

CNR No. DLCT01-000185-2015

SC No. 16/2021

FIR No. 415/2015

PS Kotwali

U/s 395/397/365/412/201/120-B IPC & 25 Arms Act

State Vs. Sunil & Ors.

24/07/2021

**File taken up today on the bail application u/s. 439 Cr.P.C. of accused Maan Singh for grant of interim bail.**

**( Proceedings Convened through Video Conferencing)**

**Present:** Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
SI Satish Kumar is present (through V.C.)  
Sh. Gaurav Singhal, Ld. Counsel for the accused Maan Singh (through V.C.).

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

It is submitted by counsel for the accused that mother of the accused has already been operated upon but medical condition of the accused is still not good.

SI Satish Kumar seeks further time for filing the appropriate report regarding medical condition of mother of the accused on the ground that same is awaited from hospital of the doctor. Heard. Request is allowed.

SHO/ IO is directed to file appropriate report regarding medical condition of mother of the accused, availability of family members of the accused and as to whether further hospitalization/ surgery of mother of the accused is required or not and if surgery is planned, for which date and also verify medical documents of the mother of the accused and file appropriate report on the next date of hearing.

At request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on **27/07/2021**. Date of 27/07/2021 is given at specific request and convenience of counsel for the accused.

SI Satish Kumar is bound down for the next date of hearing.

Order be uploaded on the website of the Delhi District Court.

*Ref: 24/07/21*  
*24/07/21*  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)

**FIR No. 289/2018**  
**PS Prasad Nagar**  
**U/s 307/341/174-A IPC**  
**State Vs. Pankaj Nagar @ Keshav**

24/07/2021

File taken up today on the bail application u/s. 439 Cr.PC of accused Pankaj Nagar @ Keshav for grant of interim bail for period of 90 days as per the H.P.C. guidelines.

**( Proceedings Convened through Video Conferencing )**

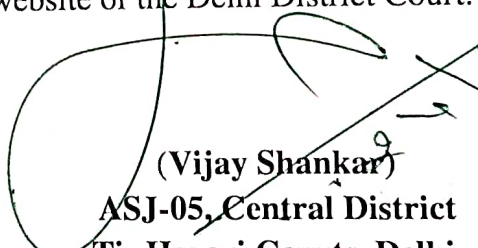
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
IO SI Ram Avtar is present (through V.C.)  
Sh. S. G. Ashthana, Ld. Counsel for the accused (through V.C.).

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

Arguments heard on the aforesaid interim bail application of the accused.

Put up for clarifications, if any/orders on 27/07/2021.

Order be uploaded on the website of the Delhi District Court.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi

24/07/2021(A)

FIR No. 27/2014

PS Jama Masjid

U/s 364-A/368/395/397/412/34 IPC & 25/27 Arms Act

State Vs. Shahzada Irfan @ Lala

24/07/2021

File taken up today on the bail application u/s. 439 of accused Shahzada Irfan @ Lala for grant of interim bail for the period of 90 days as per the HPC guidelines.

( Proceedings Convened through Video Conferencing)

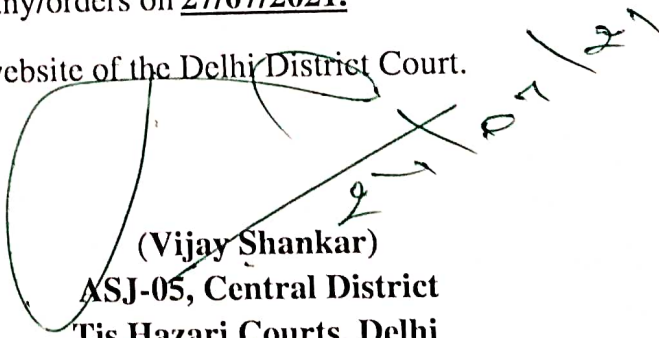
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
IO/SI R. K. Sharma is present (through V.C.).  
Mr. Saleem Ahmad, Ld. Counsel for the accused (through V.C.)

One of the regular stenographers and Assistant Ahlmad are on leave today.

Arguments heard on the aforesaid interim bail application of the accused.

Put up for clarifications, if any/orders on 27/07/2021.

Order be uploaded on the website of the Delhi District Court.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)

**FIR No. 303/2014**  
**PS Subzi Mandi**  
**U/s 302/307/120-B/34 IPC & 25/27 Arms Act**  
**State Vs. Surrender**

24/07/2021

**File taken up today on the bail application u/s. 439 of accused Surrender for grant of interim bail for the period of 90 days as per the HPC guidelines.**

**( Proceedings Convened through Video Conferencing )**

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sh. Hemant Chaudhary, Ld. Counsel for the accused (through V.C.)

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

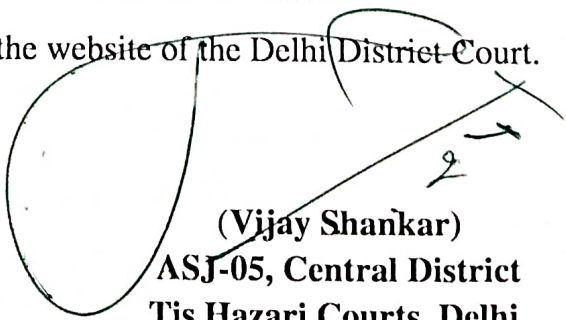
Issue notice of the present interim bail application to the State. Addl. P.P. for the State accepts the notice of the aforesaid bail application.

