

**M. Bail Application No. 83/20
FIR No. 012016/20
PS : Rajinder Nagar
U/S : 379/411 IPC
State Vs Saizee**

24.08.2020

At 12.45 PM

An application on behalf of the accused moved for modification of the order passed by this Court on 17/07/2020. It be checked and registered.

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Ajay Goswami Ld. Counsel for the applicant/ accused.
IO SI Brijinder Singh, is also present.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

Reply has been sent in by the IO concerned.

Part arguments heard.

Put up for further arguments on **01/09/2020**.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/24.08.2020 (K)**

**Bail Appl. No. 880/2020
FIR No. 304/2020
PS : Karol Bagh
U/S : 386/392/397/506/34 IPC &
25/54/59 Arms Act
Keshav Kakkar Vs State**

24.08.2020

At 12.45 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Kanwar Udaibhan Sehrawat, Ld. Counsel for the
applicant/ accused.
IO SI Baljinder Singh, is also present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

An adjournment is sought by Ld. Counsel for the applicant/accused.

At request, be put up again on **26/08/2020**.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/24.08.2020 (K)**

**Bail Appl. No. 802/2020
FIR No. 213/2020
PS : Sarai Rohilla
U/S : 380 IPC
State Vs. Pawan**

**24.08.2020
At 11:40 AM**

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Pranay Abhishek, Ld. Counsel for the applicant/ accused.
IO HC Ram Karan, (No. D-1338/N, PS Sarai Rohilla) is present.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Reply sent in by the IO has been perused. Submissions heard.

Present FIR was registered w.r.t. theft of some articles. During investigation police managed to apprehend the thief, who disclosed that he has handed over stolen articles to two persons, one of whom is the applicant/accused. Recoveries of stolen articles have already been effected from the place/home of applicant /accused Pawan.

Applicant/accused is facing allegations punishable u/s 411 IPC. Since recovery has already been effected, custodial interrogation of applicant/accused does not seem to be necessary. The applicant/accused Pawan deserves grant of anticipatory bail. Accordingly, it is directed that in the event of arrest, the applicant/ accused **Pawan** be admitted to bail in a sum of Rs. 10,000/- with one surety in the like

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State Vs. Pawan

amount to the satisfaction of the Ld. Duty MM/ Ld. MM concerned/SHO/IO concerned. However, it is directed that the applicant/accused shall join the investigation as and when so directed by the IO/SHO concerned, shall not tamper the witnesses, shall not abscond and shall keep the IO/ SHO informed about any change in his residence henceforth. It is further clarified that none of the above observations shall cast any shadow on the merits of this case. With the above observations, the anticipatory bail application stands disposed of. A copy of this order be sent to the Jail Superintendent concerned for necessary information and compliance. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)

**Bail Appl. No. 957/2020
FIR No. 42/2020
PS : Prasad Nagar
U/S : 394/34 IPC
State Vs. Hariya @ Hari Chand**

**24.08.2020
At 11:05 AM**

Fresh application U/s 439 CrPC has been moved on behalf of applicant/ accused Hariya @ Hari Chand for grant of interim bail. It be checked and registered.

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Gajendra Chauhan, Ld. Counsel for the applicant/ accused.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.
IO has sent in a reply.

At this stage, Ld. Counsel for the applicant/ accused refers to para no. 3 of the present bail application and submits that in compliance of the order dated 24.07.2020 passed by the court of Sh. Naveen Kashyap, Ld. ASJ (Central), Delhi, the applicant/ accused was subjected to an "Ultrasound" examination. Ld. Counsel further submits that the applicant/ accused requires treatment and for the said purpose interim bail for 30 days is required.

Let a status report be called from the Jail Superintendent concerned for NDOH. A copy of this order alongwith a copy of the present bail application be forwarded to the Jail Superintendent concerned for compliance.

Be put up again on **02.09.2020**. A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)**

**Bail Appl. No. 955/2020
FIR No. 243/2020
PS : Daryaganj
U/S : 356/379/411/34 IPC
State Vs. Ajruddin**

**24.08.2020
At 11:15 AM**

Fresh application U/s 439 CrPC has been moved on behalf of applicant/ accused Ajruddin for grant of bail. It be checked and registered.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Sunil Tomar, Ld. Counsel for the applicant/ accused.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Reply sent in by the IO has been perused. Submissions heard.

It is stated by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the present matter. It has been further submitted that the alleged recovery has already been effected. It has been further submitted by the Ld. Counsel for the applicant/ accused that the applicant/ accused is languishing in judicial custody since 26.07.2020. It has been further submitted that no fruitful purpose would be served by detaining the applicant/ accused in judicial custody. A prayer has been made for grant of bail to the applicant/ accused Ajruddin.

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Ld. APP for the state opposes the prayer for grant of bail to the applicant/ accused.

