

Bail Application No. 418/21,421/21 & 422/21
FIR No. 73/21
P.S. Burari
U/s 420/34 IPC
State Vs. 1. Dharmender Singhal @ Pinki
2. Abishek Singhal
3. Sahil Singhal

06.08.2021

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.

Present application moved for abovesaid accused persons under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for State through VC.
Sh. Mukesh Kumar Sharma, Ld. Counsel for accused/applicant through VC.
Sh. Vaibhav Sinha, Ld. Counsel for complainant.
IO/SI Satender Singh through VC.

Ld. Counsel for complainant submitted that matter has been settled before the Mediation Centre and payment in pursuance of the settlement are being regularly made by the accused to the complainant. Ld. Counsel for complainant further submitted that next due installment is to be paid on 28.08.2021. Under these circumstances, interim protection given to the accused

Contd...2

FIR No. 73/21
P.S. Burari
U/s 420/34 IPC

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from arrest to be continued till NDOH.

Complainant also shall join the proceedings on NDOH.
Issue notice to the complainant through IO and through his counsel
for NDOH.

At this juncture, IO SI Satender Singh has submitted
that complainant is not joining the investigation, it is impressed
upon the complainant through his counsel to join the investigation
as and when required by the IO.

Put up on 08.09.2021.

Copy of order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021

Bail Application No. 2066/21
FIR No. 121/2021
P.S. Civil Line
U/s 307/34 IPC & S. 27/54/59 Arms Act
State Vs. Shivraj @ Raj

06.08.2021

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 Shivraj @ Raj under Section 439 Cr.P.C., for grant of bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for State through VC.
Sh. Harindra Singh, Ld. Counsel for accused/applicant through VC.
IO/SI Deepak Kumar through VC.
Reply of the application received.

Ld. Counsel for accused/applicant submitted that matter has been settled between the complainant and the accused, as the accused is real brother in law. In order to ascertain the veracity of the same, both parties shall appear physically in the Court on NDOH. In the meantime, IO is directed to verify whether the settlement has been arrived at between the parties voluntarily or not. IO to remain present physically in the Court on NDOH.

Re-list on 10.08.2021.

Copy of order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021

Bail Application No. 2063/21
FIR No. 0372/2019
P.S. Karol Bagh (Crime Branch)
U/s 3/3A/4/6/18/22 Pre-Conception and Pre-
natal Diagnostic Techniques(Prohibition of Sex Selection) Act,
1994 & 120 IPC
State Vs. Ritu Singh

06.08.2021

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 Ritu Singh under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Ms. Shweta Verma, Ld. Adl. PP for State through VC.
Ms. Krishna Parkhani, Ld. Counsel for accused/applicant through VC.
IO/Inspector Pankaj Arora, PS Crime Branch through VC.

The present bail application pertains to *inter alia* Sections 3/3A/4/6/18/22 Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, 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, present application be transferred to the Court of Dr. Kamini Lau, Ld. Judge, MACT (Central), Tis Hazari Courts, Delhi for today itself at 2:00 p.m.

Copy of order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021

Bail Application No. 2064/21
FIR No. 0372/2019
P.S. Karol Bagh (Crime Branch)
U/s 3/3A/4/6/18/22 Pre-Conception and Pre-
natal Diagnostic Techniques(Prohibition of Sex Selection) Act,
1994 & 120 IPC
State Vs. Aditya Kandoi

06.08.2021

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 Aditya Kandoi under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for State through VC.
Ms. Krishna Parkhani, Ld. Counsel for accused/applicant through VC.
IO/Inspector Pankaj Arora, PS Crime Branch through VC.

The present bail application pertains to *inter alia* Sections 3/3A/4/6/18/22 Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994, 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, present application be transferred to the Court of Dr. Kamini Lau, Ld. Judge, MACT (Central), Tis Hazari Courts, Delhi for today itself at 2:00 p.m.

Copy of order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021

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

CNR No. DLCT01-007281-2020

FIR No. 57/2020

U/s 420/467/468/471/34 IPC

P.S. Civil Lines

06.08.2021

State Vs. Ridhi Kumar

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.

File has been received vide order dated 06.08.2021 passed by Ld. Principal District & Sessions Judge (HQ).

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Ridhi Kumar for grant of anticipatory bail.

It is 3 PM

Present: Ms. Shweta Verma, Ld. Addl. PP for State through VC.

Sh. S.S. Panwar, Ld. Counsel for applicant through VC.

Ld. Counsel for complainant through VC.

IO/Inspector Rupesh Khatri is present through VC.

Part arguments heard.

