

FIR No. 349/2020  
PS : Sarai Rohilla  
U/s 379/411 IPC  
State Vs. Mahavir

(Through Video Conferencing)

11.05.2021

Interim Bail application u/s 437 Cr.P.C moved on behalf of applicant/accused Mahavir.

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 02.10.2020 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 already completed, as charge-sheet has been filed, in the present case. Ld. Counsel submits that the applicant/accused is ready to abide by any condition imposed by the court. It is further submitted that applicant/accused is booked under section 379 of IPC, wherein the maximum prescribed sentence is of 3 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, stating that the accused is a habitual offender, with more than 50 previous involvements.

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

Heard. Record perused.

Applicant/accused is in JC since 02.10.2020, charge-sheet has already been filed 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 HPC of Hon'ble High Court of Delhi, vide order dated 04.05.2021, 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 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. 15,000 with one 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, or intimidate witness(s);

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.

Application stands disposed of accordingly.

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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**ASIWAL** Date: 2021.05.11  
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(Charu Asiwali)  
MM-04/Central:  
Delhi/11.05.2021

FIR No. 76/2021

PS : Sarai Rohilla

U/s 420/411/120B IPC

State Vs. Manish Goyl @ Saurabh Goyl @ Manish Goyal S/o Pramod Goyl @ Pramod Goyal

(Through Video Conferencing)

11.05.2021

Interim Bail application u/s 437 Cr.P.C moved on behalf of applicant/accused Manish Goyl @ Saurabh Goyl @ Manish Goyal S/o Pramod Goyl @ Pramod Goyal

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 18.02.2021 and has been falsely implicated in the present case. He has further argued that applicant/accused is longer required for custodial interrogation. 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 420 of IPC, wherein the maximum prescribed sentence is of 7 years, hence squarely covered under Clause (iii) 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 18.02.2021, no co-accused remains to be apprehended. 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, to facilitate de-congestion of prisons. Considering the totality of circumstances and the 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 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. 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;
6. That he will surrender before the authorities concerned upon expiry of 90 days from the date of release.

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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(Charu Asiwali)  
MM-04/Central:  
Delhi/11.05.2021

FIR no. 186/2021  
PS : Sarai Rohilla  
U/s 356/379/411/34 IPC

11.05.2021

Through Video Conferencing

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

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

Arguments heard.

It is submitted by the Ld. Counsel for the applicant that applicant Nandini Gajrani is the rightful owner of the mobile phone. Scan copy of 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 Note 9 Pro 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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(Charu Asiwali)  
MM-04 (Central)  
Delhi/11.05.2021

E.FIR No. 000339/2020  
PS : Sarai Rohilla  
U/s 379/411 IPC  
Stat/e Vs. Rakesh @ Kaka S/o Ram Singh

(Through Video Conferencing)

11.05.2021

Bail application U/s 437 Cr.P.C on behalf of accused Rakesh @ Kaka S/o Ram Singh

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

LAC for accused has submitted that accused is in JC since 21.11.2020 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 18.12.2020. Investigation has already been completed as charge-sheet has been filed. I see no reasons to keep the accused confined any longer, as he is no longer required for custodial interrogation. Accordingly, accused Rakesh @ Kaka S/o Ram Singh be released on bail on furnishing bail bond for a sum of Rs. 20,000/- with one surety of like amount. Accused Rakesh @ Kaka S/o Ram Singh 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 LAC for the accused on his email/whatsapp.

CHARU  
ASIWAL  
(Charu Asiwali)  
MM-04/Central:  
Delhi/11.05.2021

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