Issue notice to the IO to appear and SHO/ IO to file reply to the aforesaid bail application of the accused including the report regarding previous involvement of the accused and list/ status of all pending cases against the accused on the next date of hearing.

Issue notice to the concerned Jail Superintendent to file the jail conduct report of the accused, period of custody of the accused, nominal roll of the accused and list/ status of all pending cases against the accused, on the next date of hearing.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 29/07/2021. Date of 29/07/2021 is given at the specific request and convenience of counsel for the accused.

Order be uploaded on the website of the Delhi District Court.

  
**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**24/07/2021(A)**

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FIR No. 210/2019  
PS Kamla Market  
U/s 328/379/34 IPC  
State Vs. Rajesh Kumar Meena & Ors.

24/07/2021

File taken up today on the application for releasing the vehicle bearing registration No. UP-14-FT-1715 on the superdari filed on behalf of the application/registered owner Rajesh Kumar Sharma.

( Proceedings Convened through Video Conferencing )

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
IO has not joined the proceedings through video conferencing.  
None has joined the proceedings via video conferencing on behalf of the applicant.

One of the regular stenographers and Assistant Ahlmad are on leave today.

In the interest of justice, I am not passing any adverse order on account of non-appearance of applicant/counsel.

Issue notice to the IO for the next date of hearing.

Put up for clarifications/consideration on the aforesaid application on 30/07/2021.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)

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24/07/21

SC No. 188/21  
FIR No. 154/2020  
PS Burari  
State Vs. Virender Yadav & Anr.

24/07/2021

File taken up today on the bail application u/s. 438 r/w Section 482 Cr.PC of accused Sudhir Prasad Gupta for grant of regular bail

( Proceedings Convened through Video Conferencing)

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Mr. Rizwan Ahmad Khan, Ld. Counsel for the accused (through V.C.)

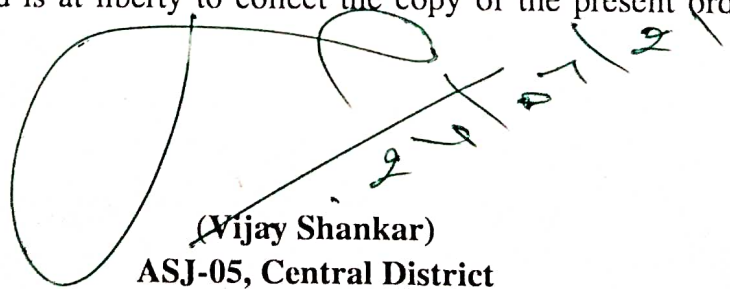
One of the regular stenographers and Assistant Ahlmad are on leave today.

It is submitted by counsel for the accused Sudhir Prasad Gupta that he may be permitted to withdraw the aforesaid bail application of the accused Sudhir Prasad Gupta with liberty to file fresh bail application. Heard. Request is allowed.

At the request of counsel for the accused Sudhir Prasad Gupta, the present bail application of the accused Sudhir Prasad Gupta is dismissed as withdrawn. Accused Sudhir Prasad Gupta is at liberty to file fresh bail application subject to just exceptions.

Order be uploaded on the website of the Delhi District Court.

Counsel for the accused is at liberty to collect the copy of the present order through electronic mode.



(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)

**FIR No. 415/2015**  
**PS Kotwali**  
**U/s 395/397/365/201/412/120-B IPC & 25/54/59 Arms Act**  
**State Vs. Sanjeev**

24/07/2021

**File taken up today on furnishing of personal bonds/ surety bonds of accused Sanjeev.**

**( Proceedings Convened through Video Conferencing )**

**Present:** Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sureties Sh. Mahesh Kumar and Smt. Kanchan Rani with Ld. Counsel Sh. Ashish Verma (through V.C.).

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

Vide order dated 13/07/2021, interim bail for the period of 15 days was granted to the accused Sanjeev.

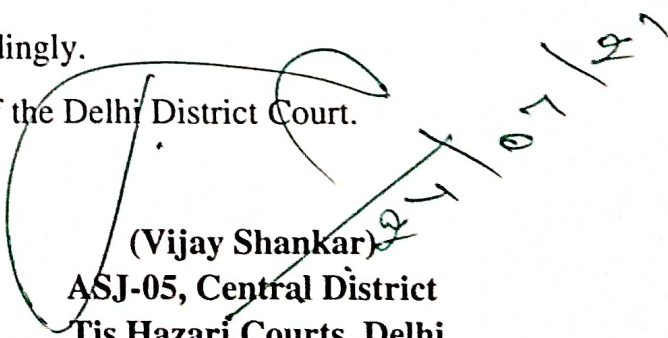
Verification report of surety Mahesh Kumar is already received. Verification report of surety Smt. Kanchan Rani is received. Personal Bonds/ Surety bonds are accepted.

