
MM-04/Central/THC
29.05.2021

FIR No. 124/2021
PS : Sarai Rohilla
U/s 363/365 IPC
State Vs Firoz S/o Abdul Hafiz

(Through Video Conferencing)

29.05.2021

Interim bail application u/s 437 Cr.P.C on behalf of applicant/accused Firoz S/o Abdul Hafiz

Present: Ld. APP for the State
Sh. Ajay Saini, LAC for accused.

Counsel for applicant/accused has submitted that accused is in JC since 13.03.2021 and has been falsely implicated in the present case. He has further argued that applicant/accused is longer required for custodial interrogation, as investigation has completed, as charge-sheet has already been filed. Ld. Counsel submits that the applicant/accused is ready to abide by any condition imposed by the court, and will cooperate in the investigation as and when he is required to do so. It is further submitted that applicant/accused is booked under section 365 of IPC, wherein the maximum prescribed sentence is of 7 years, hence squarely covered under Clause (ii) of the criteria set up by the, High Powered Committee of Hon'ble High Court of Delhi .

Per contra, Ld. APP for the State has opposed the bail application.

IO through his reply has opposed the bail application of the accused.

Heard. Record perused.

Applicant/accused is in JC since 13.03.2021, Charge-sheet has already been filed. No previous involvement or pending cases have been reported against the accused. Admittedly, the provision of law invoked in the present case, makes it a fit case to grant interim bail to the applicant/accused, being within the parameters laid down by the HPC of Hon'ble High Court of Delhi, vide order dated 04.05.2021 and 11.05.2021, to facilitate de-congestion of prisons. Considering the totality of circumstances and the period of detention already undergone by the applicant/accused, and the grave situation the country is reeling under, owing to alarming rise in Covid-19 cases, this court while taking a lenient view, finds it fit to admit the applicant/accused on interim bail, in terms of order dated 04.05.2021 and 11.05.2021 of HPC of Hon'ble High Court of Delhi.

In view of the aforementioned observations, the applicant/accused is hereby admitted to interim bail for 90 days, from today on furnishing personal bond in the sum of Rs. 20,000 with one local surety in like amount, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;

3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;
6. That he will surrender before the authorities concerned upon expiry of 90 days from the date of release.

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. In addition, a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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Delhi/29.05.2021

FIR No. 06/2021
PS : HNRS
U/s 379/411 IPC & Sec 147/149 IR Act
State Vs Krishana S/o Sohan Lal

(Through Video Conferencing)

29.05.2021

Interim bail application u/s 437 Cr.P.C on behalf of applicant/accused Krishana S/o Sohan Lal

Present: Ld. APP for the State
Sh. Ajay Saini, LAC for accused.

This is an application under Section 437 Cr. PC for grant of interim bail of applicant/accused in terms of order of Hon'ble High Court of Delhi in minutes of the meeting of "*High Powered Committee*" dated 04.05.2021 and 11.05.2021. It is contended that accused/applicant is in JC more than 15 days. It is contended that offence is not punishable with maximum punishment of 7 years and accused fulfill the criteria as mentioned in the order of High Power Committee of Hon'ble High Court of Delhi. He further argued that due to COVID-19 outbreak, lenient view may be taken and applicant/accused may be released on interim bail.

Ld. APP for State has vehemently opposed the present application.

Submissions of both sides heard. Reply of the IO is also perused.

Considering the order of **Hon'ble High Court of Delhi** in minutes of the meeting of "*High Powered Committee*" dated 04.05.2021 and 11.05.2021, *accused is granted* interim bail for a period of 90 days from the date of his release from custody, on furnishing personal bond in sum of Rs. 10,000/- to the satisfaction of the jail superintendent, subject to following conditions:

1. **That he will surrender before the authorities concerned after the expiry of 90 days from the day of release**
 2. That he shall not indulge into similar offense or any other offence in the event of release on bail.
 3. That he shall not tamper with evidence in any manner.
 4. That in case of change of his residential address, he shall intimate the court about the same,
 5. That he shall regularly appear before the court concerned on each and every date of hearing.
- Accused 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. In addition a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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e-FIR No. 000099/2021
PS : Sarai Rohilla
U/s 356/379/411/34 IPC
State Vs. Manoj S/o Ram Bahadur

(Through Video Conferencing)

29.05.2021

Interim Bail application u/s 437 Cr.P.C moved on behalf of applicant/accused Manoj S/o Ram Bahadur

Present: Ld. APP for the State

Sh. Ajay Kumar Saini, LAC for the accused

Counsel for applicant/accused has submitted that accused is in JC since 03.02.2021 and has been falsely implicated in the present case. Ld. Counsel for the accused has also stated that the accused has already been granted regular bail vide order dated 18.03.2021, and despite such order, accused has been languishing in prison due to non-availability of a surety. Therefore, application for interim bail has been moved.

Heard. Record perused.

Applicant/accused is in JC since 03.02.2021, and after perusal of record it is revealed that the accused was indeed granted regular bail vide order dated 18.03.2021, but accused could not be released, due to above mentioned reason. In such circumstances, where in accused is languishing in jail for another 2 months after being granted bail, this court while taking a lenient view and in light of the observations made by Hon'ble High Court of Delhi in *Ajay Verma v. Govt. of NCT of Delhi, WP (C) 10689/2017*, deem it fit to release the accused on personal bond and relax the conditions imposed vide bail order dated 18.03.2021.

