

Bail Application No.1902/21
FIR No. 71/2021
P.S. Wazirabad
U/s 376/506 IPC
State Vs. Amit Dedha

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Amit Dedha under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Sunil Choudhary, Ld. Counsel for accused/applicant through VC.

Sh. Sanjay Srivastava, Ld. Counsel for complainant with complainant through VC.

Issue notice to the IO to appear on NDOH.

List the application for arguments on merit on 17.08.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail application No.2056/21
FIR No. Unknown
P.S. Wazirabad
U/s Known
State Vs. Ram Singh

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Ram Singh under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Manish Kumar, Ld. Counsel for accused/applicant through VC.

Report of the IO received.

As per report of the IO, no FIR has been registered against the applicant. Under these circumstances, ld. Counsel for applicant seeks leave to withdraw the present application. Accordingly, present application is dismissed as withdrawn.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail application No.2066/21
FIR No. 121/21
P.S. Civil Line
U/s 307/34 IPC & 27/54/59 Arms Act
State Vs. Shivraj @ Raj

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Shivraj @ Raj under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Harindra Singh, Ld. Counsel for accused/applicant in person.
Complainant/injured Ravi Kumar
IO/SI Deepak Kumar in person.

Complainant/injured Ravi Kumar submits that he is willing to settle the matter with the accused accused Shivraj @ Raj as accused is his real brother in law. The Court has interacted with the complainant/injured Ravi Kumar and ascertained the voluntariness of settlement.

At this juncture, Ld. Counsel for applicant/accused Harindra Singh also submitted that they are willing to move quashing petition before the Hon'ble High Court of Delhi.

Perusal of record reveals that accused is in J/C since 17.05.2021. Since the matter has been resolved between the parties, this Court is of the considered view that no purpose would be served incarcerating the

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accused in custody any longer. Accordingly, the accused Shivraj @ Raj is admitted on bail on furnishing bail bond and surety bond of Rs.20,000/- with one surety of like amount to the satisfaction of Ld CMM/Ld. MM/Ld. Link MM/Ld. Duty MM as the case may be, subject to the following conditions:

- i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
- ii. He shall not hamper the trial or investigation in any manner.
- iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.
- iv. He shall join the investigation/attend trial without default.

Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.

Copy of the order be uploaded on the website of the District Court.

(Arul Varma)

ASJ/Special Judge, Electricity

Court No. 02, Central

Tis Hazari/Delhi/10.08.2021

Bail application No.2055/21
FIR No. 121/21
P.S. Civil Line
U/s 307/34 IPC & 27/54/59 Arms Act
State Vs. Dushat @ Kaku

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Dushat @ Kaku under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Harindra Singh, Ld. Counsel for accused/applicant in person.
Complainant/injured Ravi Kumar
IO/SI Deepak Kumar in person.

Complainant/injured Ravi Kumar submits that he is willing to settle the matter with the accused accused Dushat @ Kaku as accused is friend of his brother in law. The Court has interacted with the complainant/injured Ravi Kumar and ascertained the voluntariness of settlement.

At this juncture, Ld. Counsel for applicant/accused Harindra Singh also submitted that they are willing to move quashing petition before the Hon'ble High Court of Delhi.

Perusal of record reveals that accused is in J/C since 17.05.2021. Since the matter has been resolved between the parties, this Court is of the considered view that no purpose would be served incarcerating the

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accused in custody any longer. Accordingly, the accused Dushat @ Kaku is admitted on bail on furnishing bail bond and surety bond of Rs.20,000/- with one surety of like amount to the satisfaction of Ld CMM/Ld. MM/Ld. Link MM/Ld. Duty MM as the case may be, subject to the following conditions:

- i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
- ii. He shall not hamper the trial or investigation in any manner.
- iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.
- iv. He shall join the investigation/attend trial without default.

Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.

Copy of the order be uploaded on the website of the District Court.