RCs of vehicles of the sureties are stated to be attached with the bail bonds. Same be retained on record and same be not returned to the sureties without permission of the Court. Robkar be issued.

Sureties are directed to complete all the requisite formalities within a week from the date of physical resumption of the Court.

Release warrants be prepared accordingly.

Order be uploaded on the website of the Delhi District Court.

  
**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**24/07/2021(A)**

**CNR No. DLCT01-011605-2018**  
**SC No. 148/2021**  
**FIR No. 195/2018**  
**PS Kashmere Gate**  
**U/s 328/379/411/34 IPC**  
**State Vs. Naim & Ors.**

24/07/2021

**File taken up today on the bail application u/s. 439 Cr.P.C. of accused Naim for grant of regular bail.**

**( Proceedings Convened through Video Conferencing )**

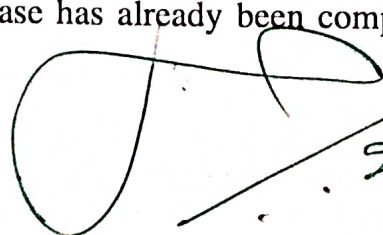
**Present:** Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
None has joined the proceedings via video conferencing on behalf of the accused.

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

By way of present order, this Court shall disposed of bail application u/s. 439 Cr.P.C. of the accused Naim.

Arguments have already been heard on the aforesaid bail application of accused Naim. Perused the material available on record.

During the course of arguments on the aforesaid bail application, it was submitted by counsel for the accused Naim that the present bail application is the first regular bail application of the accused after filing of the charge-sheet. It was further submitted that there is no bail application is pending/decided by the Hon'ble Superior Courts. It was further submitted that the accused has been falsely implicated in the present case and there is no incriminating evidence against the accused and investigation in the present case has already been completed and the

  
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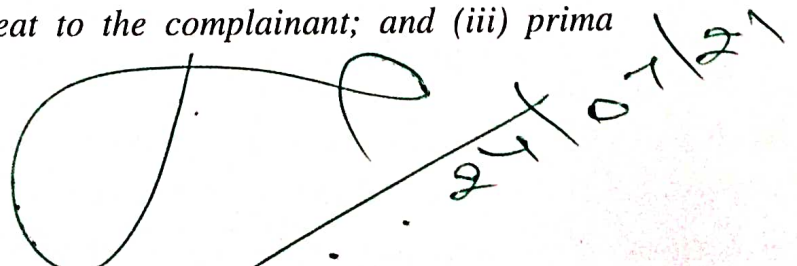


accused is no more required for the purpose of further investigation as charge-sheet has already been filed in the present case. It was further submitted that in view of the present Covid-19 pandemic situation, the trial will take considerable time. It was further submitted that the wife of the accused is not well and there is no other family member in the family to look after his wife. It was further submitted that accused is in J/C since 20/06/2018. It was further submitted that bail be granted to accused and accused shall be abide by all terms and conditions imposed by the court.

During the course of arguments, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature and accused can abscond, if the bail is granted to the accused. It was further submitted that the accused Naim was sitting on the rear seat with the complainant and gave intoxicant laced cold drink to the complainant and committed the crime along with other co-accused. It was further submitted that in the present case, charge is yet to be framed and complainant/public witness is yet to be examined and if the bail is granted to the accused, he can influence, threaten or pressurize the witness. It was further submitted that accused is a habitual offender and he has been involved in 4 other cases of similar nature. It was further submitted that there is sufficient incriminating material against the accused and bail application of accused Naim be dismissed.

It was held by the Hon'ble Supreme Court of India in case titled as **“Virupakshappa Gouda and Anr. Vs. State of Karnataka and Anr.”** {(2017) 5 SCC 406} that :

*“15. The court has to keep in mind what has been stated in **Chaman Lal v. State of U.P.** The requisite factors are: (i) the nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence; (ii) reasonable apprehension of tampering with the witness or apprehension of threat to the complainant; and (iii) prima*

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*facie* satisfaction of the court in support of the charge. In *Prasanta Kumar Sarkar v. Ashis Chatterjee*, it has been opined that while exercising the power for grant of bail, the court has to keep in mind certain circumstances and factors. We may usefully reproduce the said passage:

“9....among other circumstances, the factors which are to be borne in mind while considering an application for bail are:

(i) whether there is any *prima facie* or reasonable ground to be believe that the accused had committed the offence.

(ii) nature and gravity of the accusation;

(iii) severity of the punishment in the event of conviction;

(iv) danger of the accused absconding or fleeing, if released on bail;

(v) character, behaviour, means, position and standing of the accused;


(vi) likelihood of the offence being repeated;

(vii) reasonable apprehension of the witnesses being influenced; and

(viii) danger, of course, of justice being thwarted by grant of bail.”

16. In *CBI v. V. Vijay Sai Reddy*, the Court had reiterated the principle by observing thus:-“ 34. While granting bail, the court has to keep in mind the nature of accusation, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations. It has also to be kept in mind that for the purpose of granting bail, the legislature has used the words “reasonable grounds for believing” instead of “the evidence” which means the court dealing with the grant of bail can only satisfy itself as to whether there is a genuine case against the accused and that the prosecution will be able to produce *prima facie* evidence in support of the charge. It is not expected, at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt.”