This court has considered the rival submissions. The applicant/ accused is languishing in judicial custody since 26.07.2020. Recovery has already been effected. The applicant/ accused is no longer required for the purpose of investigation. The trial is most likely to get prolonged on account of unabated spread of COVID-19. Without commenting on the merits of the present case, the applicant/ accused **Ajruddin** is admitted to bail on furnishing a bail bond in a sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Ld. Duty MM/ Ld. MM concerned/ Jail Superintendent concerned, subject to following conditions :-

- a) the applicant/ accused shall not influence the witnesses;
- b) the applicant/ accused shall not leave Delhi without permission of the concerned Court;
- c) the applicant/ accused shall also provide his as well as his surety's mobile number to the IO/ SHO immediately upon his release and shall mark his attendance in police station through audio or video mode on every Monday between 10 a.m. to 6 p.m.

The bail application stands disposed of accordingly.

A copy of this order be sent/ transmitted to the concerned Jail Superintendent for necessary information and compliance. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)**

**Bail Appl. No. 956/2020
FIR No. 289/20
PS : Sarai Rohilla
U/S :379/356/34 IPC
State Vs. Anil Kumar @ Prem Rajput**

24.08.2020

At 11:20 AM

Fresh application U/s 438 CrPC has been moved on behalf of applicant/ accused for grant of anticipatory bail. It be checked and registered.

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Sintu Kumar, Ld. Counsel for the applicant/ accused.
IO SI Ishwari Prasad (No. D-4303 PS Sarai Rohilla) is present.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

IO has sent in reply. Copy thereof be supplied to the Ld. Counsel for the applicant/ accused through electronic means.

At request, be put up again on **03.09.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)**

At 12:20 PM

Matter is taken up again on the oral request of the Ld. Counsel for the applicant/ accused through Video Conferencing by means of Webex Meet.

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--2--

**FIR No. 289/2020
State Vs. Anil Kumar @ Prem Rajput**

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.

Sh. Sintu Kumar, Ld. Counsel for the applicant/ accused.

At this stage, Ld. Counsel for the applicant/ accused submits that he wants to withdraw the present bail application. Accordingly, the present bail application stands dismissed as withdrawn. Earlier date i.e. 03.09.2020 stands canceled. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)**

**Bail Appl. No. 954/2020
FIR No. 442/18
PS : Sarai Rohilla
U/S : 380/457 IPC
Salim Vs State**

**24.08.2020
At 11:25 AM**

Fresh application U/s 439 CrPC has been moved on behalf of applicant/ accused Salim for grant of bail. It be checked and registered.

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Suresh Prasad, Ld. Counsel for the applicant/ accused.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Reply has sent in reply, as per which the charge-sheet has already been filed in the court concerned. Let TCR be called/ summoned for next date of hearing.

At request, matter stands adjourned for **04.09.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)**

Bail Application No. 630/20
FIR No. 30/2020
PS : Rajender Nagar
U/S : 307/387/452/120B/34 IPC & 25/27 Arms Act
Abhay Arora Vs State

24.08.2020
At 12:15 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Maharaj Singh Dedha, Ld. Counsel for the applicant/
accused.
Sh. R.R. Dua, Ld. Counsel for the complainant.
IO SI Ali Akram, (No. D-5508, PS Sarai Rohilla) is present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Ld. Counsel for the applicant/ accused has also placed on record certain additional documents through e-mail.

Reply sent in by the IO has been perused. Submissions have been heard at length.

Be put up at 4 pm for orders.

(LOVLEEN)
PO-MACT-02(Central),
Delhi/24/08/2020(k)

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: 2 :

FIR No. 30/2020
PS : Rajender Nagar
U/S : 307/387/452/120B/34 IPC & 25/27 Arms Act
Abhay Arora Vs State

24.08.2020
At 04:00 PM

ORDER ON THE APPLICATION U/S 439 CrPC FOR GRANT OF BAIL
MOVED ON BEHALF OF APPLICANT/ ACCUSED ABHAY ARORA

Present : None.

Briefly stated, the case of the prosecution is that the complainant and his brother were running a Banquet Hall in partnership with two other persons in Jalandhar, Punjab. One of the other partners, Abhay Arora S/o late Sh. Vijay Arora (applicant/ accused herein) had separated himself (retired) from the partnership business. At the time of separation of said Abhay Arora from the partnership business, a sum of Rs. 25 Lakhs were handed over to him (Abhay Arora). In November 2019, the said Abhay Arora called the brother of the complainant and raised a demand for more money, failing which bad consequences would befall them. The brother of the complainant told him that he (Abhay Arora) has already been paid his share as per the settlement deed, which was executed between the parties and nothing is payable to him now. Subsequently, on 05.01.2020, one telephone call was received by the brother of the complainant on his mobile phone from an unknown number, whereby the callers identified themselves as Naveen Bali and Amit Shukla, who threatened

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: 3 :

**FIR No. 30/2020
Abhay Arora Vs State**

him (brother of the complainant) to pay the dues of Ajay, otherwise consequences shall follow. The said threatening call was at first ignored by the complainant and his brother, but then the brother of the complainant started receiving more whatsapp calls, whereby he was threatened to be killed. On 23.02.2020, two unknown persons came to the residence of the complainant. Complainant went to his door. Thereafter, one of the said two unknown persons who was holding a gun fired two rounds towards the floor. The complainant tried to shut the door, but the said person fired one round at him (complainant) which round struck the door. The complainant as well as his nephew sustained injuries in their lower limbs due to firing. Thereafter, both the said unknown persons fled from the spot. The complainant claims that he could identify both the said persons. The complainant and his nephew, both injured, were removed to hospital. The complainant, then got registered the present FIR claiming that the said Abhay Arora got the said persons to attack the complainant and his family.

