

CA: 06/2019
Pradeep Kumar Jain v. Registrar of Companies

20.08.2020

File taken up today in terms of order No. 322/RG/DHC/2020 dated 15/08/2020 r/w other orders received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular dates of hearing were 23.03.2020, 27.04.2020 and 19.06.2020

On 19.06.2020, matter was adjourned for 20.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned as far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: None for Appellant.
Sh. Saurabh Jain, Ld. counsel for respondent through electronic mode.

Counsel for respondent submitted that he is not available today as he has to undergo surgery and requested for next date of hearing.

At request, matter is put up for purpose fixed on 17.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/20.08.2020

20.08.2020

File taken up today in terms of order No. 322/RG/DHC/2020 dated 15/08/2020 r/w other orders received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular dates of hearing were 27.04.2020 and 19.06.2020

On 19.06.2020, matter was adjourned for 20.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned as far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: Sh. Deepak Kapoor, Appellant in person alongwith his counsel Sh. Lal Singh Thakur through VC.

At request, matter is put up for purpose fixed on 17.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/20.08.2020

FIR No.: 383/2014
PS: Sarai Rohilla
State v. Sardar Kawaljeet Singh Bhatia
U/S: 354A, 354D, 450,506 IPC

20.08.2020

File taken up today in terms of order No. 322/RG/DHC/2020 dated 15/08/2020 r/w other orders received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular dates of hearing were 31.03.2020, 27.04.2020 and 19.06.2020.

On 19.06.2020, matter was adjourned for 20.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned as far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through VC.
None for accused.

Neither phone number nor e-mail Id of accused or counsel for accused is available. Hence, they could not be contacted.

Put up for purpose fixed on 17.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/20.08.2020

MISCELLANEOUS APPLICATION

State v. SUNIL
(application for release of Jamatalashi and filing of fresh addresses of
Sanjeev and Chander Pal @ Mistri)
FIR No. 415/2015
PS: Kotwali

20.08.2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Sh. Ravinder Aggarwal, Learned counsel for the applicant / accused
persons Chander Pal @ Mistri and Sanjeev on bail through VC.

File taken up today as miscellaneous applications filed on behalf of
accused Chander Pal @ Mistri and Sanjeev.

First application is for taking on record fresh addresses of accused
Chander Pal @ Mistri as well as of Sanjeev.

Heard.

Such fresh addresses as mentioned in the applications are taken on
record. Both such applications disposed of accordingly.

Further two separate applications also moved by such accused
persons for return of their jama talashi articles.

Reply file by SI Dayanand dated 20.08.2020. **Copy of reply be**
supplied to counsel for accused persons through e-mail.

Put up for reply, arguments and appropriate orders on the same
for 25.08.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/20.08.2020

Bail Application

State Vs Dharmender @ Montu

FIR No.: 48/2015

PS Nabi Karim

U/s 186, 353, 333, 307, 201, 75, 34 IPC & 25, 27, 54, 59 Arms Act

20/08/2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State
through VC
Mr. Deepak Sharma, learned Counsel for for
Accused through VC.

1. This order is in further to order dated 06/08/2020. The order dated 06/08/2020 be read as part and parcel of the present order. By this order the regular bail application of applicant / accused Dharmender @ Montu is disposed off.

2. On 06/08/2020 certain clarification / reply was sought from the IO. The same is already filed. Further copy of the same is also supplied to the accused side.

3. Based on such reply, it is further argued by learned Addl.PP for the State that role of present accused is more grievous than that of co-accused Krishan who has been granted bail recently by the Hon'ble High Court as such there is no question of parity between the two. It is stated that co-accused Krishan instigated other accused

State Vs Dharmender @ Montu

FIR No.: 48/2015

PS Nabi Karim

U/s 186, 353, 333, 307, 201, 75, 34 IPC & 25, 27, 54, 59 Arms Act

including the present accused whereas present accused actually fired indiscriminately by pistol aiming on police party.