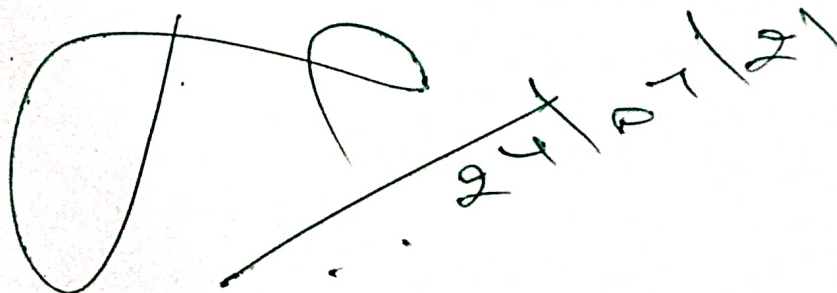
17. From the aforesaid principles, it is quite clear that an order of bail cannot be granted in an arbitrary or fanciful manner. In this context, we may, with profit, reproduce a

 24/07/21



passage from *Neeru Yadav v. State of U.P.*, wherein the Court setting aside an order granting bail observed:

"16. The issue that is presented before us is whether this Court can annul the order passed by the High Court and curtail the liberty of the second respondent? We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bedrock 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 its members, 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."



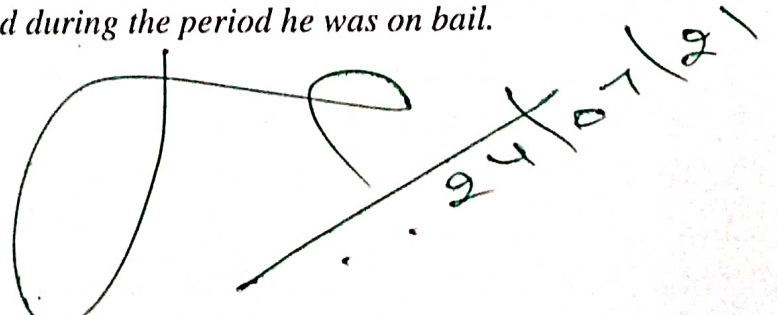
24/07/21

It was held by the Hon'ble Supreme Court of India in case titled as "Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and Anr." {2004 Cri. L.J. 1796 (1)} that :

"11. The law in regard to grant or refusal of bail is very well settled. The Court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the Court granting bail to consider among other circumstances, the following factors also before granting bail; they are,  
(a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence;  
(b) Reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;  
(c) Prima facie satisfaction of the Court in support of the charge.

12. In regard to cases where earlier bail applications have been rejected there is a further onus on the Court to consider the subsequent application for grant of bail by noticing the grounds on which earlier bail applications have been rejected and after such consideration if the Court is of the opinion that bail has to be granted then the said Court will have to give specific reasons why in spite of such earlier rejection the subsequent application for bail should be granted.

14. .... In such cases, in our opinion, the mere fact that the accused has undergone certain period of incarceration (three years in this case) by itself would not entitle the accused to being enlarged on bail, nor the fact that the trial is not likely to be concluded in the near future either by itself or coupled with the period of incarceration would be sufficient for enlarging the appellant on bail when the gravity of the offence alleged is severe and there are allegations of tampering with the witnesses by the accused during the period he was on bail.



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20. Before concluding, we must note though an accused has a right to make successive applications for grant of bail the Court entertaining such subsequent bail applications has a duty to consider the reasons and grounds on which the earlier bail applications were rejected. In such cases, the Court also has a duty to record what are the fresh grounds which persuade it to take a view different from the one taken in the earlier applications.....”

It was held by the Hon’ble Supreme Court of India in case titled as “**Satish Jaggi Vs. State of Chhatisgarh and Ors.**” {AIR 2007 SC (Supp) 256} that :

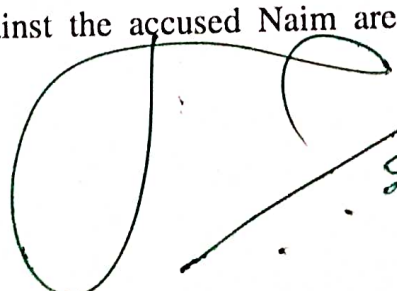
“5. It is well settled law that in granting or non-granting of bail in non-bailable offence, the primary consideration is the nature and gravity of the offence.....

12. ....At the stage of granting of bail, the court can only go into the question of the prima-facie case established for granting bail. It cannot go into the question of credibility and reliability of the witnesses put up by the prosecution. The question of credibility and reliability of prosecution witnesses can only be tested during the trial.”

It was held by the Hon’ble Supreme Court of India in case titled as “**Gurucharan Singh & Others Vs. State**” {AIR 1978 SC 179 (1)} that :

“29. We may repeat the two paramount considerations, viz likelihood of the accused fleeing from justice and his tampering with prosecution evidence relate to ensuring a fair trial of the case in a court of justice. It is essential that due and proper weight should be bestowed on these two factors apart from others. There cannot be an inexorable formula in the matter of granting bail. The facts and circumstances of each case will govern the exercise of judicial discretion in granting or cancelling bail.”