(Arul Varma)

ASJ/Special Judge, Electricity

Court No. 02, Central

Tis Hazari/Delhi/10.08.2021

Misc. Application No.3387/2021
FIR No. 143/2021
P.S. Gulabi Bagh
U/s 356/379/411/34 IPC
State Vs. Akash

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Akash under Section 440 (2) Cr.P.C., for reducing the surety amount.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Ranjit Malik, Ld. Counsel for accused/applicant through VC.

Reply of the application received from IO.

Ld. Counsel for applicant submitted that applicant/accused was granted bail by the Court vide order dated 12.07.2021 subject to furnishing of bail bond in the sum of Rs.50,000/- with one surety of like amount. He further submitted that accused is a poor person, he is the only earning member of his family, and due to financial constrains, he could not furnish his surety bond. Therefore, the surety amount may be reduced.

Order dated 12.07.2021 and reply of the IO perused.

Considering the submissions made by Ld. Counsel for applicant/accused and the financial constrains as submitted in the reply of IO, the surety amount is reduced from Rs.50,000/- to Rs.10,000/-.

With the above observations, application stands disposed off.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail application No.2087/21
FIR No. 90/2021
P.S. Crime Branch (Nand Nagri)
U/s 39/45/49B (1)/51 Wild Lift Protection Act
State Vs. Vishal

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Vishal under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. S.K. Gill, Ld. Counsel for accused/applicant through VC.

The present bail application pertains to *inter alia* Sections 39/49/49B(1)/51 Wild Life Protection Act, which is a Special Act. Accordingly, in view of Order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 of Ld. Principal District & Sessions Judge (HQs), Delhi, the application be put up before the Ld. Principal District & Sessions Judge (HQs), Central District, Tis Hazari Courts on 13.08.2021 with a request to transfer the present application to the Court of Dr. Kamini Lau, Ld. Judge, MACT (Central), Tis Hazari Courts, Delhi for 13.08.2021.

Date is given as per convenience of Ld. Counsel for applicant/accused.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail Application No.2089/21
FIR No. Not Known
P.S. Burari
U/s Not Known
State Vs. Rajinder Tyagi

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Rajinder Tyagi under Section 438 Cr.P.C., seeking anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Sujeet Singh, Ld. Counsel for accused/applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 12.08.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail application No.2088/21
FIR No. 148/2021
P.S. Timarpur
U/s 363/365/368/370/120-B/34 IPC
State Vs. Sarvesh

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Sarvesh under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. S.K. Verma, Ld. Counsel for accused/applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 16.08.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

Bail application No.1031/21
FIR No. 83/21
P.S. Timarpur
U/s 354/354-B/452/506/509/427 IPC
State Vs. Deepak Mavi

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application moved for accused Deepak Mavi under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Santosh Kumar Sharma, Ld. Counsel for accused/applicant through VC.
IO/WSI Neelam through VC.

Reply of IO received. Same is perused.

Report received regarding medical examination of patient Deepak Mavi from IHBAS. Report perused.

Put up for consideration on the report on 23.08.2021. Interim order, if any, to continue till NDOH.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2058/21
FIR No. 566/18
U/s 420/120B/34 IPC
P.S. Burari
State Vs. Dheeraj Tyagi

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Dheeraj Tyagi for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Mukesh Kalia, Ld. Counsel for applicant through VC.
IO/SI Satender Singh present through VC.
Report of IO received.
TCR also received.

At this juncture, Ld. Addl. PP for the State submits that incomplete has been filed regarding the previous involvement of the applicant. In this context, it would be apposite to peruse the judgment titled ***Ravi Kumar @ Shooter Vs. State (NCT of Delhi), 2020 SCC Online Del 1871*** wherein Hon'ble Mr. Justice Anup Jairam Bhambani has held as thus:-

“14. It requires no emphasis that an accurate and credible SCRB report is of vital significance to proceedings before any criminal court. SCRB reports presented before a court, whether in the course of

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bail proceedings or trial or in any other matter, are taken to be authentic, credible and are presumed to reflect the upto-date position of all criminal involvements of any accused/convict. The court ordinarily considers such reports as sacred. If therefore, as in the present case, it is found that reports generated from the SCRB database are even inter se discrepant, it shakes the confidence of the court and leaves it wondering if it can rely blindly on the SCRB reports produced before it.