4. On the other hand, it is further argued by learned counsel for accused Dharmender @ Montu that there is no material difference. Further, he relied upon certain case law in support of his present bail application.

5. Heard. Facts in detail and earlier arguments in detail already noted in previous order dated 06/08/2020. Further regular bail of this accused is already dismissed by this court earlier. There is no material change in circumstances since then. Further, as far as question of parity is concerned, as per material on record the role of present accused is different from that of co-accused Krishan. Having regard to the nature of allegations against the present accused and material against him and reasons already mentioned while rejecting previous bail application, this court do not find sufficient ground to grant him regular bail at this stage.

6. With these observation present bail application stands dismissed accordingly. Both sides are at liberty to collect the order through electronic mode. *Further a copy of this order be sent to the IO/SHO concerned by electronic mode. Further a copy of this order*

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be also sent to concerned Superintendent of Jail. Copy of order be uploaded on the website.

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(Naveen Kumar Kashyap)

Additional Sessions Judge-04

Central/THC/Delhi

20/08/2020

State Vs Dharmender @ Montu

FIR No.: 48/2015

PS Nabi Karim

U/s 186, 353, 333, 307, 201, 75, 34 IPC & 25, 27, 54, 59 Arms Act

Application for Extension of Interim Bail

State Vs Ajay @ Nathu @ Sunny s/o Lt. Prakash

FIR No.: 48/2015

PS Nabi Karim

U/s 186, 353, 333, 307, 201, 75, 34 IPC & 25, 27, 54, 59 Arms Act

20/08/2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC
Mr. Deepak Sharma, learned Counsel for for Accused through VC.

1. Vide this order, application dated 11.08.2020 filed by accused through counsel for extension of interim bail is disposed off.
2. It is stated that earlier he was granted interim bail vide order dated 29/06/2020 for 45 days by this court. Now, it is prayed that there is another order dated 13.07.2020 passed by Hon'ble High Court and in view of the same, interim bail of the accused be extended further.
3. Reply filed by the IO through electronic mode. Copy supplied to accused side.
4. Arguments heard from both the sides and I have gone through the record including original order for interim bail order dated 29.06.2020.
5. At this stage it may be noted that Full bench of Hon'ble High Court of Delhi in its order dated 13/07/2020 in W.P.(C) 3037/2020 titled as "Court on its own motion v. Govt. of NCT of Delhi & Anr. Held as under :

".....5. In view of the above, we hereby further extend the implementation of the directions contained in our order dated 25th

March, 2020 and 15th May, 2020 and 15th June, 2020, till 31st August, 2020 with the same terms and conditions.

6. The Hon'ble Single Bench of this Court in CrI.A.193/2020 titled as Harpreet Singh vs. State vide order dated 1st July, 2020 sought clarification to the following effect:

“7. The queries that the Hon'ble Full Bench may consider and decide for the guidance of all concerned are as follows:

a. Whether the orders made by the Hon'ble Full Bench in W.P. (C) No.3037/2020, **including last order dated 15.06.2020**, apply to all interim orders, whether made in civil or criminal matters, and regardless of whether such orders were made on or before 16.03.2020 or thereafter?

b. Where interim bail or interim suspension of sentence has been granted by a Bench of this court exercising discretion and based upon specific facts and circumstances of a given case, would such orders also stand automatically extended by operation of orders made by the Full Bench in W.P.(C) No.3037/2020?

8. While deciding the issue, the Hon'ble Full Bench may consider the aspect of parity, namely that, on a plain reading of the orders in W.P.(C) No.3037/2020, interim orders granted on or before 16.03.2020 appear to be getting extended by general directions; but those made after 16.03.2020 appear not to be covered thereby.”