Put up for further arguments on 18.08.2021.

IO is directed to place on record detailed reply to the present anticipatory bail application with previous involvements on NDOH.

Applicant is granted interim protection from arrest till the NDOH.

**(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021**

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

CNR No. DLCT01-007281-2020

FIR No. 57/2020

U/s 420/467/468/471/34 IPC

P.S. Civil Lines

State Vs. Renu Kalra

06.08.2021

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.

File has been received vide order dated 06.08.2021 passed by Ld. Principal District & Sessions Judge (HQ).

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Renu Kalra for grant of anticipatory bail.

It is 3 PM

Present:

Ms. Shweta Verma, Ld. Addl. PP for State through VC.

Sh. Amit Vohra, Ld. Counsel for applicant through VC.

Ld. Counsel for complainant through VC.

IO/Inspector Rupesh Khatri is present through VC.

Ld. Counsel for applicant seeks adjournment stating that he does not have the file.

IO is directed to place on record detailed reply to the present anticipatory bail application with previous involvements on NDOH.

Put up for arguments on 18.08.2021.

Applicant is granted interim protection from arrest till the NDOH.

**(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/06.08.2021**

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

BAIL APPLICATION NO. 2065/21
FIR NO. 181/21
U/S 186/353/307 IPC & 25 Arms Act
P.S. Timarpur
State Vs. Amir Saifi

06.08.2021

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 PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Wazirabad and Crime Branch of Central Police District through Video Conferencing Mode.

Fresh application u/s 439 Cr.P.C. has been filed on behalf of accused Amir Saifi for grant of regular bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for the State through VC.
Sh. Anand Verdhan Maitreya, Ld. Counsel for applicant through VC.
IO/SI Chaitanya Abhijit is present through VC.
Report of IO received.

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 case of the prosecution is highly implausible in as much as it is strange that

no public witnesses were available either before the commission of offence, or even after the apprehension of the applicant by the police. This, it was submitted that a false case has been planted upon the applicant. It was also submitted that perusal of the contents of FIR would reveal that a reward was placed for the capture of the applicant, however no previous involvement of the applicant has been shown in the reply of the IO. It was vehemently contended by Ld. Counsel for the applicant that the police is taking an inordinate delay in verifying the address of the applicant. It was submitted that wife of the applicant is pregnant. Thus he ought to be granted bail.

3. Per *contra*, Ld Addl. PP for the State alongwith the IO, vehemently opposed the bail application as per law. It was submitted that a serious offence has been committed and the applicant has been promoting crime by supplying illegal weapons. It was submitted that charge sheet is yet to be filed in the present case and the address of the applicant is yet to be verified.
4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged that 10.06.2021 HC Deepak Kumar Tyagi No. 1013/N of Special staff, North District, Delhi received a secret information that one wanted rewarded criminal namely Amir Saifi will come on Motorcycle bearing registration No. UP15-CA-7539 from Old Yamuna bridge,

Wazirabad, Delhi to supply illegal firearms. On the basis of secret information a trap laid at main road near Old Parking Ram Ghat, Yamuna Bridge, Wazirabad, Delhi. At about 03:40AM on 10.06.21 one boy on Apache motorcycle from Bhajanpura side. An effort was made to stop him but he started turning back his motorcycle. In taking u-turn his motorcycle slipped and it fell down. The boy started running back toward Yamuna Bridge. On seeing Police staff coming towards him, he took out his pistol out and fired one round on the police staff. He was overpowered by the members of raiding team. His name and address was revealed as Amir Saifi s/o Rehmuddin r/o Samar Garden, Shajahan Colony, PS Lisadi Gate, Meerut, UP Age 25 Years. One semi automatic pistol was recovered from his hand. On checking of Pistol, 01 live cartridge was found in the chamber and 01 live Cartridge in the magazine of the Pistol. The chamber and magazine was unloaded. Amir Saifi was carrying a violet bag on his back. On checking the bag it was found containing 4 Deshi katte and 8 live cartridges of 8MM. During investigation, it was revealed that accused Amir Saifi is being supplier of illegal firearms. Hence the present FIR was registered.

5. A perusal of record reveals that serious allegations of firing at the police party have been levelled against the applicant. During the course of arguments it was brought to the fore that the applicant has 3 previous involvements albeit he has been discharged in 2 of

them. It was further explained by the IO that the address of the applicant could not be verified as the applicant frequently changes his address.