In the present case, charge-sheet has been filed for the offences u/s. 328/379/411/34 IPC. The allegations against the accused Naim are that he was

  
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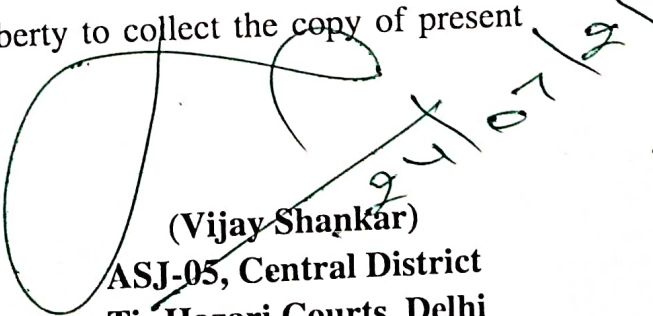
sitting on the rear seat of the auto with the complainant and he gave intoxicant laced cold drink to the complainant and committed the crime along with other co-accused.

In the present case, charge is yet to be framed and complainant/public witness is yet to be examined. If the accused is released on bail, there is possibility that accused may tamper with the evidence and influence the witness. Accused is stated to be habitual offender and stated to be involved in 4 other criminal cases of similar nature.

The contentions of accused for the accused Naim that the accused has been falsely implicated in the present case and there is no incriminating evidence against him is not tenable at this stage as it is well settled law that at the stage of considering bail, it would not be proper for the Court to express any opinion on the merits or demerits of the prosecution case as well as defence.

Keeping in view the facts and circumstances of the case, gravity of offence and nature of serious allegations levelled against the accused, this Court is of the considered opinion that no ground for regular bail of the accused Naim is made out. Accordingly, the present application for regular bail of the accused Naim is dismissed.

A copy of this order be sent to the concerned Jail Superintendent through E-mail for information. Order be uploaded on the website of the Delhi District Court. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)



SC No.22/2021  
FIR No.335/2019  
PS Nabi Karim  
U/s 308/34 IPC  
State Vs. Surender Kumar & Ors.

24/07/2021

File taken up today on bail application u/s 439 Cr.P.C. of accused Manohar Lal @ Prem for grant of interim bail for period of two months.  
(Proceedings Convened through Video Conferencing)

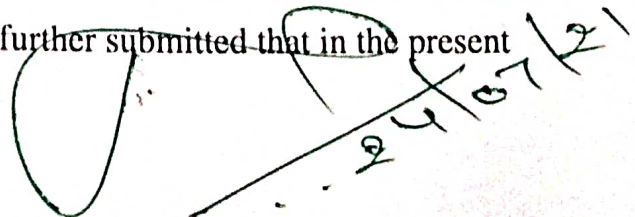
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
None has joined the proceedings through V.C. on behalf of the accused.  
**One of the regular stenographers and Assistant Ahlmad are on leave today.**

By way of present order, this Court shall disposed of interim bail application u/s. 439 Cr.P.C. of the accused Manohar Lal @ Prem.

Arguments have already been heard on the aforesaid bail application of accused Manohar Lal @ Prem. Perused the material available on record.

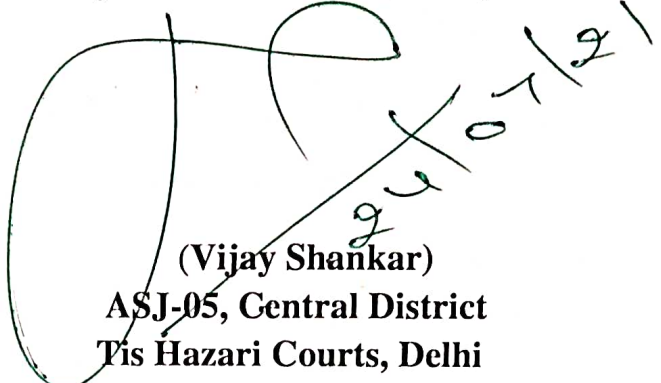
During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that the accused Manohar Lal @ Prem has filed present interim bail application on the medical grounds of his wife. It was further submitted that the wife of the accused is seriously ill and she is having fibroid in uterus and operation for the same is required. It was further submitted that the interim bail for the period of two months be granted to the accused for looking after his wife and for arranging the funds/money for the operation of his wife and accused shall be abide by all terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature and he can abscond, if the interim bail is granted to him. It was further submitted that the accused is having two major children to look after the wife of the accused and families of five brothers of the accused are also residing in the same building and they can also look after wife of the accused. It was further submitted that in the present

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considered opinion that no ground for interim bail of accused Manohar Lal @ Prem is made out. Accordingly, the present interim bail application of accused Manohar Lal @ Prem is dismissed.

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)



SC No. 56/2021  
FIR No. 116/2019  
PS Prasad Nagar  
U/s 302 IPC & 25/27 Arms Act  
State Vs. Kamal Chauhan

24/07/2021

File taken up today on the application u/s. 439 Cr.PC of accused Kamal Chauhan for grant of interim bail for the period of 90 days as per HPC guidelines.

