

Bail Application No.2579/21
FIR No. 470/21
P.S. Subzi Mandi
U/s 356/379/411 IPC
State Vs. Dev Maggo

05.10.2021

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.

This is an application moved for accused/applicant Dev Maggo under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC
Sh. O.K. Sharma, Ld. Counsel for applicant through VC.

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

List for arguments on 07.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.2578/21
FIR No. 275/2019
P.S. Wazirabad
U/s 308/323/341/506/34 IPC
State Vs. Vinod

05.10.2021

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.

This is an application moved for accused/applicant Vinod under Section 439 Cr.P.C., for grant of Vinod bail.

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

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

List for arguments on 07.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.2577/21
FIR No. Not Known
P.S. Timarpur
U/s Not Known
State Vs. Sanjay @ Langra @ Kana

05.10.2021

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.

This is an application moved for accused/applicant Sanjay @ Langra @ Kana under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC
Sh. S.P. Sharma , Ld. Counsel for applicant through VC.

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

List for arguments on 07.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.2527/21
FIR No. 532/21
P.S. Subzi Mandi
U/s 380/411 IPC
State Vs. Rakesh Kumar

05.10.2021

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.

This is an application moved for accused/applicant Rakesh Kumar under Section 439 Cr.P.C., for grant of regular bail.

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

Issue notice to the IO to come before the Court with the case diary and also to apprise the Court qua CCTV footage of the incident, if any, on NDOH.

List for arguments on 07.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.2518/21
FIR No. 176/2016
P.S. Burari
U/s 380/448/420/468/471/120B/34 IPC
State Vs. Kishan Verma

05.10.2021

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.

This is an application moved for accused/applicant Kishan Verma for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC
Sh. S.K. Gandhi, Ld. Counsel for applicant through VC.
Sh. R. Kaushal, Ld. Counsel for complainant through VC.
IO SI Satender through VC.

Reply of the application has not been received. IO shall file detailed reply on NDOH.

List for arguments on 08.10.2021.

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(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.1212/21
FIR No. 186/21
P.S. Burari
U/s 420/34 IPC
State Vs. Man Mohan Singh

05.10.2021

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.

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

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC
Sh. Davinder Hora, Ld. Counsel for applicant through VC.
Ld. Counsel for complainant.
IO/SI Satender through VC.

Both parties submit that matter is pending before Ld. DRT and next date of hearing thereat is 26.10.2021.

Interim order dated 14.06.2021, to continue till next date of hearing.

List for arguments on 28.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

Bail Application No.2460/21
FIR No. 463/2020
P.S. Timarpur
U/s 307/34 IPC & 25/27 Arms Act
State Vs. Rahul @ Juddi

05.10.2021

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.

This is an application moved for accused/applicant Rahul @ Juddi under Section 439 Cr.P.C., for grant of bail.

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

Sh. Nitkhitesh Maurya, Ld. Counsel for applicant through VC.

IO/Ashok Meena through VC.

Reply received.

It has been apprised to the Court that chargesheet in the present matter has been filed, and same is pending before the Court of Sh. N.K. Kashyap, Ld. ASJ (Central).

Accordingly, let the application be put up before Ld. Principal District & Sessions Judge (HQ), Delhi, with a request to transfer the same to the Court of Sh. N.K. Kashyap, Ld. ASJ (Central) for 08.10.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021

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

Bail Application No. 2528/21
FIR No. 376/21
U/s 307 IPC
P.S. Civil Line
State Vs. Arun Varghese

05.10.2021

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 u/s 439 Cr.P.C. has been filed on behalf of accused Arun Varghese for grant of regular bail.**

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Kamal Pundir, Ld. Counsel for applicant
through VC.
Sh. Pradeep Anand, Ld. Counsel for complainant
through VC.
IO/SI Prabhash Kumar Singh is present through VC.

1. Vide this order, this Court shall adjudicate upon the bail application under Section 439 Cr.P.C., filed on behalf of the accused/applicant Arun Varghese. Arguments heard *in extenso*, the gist whereof is discussed hereunder.