6. A perusal of record would also reveal that a used cartridges was also recovered from the spot prima facie giving credence to the version of the prosecution that firing took place at the spot where applicant was captured. There has been a substantial recovery of weapons and live cartridges from the applicant.
7. 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.
8. 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.
9. 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/06.08.2021

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

Bail Application No. 2030/21
FIR No. 204/21
U/s 308/452/323/506/34 IPC
P.S. Timarpur
State Vs. Rohit @ Chunchun

06.08.2021

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 Rohit @ Chunchun for grant of regular bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for State through VC.
Sh. Hari Kishan, Ld. Counsel for applicant through VC.
Inspector Vijay Pal, Inspector/Investigation from P.S.
Timarpur is present through VC.
IO/ASI Bhushan is present.

SCRB report received in compliance of previous order alongwith explanation of Addl. Deputy Commissioner Police, North District, Delhi. As per the explanation, instructions have been given to staff to cross check previous involvements of applicant from myriad sources viz CCTNS, ICJS, CCIS, Dossier, SCRB, Police Station record and

to also ensure that data qua involvement of the applicant is updated. The explanation tendered is satisfactory.

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 24.06.2021. He further submitted that co-accused Rajeev and Vishal had already been granted interim bail and regular bail respectively. He further submitted that after 2014 applicant has clean antecedents. He further submitted that as per the SCRB report applicant has been acquitted in 4 cases and is on bail in 4 other cases. He further submitted that he seeks bail on the grounds of parity as co-accused have already been granted regular and interim bail. He further submitted that applicant has two children to look after. Lastly, Ld. Counsel for applicant submitted that there are only three cases pending against the applicant.
3. *Per contra*, Ld Addl. PP for the State alongwith the IO and Inspector Investigation vehemently opposed the bail application as per law. It was submitted that charge sheet is yet to be filed in this case. It was submitted that no ground for parity is made out as co-accused Vishal has been granted bail as he has no previous involvements and other co-accused Rajeev has been granted

interim bail on the medical grounds. Further it was submitted that co-accused Rahul is still absconding. Moreover, applicant has previous involvements. Applicant has also received the injuries. It was further submitted that investigation is at nascent stage.

4. Before advertng to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It is alleged by the complainant that one Rahul co-accused went to the mobile shop of complainant Prince at old market Timarpur to get it repaired. Being busy in repairing another phone, complainant asked him to wait for a while. When co-accused Rahul insisted to attend him first, there started an argument leading to the scuffle. Co-accused Rahul allegedly slapped the complainant and hit him with a rod and also extended threat to kill him. Thereafter, when complainant reached home, he saw co-accused Rahul beating his father. On seeing him, co-accused Rahul fled away from there but returned armed alongwith his associates co-accused Vishal, applicant Rohit @ Chunchun (BC of the area) and co-accused Rajeev (BC of the area) and entered in the house of the complainant. Applicant alongwith his associates gave beatings to the complainant, his younger brother Anuj and his father Sanjay Singh. They were also taken to the hospital and their MLCs were prepared and present case was registered.
5. A perusal of the record reveals that major role has been attributed to co-accused Rahul. Other co-accused namely Rajeev and Vishal

have been granted regular and interim bails respectively. Further, no recoveries have to be effected from the applicant. During the scuffle offenders have also received the injuries. It is also matter of record that one another case vide FIR No. 206/21, dated 23.06.2021, U/s 341/323/506/34 IPC has also been registered by the other party. A perusal of the SCRB would also reveal that all the other cases against the applicant are of old vintage. Apart from this case, there seem to be no recent involvements of the applicant. Ordinarily, previous involvements of an applicant weigh in the mind of the Court, and the tilt is towards dismissal of bail applications, however in the present case, for the aforementioned reasons, the previous involvements are not being considered. As far as the apprehension that the applicant may create further nuisance in the area is concerned, appropriate directions are being mentioned in this order to take care of such eventuality.

6. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the applicant Rohit @ Chunchun in custody any longer. Accordingly, the applicant Rohit @ Chunchun 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.

v. He shall report to the SHO, P.S. Timarpur, and mark his presence, on every Monday at 6 PM for a period of two months from today.

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/06.08.2021

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

BAIL APPLICATION NO. 2067/21

FIR NO. 152/21

U/S 420/467/468/471/120B IPC

P.S. Burari

06.08.2021

State Vs. Vikas Jha

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 PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Wazirabad and Crime Branch of Central Police District through Video Conferencing Mode.

Fresh application u/s 439 Cr.P.C. has been filed on behalf of accused Vikas Jha for grant of regular bail.

Present: Ms. Shweta Verma, Ld. Addl. PP for the State through VC.

Sh. Krishna Mohan, Ld. Counsel for applicant through VC.

IO/SI Rohit is present through VC.