Accordingly, accused be released on personal bond in the sum of Rs. 10,000 to the satisfaction of the Jail superintendent concerned, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;
3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;

Accused 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. In addition, a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

Let the present order be read in continuation of bail order dated 18.03.2021 of this court.

Consequently, since regular bail has already been granted, present application of Interim bail is being dismissed as infructuous.

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Delhi/29.05.2021

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E.FIR no. 000393/2021
PS : Sarai Rohilla
U/s 380/411/34 IPC

29.05.2021

Through Video Conferencing

An application has been moved on behalf of applicant for release of mobile phone make Redmi 9A on superdari.

Present: Ld. APP for the State.

Sh. Gaurav Meena, Ld. Counsel for applicant.

Arguments heard.

It is submitted by the Ld. Counsel for the applicant that applicant Sanjeev Kumar is the rightful owner of the mobile phone. Scan copy of invoice and aadhaar card filed by the applicant.

As per report of IO, he has no objection to release of the mobile phone to applicant/ rightful owner on superdari.

Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014 the mobile phone make Redmi 9A be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs of mobile phone showing its IMEI number/serial number/make etc and get the said photographs signed by the applicant on their rear. The photographs along with CD shall be filed by IO alongwith final report. IO is further directed to take address proof of the applicant before releasing the mobile phone.

The application is disposed of accordingly. Copy of order be provided to the counsel for applicant on whatsapp/email.

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Delhi/29.05.2021

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FIR No. 04/2021
PS : HNRS
U/s 379/411/34 IPC
State Vs. Pawan S/o Chander Pal Singh

(Through Video Conferencing)

29.05.2021

Interim Bail application u/s 437 Cr.P.C moved on behalf of applicant/accused Pawan S/o Chander Pal Singh

Present: Ld. APP for the State
Sh. Ajay Kumar Saini, LAC for the accused

Counsel for applicant/accused has submitted that accused is in JC since 09.02.2021 and has been falsely implicated in the present case. Ld. Counsel for the accused has also stated that the accused has already been granted regular bail vide order dated 04.03.2021, and despite such order, accused has been languishing in prison due to non-availability of a surety. Therefore, application for interim bail has been moved.

Heard. Record perused.

Applicant/accused is in JC since 09.02.2021, and after perusal of record it is revealed that the accused was indeed granted regular bail vide order dated 04.03.2021, but accused could not be released, due to above mentioned reason. In such circumstances, where in accused is languishing in jail for another 3 months after being granted bail, this court while taking a lenient view and in light of the observations made by Hon'ble High Court of Delhi in *Ajay Verma v. Govt. of NCT of Delhi, WP (C) 10689/2017*, deem it fit to release the accused on personal bond and relax the conditions imposed vide bail order dated 04.03.2021.

Accordingly, accused be released on personal bond in the sum of Rs. 10,000 to the satisfaction of the Jail superintendent concerned, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;
3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;

Accused 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. In addition, a copy be also sent to concerned Jail

Superintendent forthwith, by all possible modes, including electronically.

Let the present order be read in continuation of bail order dated 04.03.2021 of this court.

Consequently, since regular bail has already been granted, present application of Interim bail is being dismissed as infructuous.

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MM-04/Central:
Delhi/29.05.2021

E.FIR No. 322/2021

PS : Sarai Rohilla

U/s 33/58D Delhi Excise Act, Sec 188/269/270 IPC & Sec 3 of Epidemic Disease Act
State Vs. Rahul S/o Subhash Chand

(Through Video Conferencing)

29.05.2021

Bail application u/s 437 Cr.P.C on behalf of applicant/accused Rahul S/o Subhash Chand

Present: Ld. APP for the State
Sh. Pramod Tyagi, Counsel for accused.

Counsel for accused has submitted that accused is in JC since 26.05.2021 and has been falsely implicated in the present case.

Ld. APP for State has vehemently opposed the present application.

Submissions of both sides heard. Reply of the IO is also perused.

On perusal of the reply, it is found that the accused was caught red handed at the scene of crime, and that accused while taking advantage of the lock down in Delhi, has been selling illicit liquor regularly. On further perusal it is revealed that the accused has been arrested only 3 days back, IO has also opposed the bail on the grounds that the investigation is at a nascent stage. Considering all the rival contentions, I am of the opinion that, investigation is yet to be completed in the present case, in such a situation I do not find it to be a fit case to admit the accused on bail.

Therefore, present application stands 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.

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E.FIR No.12702/2021
PS : Sarai Rohilla
U/s 379 IPC

29.05.2021

(Through Video Conferencing)

An application has been moved on behalf of applicant for release of vehicle bearing no. DL9SAM-8998 on superdari.

Present: Ld. APP for the State.
Counsel for applicant.

Submissions heard.

It is submitted by Ld, counsel for the applicant that Chander Bhan Gupta is the registered owner of the above said vehicle. Scan copy of RC filed by the counsel for applicant.

As per reply of IO, he has no objection to the release of vehicle on superdari to the applicant who is the rightful owner of the vehicle.

No useful purpose shall be served by retaining vehicle No. DL9SAM-8998 in police station. Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014, the aforesaid vehicle be released to **rightful owner Chander Bhan Gupta as mentioned in RC**. The IO/SHO is further directed to take photographs of vehicle from all angles and get the said photographs signed by the applicant/registered owner. The photographs along with CD shall be filed with the final report.

The application is disposed of accordingly. Copy of order be provided to applicant/counsel.

CHARU ASI WAL
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MM-04/Central/THC
29.05.2021

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