( Proceedings Convened through Video Conferencing )

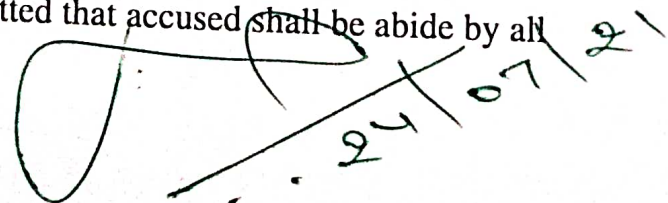
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Mr. Tanzeem Hussain, Ld. counsel for the accused Kamal Chauhan (through V.C.).

One of the regular stenographers and Assistant Ahlmad are on leave today.

By way of present order, this Court shall disposed of interim bail application of the accused Kamal Chauhan.

Arguments have already been heard on the aforesaid interim bail application of accused Kamal Chauhan. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that in terms of directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No. (C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021, accused be released on interim bail for the period of 90 days. It was further submitted that case of the accused falls in the criteria no. (xii) r/w (ii) of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021. It was further submitted that the accused has already been acquitted in case FIR No. 138/2010, PS Prasad Nagar, U/s 307/506/34 IPC. It was further submitted that the accused has no involvement in any other case except the present case and jail conduct of the accused is good. It was further submitted that accused is in J/C in the present case for the period of more than two years. It was further submitted that accused shall be abide by all

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terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present interim bail application of the accused be dismissed.

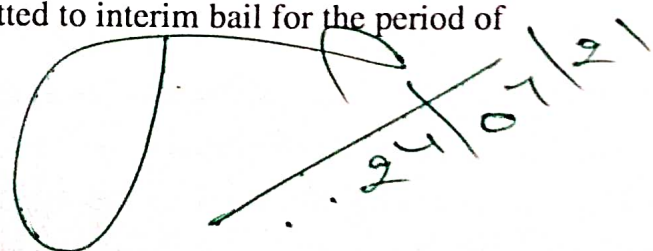
It is mentioned in the minutes of H.P.C. guidelines dated 04/05/2021 and 11/05/2021 that:-

*“ (ii) Under trial prisoners (UTPs) who are facing trial in a case which prescribes a maximum sentence of 7 years or less wherein he/ she is in custody for a period of 15 days or more.*

*(xii) Under trial prisoners (UTPs) facing trial for a case under Section 302 IPC and are in jail for more than two years with no involvement in any other case.”*

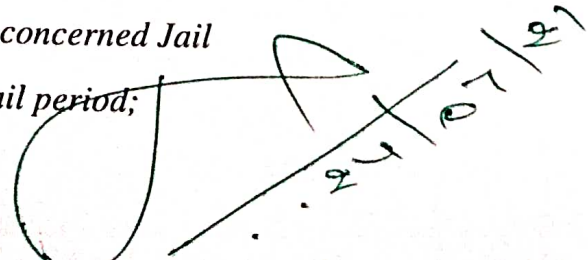
In the present case, charge-sheet had been filed for the offence u/s 302 IPC & 25/27 Arms Act.

In the present case, reply/report of bail application of the accused was called from SHO/IO and concerned Jail Superintendent and same were filed. As per report of SHO/IO, the accused has already been acquitted in case bearing FIR No. 138/2010, PS Prasad Nagar, U/s 307/506/34 IPC. The accused Kamal Chauhan is stated to be not involved in any other case except the present case. As per report of Jail Superintendent, Jail No.10, Rohini, New Delhi, the period of custody of the accused is two years and thirteen days as on 23/06/2021 and jail conduct of the accused is good. Case of the accused falls in the criteria no. (xii) r/w (ii) of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021. Keeping in view of the directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No.(C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021 and in view of the submissions made, present interim bail application of the accused Kamal Chauhan is allowed and accused is admitted to interim bail for the period of

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90 days on furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of the concerned Jail Superintendent subject to the conditions that:-

- i) Accused shall not flee from the justice;*
- ii) Accused shall not tamper with the evidence;*
- iii) Accused shall not threaten or contact in any manner to the prosecution witnesses;*
- iv) Accused shall not leave the country without permission of the Court;*
- v) Accused shall convey any change of address immediately to the IO and the court;*
- vi) Accused shall also provide his/her mobile number to the IO;*
- vii) Accused shall mark his/her attendance before the concerned IO (and if IO is not available then to concerned SHO), every week preferably on Monday through mobile by sharing his/her location with the SHO/IO;*
- viii) Accused shall further make a call, preferably by audio plus video mode to concerned IO (and if IO is not available then to concerned SHO) once in 15 days preferably on Monday between 10:00 AM to 5:00 PM;*
- x) Accused shall keep his/her such mobile number 'Switched On' at all the time, particularly between 8:00 AM to 8:00 PM every day;*
- x) Accused shall not indulge in any kind of criminal activities;*
- xi) Accused shall follow Covid-19 protocol/guidelines issued by Central Government/State Government/Competent Authorities;*
- xii) The period of interim bail of 90 days shall commence from the date of release of the accused from Jail;*
- xiii) Accused shall surrender before the concerned Jail Superintendent after expiry of interim bail period;*

A handwritten signature in black ink is written over the text of the last condition. To the right of the signature, the date '24/07/21' is written in black ink.