Report of IO received.

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 only an amount of Rs. 35,000/- has been cheated by the applicant. He further submitted that applicant is in J/C since 27.05.2021. Ld. Counsel also submitted that even though the applicant has been shown to be involved in number of offences by the IO, the applicant is on

bail in most cases except in case FIR No. 131/19, P.S. Civil Lines, U/s 420/468/471/120B IPC.

3. Per *contra*, Ld Addl. PP for the State alongwith the IO, vehemently opposed the bail application as per law. It was submitted that applicant is a habitual cheater and is involved in as many as 20 cases.
4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged by the complainant that Rs. 35,000 were fraudulently transferred from his IndusInd Bank Credit Card. During investigation it was found that Croma Gift Vouchers were bought from the Credit Card using payment gateway of Paytm. It was further revealed that high price mobile phones were purchased from various Croma showrooms all over Delhi using same gift vouchers. Mobile phones were first used by the accused persons with fake sims for calling, and for obtaining OTPs (one time passwords) and then sold on an App namely Mobilego after accused visited Mobilego Shop in Malviya Nagar. It was also found that payment of the mobile phones were made in Account No.: 15280100050591 IFSC: FDRL00001528 Federal Bank which was found in name of one Sonu R/o H No 212/19 Jawahar Nagar Gurgaon Haryana.

Bank statement was analyzed and it was found that money was transferred in Paytm A/C 919821981118 which was found

registered in name of one Vikas Jha. KYC photo also show photo on Vikas Jha who was previously arrested in Case FIR No 131/2019 U/s 420/468/471/120B IPC PS Civil Lines and FIR No 152/2020 U/s 420/467/468/471/120B IPS PS Roop Nagar and was released on Covid Bail in December. Money from Paytm A/c 919821981118 was further transferred into an Axis Bank Account Number 919010035537081 which was also registered in name of Vikas Jha. Sonu was identified as Vicky @ Himanshu @ Sonu S/o Late Madan Mohan Sharma R/o Gokul Dham Mathura UP Age 27 Years who was co-accused of Vikas Jha in 6 different cases of similar nature registered in Faridabad and Gurgaon. Thus, the present FIR has been registered against the applicant.

5. At this juncture, it would be apposite to peruse the judgment titled ***Sunil Dahiya Vs. State (Govt. of NCT of Delhi), Bail Application No. 1212/2016 dated 18.10.2016*** wherein Hon'ble High Court of Delhi has held as thus:-

"49. The applicant accused appears to be a person with deep pockets. If he could manipulate and dupe more than 1000 investors to invest in his projects, he may as well be able to influence these investors, other witnesses and the evidence to save his own skin. The Applicant herein has been accused of economic offences involving cheating and misappropriation of huge amounts of public funds, and such offences - as observed by the Apex Court, have to be viewed seriously. In Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation, (2013) 7 SCC 439, the Court in Para 34 observed:

"34. Economic offences constitute a class apart and need to be visited with a different approach in the matter of

bail. *The economic offences having deep rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."*

50. Further, in *State of Gujarat vs. Mohanlal Jitmalji Porwal and Anr.*, (1987) 2 SCC 364, the Court in Para 5 observed:

"5. The entire Community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. **An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community.** A disregard for the interest of the Community can be manifested only at the cost of forfeiting the trust and faith of the Community in the system to administer justice in an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest.."

6. Further, the above judgment, which ordains Courts to be circumspect while adjudicating bail applications in cases pertaining to offences against property and offences related to documents, also observed as thus:-

"53. The Supreme Court, in [Neeru Yadav v. State of U.P.](#), (2014) 16 SCC 508 - which was also a case of regular bail under [Section 439](#), observed as follows:

"16. xxx We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on

*human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. **A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society disapproves, the legal consequences are bound to follow.** At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law".*

7. During the course of arguments, IO/SI Rohit Saraswat had ably assisted the Court in understanding the intricacies of the complex method in which the offence was committed by the applicant. The applicant, in connivance with others, has adopted similar modus operandi to dupe unsuspecting citizens. It is apparent that the

applicant is a habitual criminal in as much as despite coming out from the jail in December, 2020, he cheated several people and his complicity in 5 cases has been ascertained. Moreover, the IO also brought to the notice of this Court that the applicant was released on bail in FIR No. 131/19, U/s 420/468/471/120B IPC, P.S. Civil Lines, but instead of surrendering on the expiry of the interim bail, he jumped the bail and continued with his nefarious activities. It seems that applicant has not mended his recalcitrant ways.

8. 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.
9. 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.
10. 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/06.08.2021