15. This is certainly not a desirable state of affairs.”

It was further observed in the said order as follows:-

“21. Mr. Bhagat further points-out that pursuant to certain observations made by this court in BAIL APPL. 1057/2020 titled Kunwar Manoj Bhatia @ Bunty vs. State of NCT of Delhi, directions have already been issued by the Special Commissioner of Police vidé communication dated 17.07.2020 to all Investigating Officers to follow a certain procedure to update the involvement sheet of accused/convicts before filing it in judicial proceedings, in the following terms:

"It is hereby ordered that henceforth, the Investigation officers shall follow the following procedure to update involvement sheet of criminals before using especially for filing it before Hon'ble Courts in Judicial Proceedings:

a. Check/verify involvement/status from ICJS i.e. <http://icjs.gov.in>. (Credentials created and staff trained in all PSs). b. Check/verify information from concerned Police Station records, if not traced above.

DCsP of the districts/units as well as other supervisory officer shall ensure that all the Investigation Officers shall submit Involvement Sheet with latest update of status column against each criminal involvement. They may also be advice to update the status in the source application i.e. CCTNS, CCIS, Dossier, etc. for future reference."

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It is apparent that prima facie the DCP concerned has not adhered to the directions issued above. Accordingly, issue notice to DCP, North to explain this lapse on the NDOH, and also to file the correct SCRB report on NDOH, under his/her signatures. Accordingly, copy of this order be sent to DCP concerned for necessary action and filing compliance report on the next date of hearing.

Put up on 17.08.2021.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Misc. No. 343/21
FIR No. 566/18
U/s 420/120B/34 IPC
P.S. Burari
State Vs. Dheeraj Tyagi

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application has been filed on behalf of accused Dheeraj Tyagi for filing additional documents.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Mukesh Kalia, Ld. Counsel for applicant through VC.

IO/SI Satender Singh present through VC.

Bail application of applicant is also pending before this Court. Accordingly, this application be attached with the bail application of applicant.

Order be uploaded on the website of Delhi District Courts.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 1959/21

FIR No. 87/2021

U/s 379/356/411/34 IPC

P.S. Maurice Nagar

State Vs. Manish @ Kalu

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Manish @ Kalu for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Harish Kumar, Ld. Counsel for applicant through VC.

IO/ASI Surender Kumar is present through VC.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant /accused submitted that applicant is in J/C since 20.06.2021. He further submitted that charge sheet in this case has already been filed. He further submitted recovery has

been effected from the co-accused and not the applicant herein. He further submitted that applicant has been arrested in this case only on the disclosure statement of other co-accused persons. He submitted that applicant has been falsely implicated in this case. Thus, he be granted bail.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the bail application as per law. It was submitted that applicant is a habitual offender and is involved in 7 other cases. Accordingly, he ought not to be granted bail.
4. Submissions heard and record perused.
5. Adverting to the rival contentions of both sides, a perusal of the record and report of IO reveals that applicant has refused to participate in the TIP. Further, applicant is involved in as many as 7 cases, thus lending credence to the assertion of the prosecution of him being a habitual offender. Keeping in view the previous involvement of the applicant, this Court is of the view that applicant has not mended his recalcitrant ways.
6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails and the role attributed to the accused herein, this Court is of the opinion that the accused ought not to be granted bail at this juncture. Accordingly, the present bail application is hereby dismissed.

7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 1920/21
FIR No. 136/21
U/s 392/394/34 IPC
P.S. Roop Nagar
State Vs. Sonu @ Suraj

10.08.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Sonu @ Suraj for grant of interim bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Zia Afroz, Ld. Counsel for applicant through VC.