90 days on furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of the concerned Jail Superintendent subject to the conditions that:-

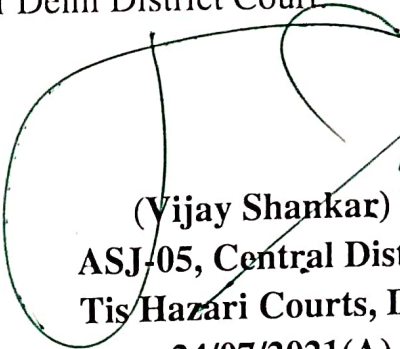
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- iii) Accused shall not threaten or contact in any manner to the prosecution witnesses;*
- iv) Accused shall not leave the country without permission of the Court;*
- v) Accused shall convey any change of address immediately to the IO and the court;*
- vi) Accused shall also provide his/her mobile number to the IO;*
- vii) Accused shall mark his/her attendance before the concerned IO (and if IO is not available then to concerned SHO), every week preferably on Monday through mobile by sharing his/her location with the SHO/IO;*
- viii) Accused shall further make a call, preferably by audio plus video mode to concerned IO (and if IO is not available then to concerned SHO) once in 15 days preferably on Monday between 10:00 AM to 5:00 PM;*
- x) Accused shall keep his/her such mobile number 'Switched On' at all the time, particularly between 8:00 AM to 8:00 PM every day;*
- x) Accused shall not indulge in any kind of criminal activities;*
- xi) Accused shall follow Covid-19 protocol/guidelines issued by Central Government/State Government/Competent Authorities;*
- xii) The period of interim bail of 90 days shall commence from the date of release of the accused from Jail;*
- xiii) Accused shall surrender before the concerned Jail Superintendent after expiry of interim bail period;*

  
24/07/21



A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action and for supplying the same to the accused. Copy of order be also sent to DLSA, Central District, Delhi. Copy of order be also sent to SHO/IO for compliance.

Order be uploaded on the website of Delhi District Court

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)

**CNR No.DLCT01-004029-2015**

**SC No.102/2021**

**FIR No.48/2015**

**PS Nabi Karim**

**U/s 186/353/333/307/201/34 IPC & 25/27 Arms Act**

**State Vs. Ajay @ Nathu & Ors.**

24/07/2021

**File taken up today on the bail application u/s. 439 Cr.PC of accused Ajay @ Nathu.**

**( Proceedings Convened through Video Conferencing)**

**Present:** Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).

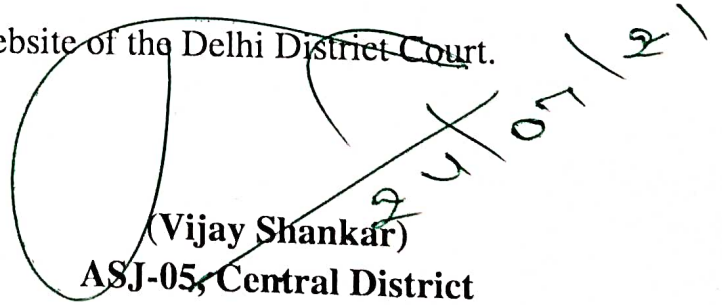
Sh. Shivam Parashar, Ld. Proxy counsel for counsel for the accused Ajay @ Nathu (through V.C.).

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

One of the regular stenographers is on leave today and no substitute stenographer is available. No time left.

Put up for clarifications, if any/orders on **27/07/2021**.

Order be uploaded on the website of the Delhi District Court.



**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**24/07/2021(A)**

**FIR No.241/2020  
PS Kamla Market  
U/s 302/307/394/397/411/120-B/34 IPC & 25 Arms Act  
State Vs. Rahat Ali @ Lala & Ors.**

24/07/2021

**File taken up today on the bail applications u/s 439 Cr.P.C. of accused Suhaib and Salman for grant of regular bail**

**( Proceedings Convened through Video Conferencing)**

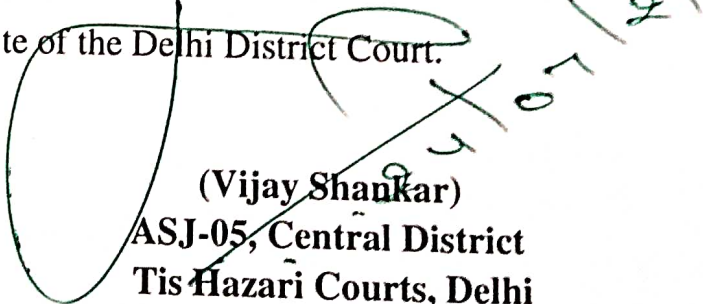
**Present:** Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sh. Manish Kumar Singh, Ld. Counsel for Counsel for the accused Suhaib and Salman (through V.C.).

**One of the regular stenographers and Assistant Ahlmad are on leave today.**

One of the regular stenographers is on leave today and no substitute stenographer is available. No time left.