7. In this regard, we make it clear that all the directions issued from time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these directions have been issued keeping in view the fact that the jail authorities have limited space to keep the inmates and in case of spread of Covid-19 pandemic in the jail, it would not be in a position to maintain physical distancing amongst jail inmates. Looking to this aspect and the possible threat of spreading of viral infection by those persons who are on interim bail/bail/parole granted by this Court **or the Courts subordinate to this Court**, to other inmates of the jail on their return to the jail, the decision of extension of interim bail/bail/parole has been taken from time to time. ***It is clarified that this order of extension of bail/interim bail/parole shall be applicable to all undertrials/ convicts, who are on bail/interim bail or parole as on date irrespective of the fact that they were released on bail/interim bail or parole before or after 16th March, 2020.***

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9. List this matter on 24th August, 2020 for further directions.”.

6. In view of such order and clarification dated 13.07.2020 by Hon'ble High Court, there is no need to pass any specific order in the present application. Same is disposed off accordingly.

7. Both sides are at liberty to collect the order through electronic mode. **A copy of this order be sent to Jail Superintendent concerned. Further a copy of this order be given to IO through electronic mode.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
20.08.2020

FIR No. 261/2016
PS Kamla Market
State Vs Luvkush Jaiswal
U/s 323, 325, 308, 341, 34 IPC

File taken up today in terms of order No. 322/RG/DHC/2020 dated 15/08/2020 r/w other orderS received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 28/03/2020.

On 28/03/2020, matter was adjourned for 27/04/2020, 19/06/2020 and 20/08/2020

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Dated :20.08.2020

Present: Mr. Pawan Kumar, Id. Addl.PP for the State through VC.
Mr. Amit Kaushal, Id. counsel for accused through VC.

It is stated that accused is on bail in this case but lodged in JC in some other independent matter at Meerut Jail.

Issue production warrant for the accused for the next date of hearing through VC or otherwise, as may be the situation on the next date of hearing.

Put up for 17/10/2020.

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(Naveen Kumar Kashyap)

ASJ-04/Central/20.08.2020

FIR No. 50/2010
PS Nabi Karim
State Vs Mukesh Jardari Wakude & Anr.
U/s 498A, 304B, 302, 34 IPC

File taken up today in terms of order No. 322/RG/DHC/2020 dated 15/08/2020 r/w other orderS received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 23/01/2020.

On 23/01/2020, matter was adjourned for 16/04/2020, 06/08/2020, 10/08/2020 & 14/08/2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Dated :20.08.2020

Present: Mr. Pawan Kumar Ld. Addl.PP for the State through VC.

Mr. Akshit Dua, Id. Counsel for applicant through VC.

An application for traveling for out of Delhi has been filed.

The same be put up for arguments and appropriate order with case file for **21/08/2020**.

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(Naveen Kumar Kashyap)

ASJ-04/Central/20.08.2020

BAIL APPLICATION

State Vs. Raju Ram Nahra
FIR No.: 213/2018
PS: Lahori Gate
U/S: 395, 412, 120B, 34 IPC

20.08.2020.

Fresh application received by way of transfer from the court of Ms. Deepali Sharma, learned ASJ, Central. It be checked and registered separately

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.

Mr. Devender Hora, learned counsel for applicant through VC.

This is an application for grant of regular bail on behalf of applicant / accused Raju Ram Nahra filed through counsel.

Put up for reply including regarding last bail application filed by this accused and order on the same, arguments and appropriate order for **26/08/2020** with case file.

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/20.08.2020

BAIL APPLICATION

State Vs. Vikash Kaushik @ Sunny

FIR No.: 524/2014

PS: Burari

U/S: 364, 302, 201, 120B, 34 IPC & 25, 27, 54, 59 Arms Act

20.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State
through VC.

Mr. Mukesh Kumar, learned counsel for accused
through VC.

Put up for orders today itself.

At this stage, today the case was fixed for orders /
clarification on regular bail application.

Put up for clarification including regarding the ground
on which the co-accused have been granted regular bail in this
matter.

As such, put up for further arguments, clarification and
appropriate orders for **24/08/2020**.

Ahlmad to provide previous bail orders, if any, through
electronic mode.

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ASJ-04/Central/THC

Central District/20.08.2020