1. It is with great anguish that this Court is constrained to bring on record the utter callousness, lack of apathy and disregard for principles laid down by the Constitutional Courts of our country qua rights of an incarcerated individual. The conduct of concerned Police Authorities and Jail Authorities during the pendency of this present bail application smacks of a cavalier attitude, bordering towards dereliction of duty.

2. Adjudicating this bail application has taken an inordinate period of time, owing to non-furnishing of information and also on account of filing of incorrect data by the said authorities, despite passing orders dated 19.07.2021, 29.07.2021, 03.08.2021, 05.08.2021 & 07.08.2021 by this Court.

3. The following timeline would make it abundantly explicit, the reasons for delay in disposing of this bail application:-

S.No.	Date of Order	Directions Passed	Compliance thereof
1.	19.07.2021 (Annexure-I)	Fresh application filed for grant of interim bail on medical grounds. Reply of the IO was called for NDOH i.e. 29.07.2021	Report was filed by IO (Annexure-A) whereby copy of SCRB was attached showing: (i) Involvement of accused in 33 cases. (ii) <u>Released on bail in 1 case.</u> (iii) Arrested in 5 cases. (iv) <u>Judicial Custody in 14 cases.</u> Reply was silent on the aspect of medical grounds, for which the interim bail application was moved.
2.	29.07.2021 (Annexure-II)	Fresh report was again called from the IO, to file a proper / complete reply.	Reply filed by IO (Annexure-B) affirming the fact that wife of accused was pregnant,

			<p>without providing any other details viz. stage of pregnancy, medical intervention required etc.</p> <p>Previous SCRБ re-filed showing:</p> <p>(i) Involvement of accused in 33 cases.</p> <p>(ii) <u>Released on bail in 1 case.</u></p> <p>(iii) Arrested in 5 cases.</p> <p>(iv) <u>Judicial Custody in 14 cases.</u></p>
3.	03.08.2021 (Annexure-III)	Since Ld. Counsel for the accused made a submission that accused is on bail in all other cases barring the present one, and also noticing that SCRБs are incomplete in material particulars, vide detailed order notice was sent to DCP, North District to file correct SCRБ on NDOH.	<p>Reply filed by Addl. DCP (Annexure-C) showing:</p> <p>(i) Previous involvements were shown of the accused in 33 cases.</p> <p>(ii) <u>Released on bail in 1 case.</u></p> <p>(iii) <u>Judicial Custody in 14 cases.</u></p>
4.	05.08.2021 (Annexure-IV)	As there was divergence in the stances adopted by the police and counsel for the	Report of Jail Superintendent, Central Jail No. 1 (Annexure-D) was filed, wherein at S.No.

		accused, report was called from concerned Jail Superintendent, Tihar to file correct status, especially in terms of para-5 of the order.	12 of the nominal roll, details of pending cases were mentioned as 'NIL'.
5.	07.08.2021 (Annexure-V)	<p>Since Jail Superintendent, Tihar filed an incomplete report, notice was sent to DG(Prisons), Tihar to correct the anomaly, and file complete report.</p> <p>Since Ld. Counsel for accused contended that police had not filed correct status report, Addl. DCP was directed to file detailed reply to the bail application alongwith circular/ advisory issued by DCP as mentioned in para-7 of the order.</p>	<p>No report received from DG (Prison), Tihar. Rather, another report filed by Jail Superintendent (Annexure-E) asking for one week's time to file reply.</p> <p>Report of Addl. DCP (Annexure-F) filed showing previous involvement:</p> <p>(i) Previous involvement in 33 cases.</p> <p>(ii) <u>Released on bail in 20 cases.</u></p> <p>(iii) Acquitted in 3 cases.</p> <p>(iv) <u>Released in 9 cases.</u></p> <p>(v) <u>Judicial Custody in 1 case.</u></p> <p>Report of Addl. DCP was silent qua issuance of any circular / advisory.</p>

4. The above delineation is a result of vociferous representation of the accused by his vigilant counsel Sh. Zia Afroz. Had Ld. Counsel for the accused not stuck to his guns, the true picture would not have been reflected before the Court. It is due to his persistence and prodding by the Court, that the Police Authorities finally, vide their last report, conceded that accused is in judicial custody only in this case. It is indeed a very sad state of affairs that police authorities have not been forthcoming while filing their reports.