Put up for clarifications, if any/orders on 27/07/2021.

Order be uploaded on the website of the Delhi District Court.

  
**(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)**



SC No.22/2021  
FIR No.335/2019  
PS Nabi Karim  
U/s 308/34 IPC  
State Vs. Surender Kumar & Ors.

24/07/2021

**File taken up today on bail application u/s 439 Cr.P.C. of accused Manohar Lal @ Prem for grant of interim bail for period of two months.  
(Proceedings Convened through Video Conferencing)**

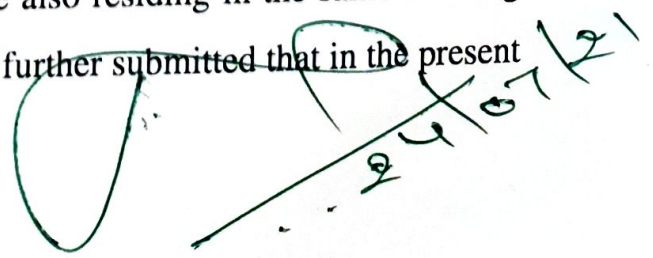
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
None has joined the proceedings through V.C. on behalf of the accused.  
**One of the regular stenographers and Assistant Ahlmad are on leave today.**

By way of present order, this Court shall disposed of interim bail application u/s. 439 Cr.P.C. of the accused Manohar Lal @ Prem.

Arguments have already been heard on the aforesaid bail application of accused Manohar Lal @ Prem. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that the accused Manohar Lal @ Prem has filed present interim bail application on the medical grounds of his wife. It was further submitted that the wife of the accused is seriously ill and she is having fibroid in uterus and operation for the same is required. It was further submitted that the interim bail for the period of two months be granted to the accused for looking after his wife and for arranging the funds/money for the operation of his wife and accused shall be abide by all terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature and he can abscond, if the interim bail is granted to him. It was further submitted that the accused is having two major children to look after the wife of the accused and families of five brothers of the accused are also residing in the same building and they can also look after wife of the accused. It was further submitted that in the present

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case, charge is yet to be framed. It was further submitted that regular bail applications of the accused and interim bail application as per HPC guidelines have already been dismissed. It was further submitted that accused is habitual offender and he is involved in 13 other criminal cases of different nature. It was further submitted that interim bail has to be granted in exceptional circumstances and in the present interim bail application, the accused has not mentioned any exceptional circumstances and the same be dismissed.

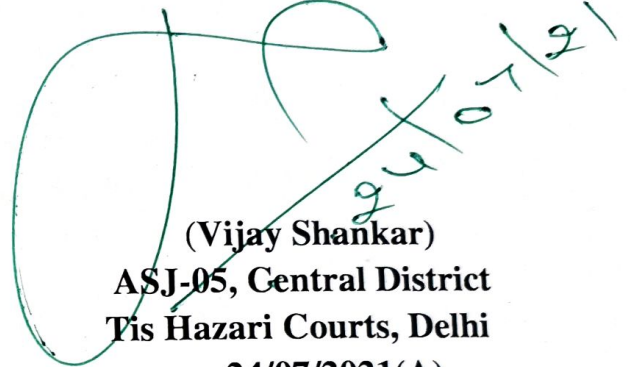
By way of the present interim bail application, the accused has prayed for interim bail for the period of two months to look after his wife and for arranging funds/money for the operation of his wife. It is well settled law that interim bail has to be granted in a very exceptional and extraordinary circumstances warranting the immediate release of the accused to deal with any unforeseen contingency and interim bail cannot be granted in a mechanical manner. In the present case, report/reply of the present interim bail application was called and reply of SI Manmeet Singh has been filed wherein it is mentioned that "*in reply dated 22.07.2021 hospital authorities informed that patient Mrs. Lata visited at said hospital on 12.07.2021 and she was advised to get oral tablets and advised to review in OPD with urine culture sensitivity report and follow-up in the OPD after 5 days but she did not come in the follow-up OPD till date. They further informed that as of now no immediate hospitalization/surgery of patient Mrs. Lata, is planned.*". It is also mentioned in the reply that the accused Manohar Lal @ Prem is having two sons Mr. Vishu (aged about 21 years) and Mr. Kunal (aged about 19 years) and families of five brothers of the accused are also residing in the same building. In the present case, charge is yet to be framed. The regular bail applications of the accused were dismissed vide orders 27/02/2020 and 24/06/2021. It is pertinent to mention here that in the present case, the accused was evading his arrest and process u/s 82 Cr.P.C. was issued against him and thereafter, the accused had surrendered. Accused is stated to be habitual offender and he is stated to be involved in 13 other criminal cases of different nature. Accused is having two major son to look after wife of the accused. Families of brothers of the accused are also stated to be residing in the same building and they can also look after wife of the accused. Keeping in view the facts and circumstances of the case, gravity of offence, nature of serious allegations levelled against the accused and report of SI Manmeet Singh, this Court is of the

24/07/21



considered opinion that no ground for interim bail of accused Manohar Lal @ Prem is made out. Accordingly, the present interim bail application of accused Manohar Lal @ Prem is dismissed.

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
24/07/2021(A)