2. Ld. Counsel for applicant/accused submitted that false case has been foisted upon the accused. It was submitted that accused has clean antecedents. He further submitted that it is a matrimonial dispute between the complainant and accused, and the injuries in question can be self inflicted wounds. It was further submitted that an offence under Section 307 IPC is not made out, as despite injuries purportedly caused by a knife, they were simple in nature and the victims/injured were discharged same day from the hospital. It was further submitted that no statement of any neighbors is on record, and also that no statement on record that other family members tried to intervene. Lastly, he submitted that accused, being a young man, has been in Judicial Custody since 20.09.2021, and no purpose would be served in detaining him any longer, and accordingly he ought to be released on bail.

3. *Per contra*, Ld Addl. PP for the State, IO and assisted by Ld. Counsel for complainant have vehemently opposed the bail

application as per law. It was submitted that since injuries were caused on the vital part of the bodies viz. Head, Section 307 IPC was invoked. It was further submitted that 27 stab wounds were caused on the different parts of the body. It was submitted by the IO that after causing injuries to the complainant, accused had started attacking himself by the same knife and locked himself in the bathroom.

4. Submissions of both sides heard.

5 Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: On 19.09.2021, an information of stabbing was received in the PS Civil Line vide GD No.54. The caller had informed that husband had stabbed his wife at 15, Rajniwas Marg, Delhi. After receiving the information, police officials had reached to the place of occurrence. Blood strains were found lying near to the main entrance and inside the floor. Blood strains were also found on bed, floor, sofa and cushion of the sofa. Door of the bathroom was broken and found lying aside. In the bath room, a knife was found in the water bucket with blood. Window of the floor was also found broken. The eye witness Mr. Himanshu David has informed that his younger sister Smt. Himanshi David was

married to Mr. Arun Varghese on 23.04.2021. She has spent hardly two months at her matrimonial house and has to left the house due to untoward conditions. On 19.09.2021, Mr. Arun Varghese came to the house of the complainant and convincing her to return his house but to the behavior of the accused, the complainant completely denied to return home and also beg divorce from him. After hearing the divorce, accused shouted that he will not divorce her and if she divorced him, he will kill her. Then, the accused rushed to the kitchen, picked a knife from there and started stabbing brutally to Smt. Himanshi Davi with intention to kill her. Brother and mother of Smt. Himanshi David hardly managed to save the victim/complainant from the accused Arun Varghese. The complainant made a PCR call. After that the accused has started attacking himself by same knife and locked himself in the bathroom. The present FIR was lodged on the complaint of complainant Smt. Himanshi David. Therefore, the present FIR came to be registered.

6. A perusal of the record especially the MLC reveals that complainant received lacerated wound injuries by stabbing knife on different parts of the body i.e., over chest and back. The above injuries *prima facie* substantiate the contention of the State that the injuries were caused upon vital part of the body.

7. After considering over all the facts and circumstances of the case, taking into the account the gravity of the offence, severity of the punishment that it entails and the role attributed to the applicant, this Court of the considered opinion that no ground of grant of the bail is made out at this juncture. Accordingly, this Court is not inclined to grant bail to the accused Arun Varghese at this juncture, and therefore present application is hereby dismissed.

8. With these observations, the bail application moved on behalf of accused/applicant Arun Varghese 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/05.10.2021

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

Bail Application No. 2558/21
FIR No. 244/2021
U/s 392/34 IPC
P.S. Gulabi Bagh
State Vs. Kamal @ Mangal

05.10.2021

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 Kamal @ Mangal for grant of regular bail.

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

Reply 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 applicant has been falsely implicated in the present case. He further submitted that accused was arrested only on the basis of disclosure statement of co-accused. It was further submitted that chargesheet in the present case has been filed, and investigation is complete. It was submitted that, applicant herein has clean antecedents. Lastly, it was submitted that applicant is in J/C since 23.08.2021, and no recovery is to be effected from the accused and thus he ought to be granted bail.
3. *Per contra*, Ld Addl. PP for the State vehemently opposed the bail application as per law. It was submitted that applicant herein facilitated the commission of the crime and thus he ought not to be granted bail.
4. Submission heard record perused.
5. A perusal of the reply of IO reveals that the accused Kamal @ Mangal was arrested on the disclosure statement of co-accused. Recovery of robbed mobile phone has already been recovered. Thus it is explicit that no recovery is to be effected from the applicant herein. Further, it is pertinent to note that the apprehensions of the IO that applicant may threaten the

witnesses have not been substantiated. Also, considering the fact that applicant Kamal @ Mangal has never been previously involved in the commission of an offence, this Court cannot rely on the mere *ipse dixit* of the IO that the applicant would again commit an offence if enlarged on bail. Significantly, it was brought to the fore that the applicant is a young man, and this Court cannot overlook this fact, coupled with the factum of previous clean antecedents of the applicant.

6. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the applicant in custody any longer. Accordingly, the accused Kamal @ Mangal is admitted on bail on furnishing bail bond and surety bond of Rs 10,000/- 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.

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/05.10.2021

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

Bail Application No. 2544/21
FIR No. 16565/21
U/s 379 IPC
P.S. Bara Hindu Rao
State Vs. Zeeshan

05.10.2021

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 Zeeshan for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Manoj Kumar Mahaur, Ld. Counsel for
applicant/accused.
IO/HC Bhupender Singh through VC.
Reply of IO has been received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused Md. Zeeshan. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.

2. Ld. Counsel for applicant/accused contended that applicant has been falsely implicated in the present case. Further, it was submitted that accused is in J/C since 30.07.2021, and chargesheet has already filed and accused is no more required for investigation. It was further submitted that recovery, if any, has already been effected. Thus, he ought to 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 the applicant has been previously involved in number of similar cases. Therefore, he should not be granted bail.
4. A perusal of the record reveals that allegations of theft of motorcycle has been levelled against the applicant. It is matter of record that the stolen motorcycle has already been recovered. Thus, recoveries have already been effected. The chargesheet has already been filed in the present matter.
5. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the accused in custody any longer. Accordingly, the accused Md. Zeeshan is admitted on bail on furnishing bail bond and surety bond of Rs. 10,000/- 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.

6. 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.

7. 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/05.10.2021

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

Bail Application No. 2444/21

FIR No. 541/21

U/s 306/34 IPC

P.S. Burari

04.10.2021

State Vs. Ayush Panwar @ Nitin

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

Sh. Sagar Singh Kalsi, DCP North alongwith Inspector

Suresh Kumar, SHO PS Burari present through VC.

IO/SI Pushpender also present.

1. The DCP has filed compliance report in terms of order dated 28.09.2021.
2. Report filed by the DCP has been perused. It would be pertinent to reproduce the following extracts thereof:-

“In this matter a preliminary inquiry was conducted and after completion of inquiry, a case vide FIR No. 541/21 was registered on 11.07.2021 at PS Burari. The inquiry was concluded as per the terms laid down in the judgment of Hon’ble Supreme Court of India ‘Lalita Kumar Vs. State’ in which the stipulated time has been extended to 06 weeks (copy of order enclosed). The present case is of commitment of suicide therefore, the provisions of S.O. No. 353/2008 were also followed (copy enclosed).”

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3. A perusal of the above compliance report reveals that inquiry **has not been** concluded as per the terms of **Lalita Kumari Vs. State, 2014 2 (SCC) 1**. In the said judgment exceptions were made qua offences pertaining to matrimonial offences, commercial disputes, corruption cases and cases of medical negligence, that is to say preliminary inquiry by the police was permissible in the above mentioned cases. It is also correct that the above list was not exhaustive and was merely illustrative, however by no stretch of imagination can offence of abetment to suicide fall in the above category and abatement to suicide is a cognizable offence, and as mentioned in detailed order dated 28.09.2021 passed by this Court, an FIR had to be mandatorily registered forthwith in such a case. Thus, the reply of the DCP qua conducting preliminary inquiry is not acceptable.

4. Further, it was also mentioned in the reply that provisions of Standing Order No. 353/2008, issued by the Commissioner of Police, Delhi were also followed. However, **this explanation is also untenable** in light of the fact that the above Standing Order was issued *prior* to passing of the judgment of **Lalita Kumari's** case. Moreover, the said Standing Order is silent qua registration of FIR, or the time period within which it has to be registered, or that a preliminary inquiry has to be made in such cases.

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5. Also the factum of non-registration of FIR of even in case of a missing person, in terms of the standing order number 252/2019 of Delhi Police has not been explained.
6. The DCP has assured this Court that appropriate action shall be taken against errant officers and file an action taken report shall be filed on NDOH.
7. Accordingly, be awaited for the said report. **Copy of today's order and order dated 28.09.2021 be sent to the DCP and to Worthy Commissioner of Police, Delhi to take necessary action as per law and file a compliance report on NDOH.**
8. Put up on 18.10.2021 for further proceedings.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/05.10.2021