5. It is writ large that despite directions passed by Hon'ble High Court of Delhi in *Ravi Kumar @ Shooter Vs. State (NCT of Delhi), 2020 SCC Online Del 1871* the issue of filing incorrect and incomplete SCRBs / previous involvements persists, and there is a delay which has plagued the system has a whole. This observation is fortified by a perusal of the following matters which were listed before this Court, in which incomplete SCRBs were filed:

- a. *FIR No. 174/21, State Vs. Nitin, P.S. Gulabi Bagh,*
- b. *FIR No. 566/18, State Vs. Dheeraj Tyagi, P.S. Burari,*
- c. *FIR No. 204/21, State Vs. Rohit @ Chunchun, P.S. Timarpur,*

6. It has thus been observed that filing of incomplete SCRB, with especially the status column left blank, is a recurring phenomena. The Assistant and Additional Public Prosecutors would well do to insist on

receiving complete and updated SCRBs prior to the date of hearing of bail matters. **Accordingly, copy of this order be sent to the Director of Prosecution, Delhi to sensitise Public Prosecutors to ensure that IOs file complete details of involvement of the accused alongwith their replies to bail applications. Compliance report be filed on the NDOH.**

7. In the present matter, the police officers concerned first submitted a report which showed that accused is in judicial custody in 14 cases. Later on, they filed a report as per which accused in judicial custody in only this case. This *volte face* has certainly been of detriment to the accused herein, as the application was kept pending. The police authorities have blown hot and cold and have submitted incorrect and incomplete data before the Court. To obviate recurrence of such instances in the future, **a copy of this order be sent to the Worthy Commissioner of Police to take appropriate action in the matter, and to consider issuance of necessary circular / Standing Order whereby complete SCRBs containing details of incarceration, release, bail, acquittal etc. are filed at the time of replying to bail applications. Compliance report be called on the NDOH.**

8. A perusal of the record also reveals that the concerned Jail Superintendents have not kept their records updated. The import of order dated 05.08.2021 had not dawned upon them. Rather, the second

reply whereby one week's time has been asked for to file complete details of the accused, is reflective of a cavalier attitude, and disregard for basic human rights. **Copy of this order be sent to DG (Prisons) to take necessary action in the matter and file compliance report on NDOH.**

9. As far as the reply of the the IO is concerned, his report confirms the factum of pregnancy of the wife of the accused. Keeping in mind this fact coupled with the fact that accused has been acquitted in 3 cases, released in 9 cases, and is on bail in all the other cases, this Court deems it fit to grant interim bail for the period of 30 days from the date of his release on furnishing bail bond and surety bond of Rs. 20,000/- with one surety of like amount to the satisfaction of Ld. CMM/ Ld. MM/ Ld.Duty MM as the case may be, subject to the conditions that:

- a) The accused shall surrender himself on expiry of the period of 30 days from date of release, by 10.00 am in Tihar Jail with report in writing alongwith an affidavit through his counsel, to be filed in the court on the same day by 4 :00 pm, regarding such compliance.
- b) The applicant/accused is directed not to leave the country without prior permission of the Court.

- c) The accused/applicant shall join investigation as and when called for.
- d) The accused is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
- e) The accused shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
- f) The accused shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the accused is trying to contact him/her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

10. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the interim bail application stands disposed off.

11. Copy of this order be sent to the **Jail Superintendent through electronic mode**. Copy of the order be uploaded on the website of the District Court.

12. **Since the issue involves delay in disposal of bail applications, copy of this order be sent to the Worthy Registrar General, Hon'ble**

High Court of Delhi with a request to place it before the appropriate Hon'ble Committee, if deemed fit.

13. Put up on 20.08.2021 for further proceedings.

14. Order be uploaded on the website of Delhi District Courts.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/10.08.2021