Ld. Counsel for the applicant/ accused has referred to the charge-sheet already filed in the court of Ld. MM concerned while addressing arguments on the merits of this case. Chargesheet is yet to be committed to the Court of Sessions. Ld. Counsel submits that the site plan mentioned/ referred to in the charge-sheet is incorrect. Ld. Counsel further submits that the flow-

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: 4 :

**FIR No. 30/2020
Abhay Arora Vs State**

chart reflecting the entire conspiracy, as mentioned in the present charge-sheet, is not corroborated by any evidence. Ld. Counsel submits that no mobile phones could be traced/recovered during investigation. Ld. Counsel further submits that IO has not placed any CDR to depict involvement of the applicant/accused in the present matter. Ld. Counsel further submits that the MLCs of both the injured persons reflect that both did not arrive simultaneously in the hospital, whereas the said hospital is situated very near to the place of occurrence. Ld. Counsel further submits that the IO has not recorded the statement of injured child. Ld. Counsel further submits that there were as many as 06 occupants in the house where the alleged incident took place, but IO has not recorded their statements. Ld. Counsel further submits that IO has not bothered to seize the original partnership deed for unknown reasons. Ld. Counsel argues that the above facts speak volumes about the innocence of the applicant/accused. Ld. Counsel further submits that only simple injuries were sustained by the victims. Ld. Counsel further submits that the applicant/accused is aged about 27 years and has no criminal antecedents. Ld. Counsel further submits that the applicant/accused lodged multiple complaints against the complainant prior to registration of present FIR. Ld. Counsel further submits that the charge-sheet was filed on 25.05.2020 and applicant/accused is

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: 5 :

**FIR No. 30/2020
Abhay Arora Vs State**

languishing in judicial custody since last more than six months. Ld. Counsel further submits that the applicant/ accused is totally innocent and the police

does not have any material evidence against him till date. Ld. Counsel prays for grant of bail to the applicant/ accused.

Ld. APP for the state has made a prayer for dismissal of the present bail application on the ground of gravity and seriousness of the allegations. He has submitted that the applicant/ accused got in touch with a criminal gang in order to make extortion of money from the complainant and in pursuance to the said conspiracy got the family members of the complainant fired upon.

IO has annexed a flow chart depicting the entire conspiracy with the chargesheet, which is reproduced as below :-

FLOW CHART

Accused **Abhay Arora** sent the phone number and payment details of Rohit Kalra to **Lakhan Verma**

Co-accused **Lakhan Verma** further passed on the information to **Sushil @ Silu** (a BC of Pul Prahaladpur area)

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: 6 :

**FIR No. 30/2020
Abhay Arora Vs State**

Co-accused **Sushil @ Sillu** contacted his former jail inmates namely **Amit Shukla** and **Navin Baali** (Gangsters) who are lodged in Tihar Jail



Amit Shukla & Navin Baali started giving threatening calls to Rohit Kalra demanding the money of Abhay Arora and used to send the recordings of threat calls to Sushil @ Sillu



Amit Shukla and **Navin Baali** asked their associates namely **Nitesh, Ankit & Varun Vashisth** to teach a lesson to Rohit Kalra by opening fire at his residence



Co-accused **Nitesh, Ankit & Varun Vashisth** committed the incident of firing at the resident of Rohit Kalra. The co-accused Varun Vashisth recorded the entire incident in his mobile phone and send the clip to **Amit Shukla** as a proof of the incident.



Co-accused **Amit Shukla** forwarded the said video clip to Sushil @ Sillu who then send the same to Lakhan Verma but Lakhan Verma could not send the said clip to Abhay Arora since the FIR was lodged and on the very next date Abhay Arora and Lakhan Verma were arrested.

IO has submitted orally that the applicant/ accused and one co-accused Lakhan Verma were in constant contact/ touch with each other through whatsapp conversations and calls. It has been further submitted by the IO that the said conversations were deleted by applicant/accused, but the mobile

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: 7 :

**FIR No. 30/2020
Abhay Arora Vs State**

phone of the applicant/ accused was seized during investigation and was forwarded to the FSL for recovery of the deleted conversations. IO further submits that the said conversations, when recovered, would prove the complicity of the applicant/ accused in the commission of the present offences. IO has further submitted that the complicity of applicant/accused is corroborated by a subsequent conversation of co-accused Lakhan Verma with another co-accused Sushil @ Sillu, wherein the said Lakhan Verma is referring to the amounts to be recovered from Rohit Kalra on behalf of Abhay Arora (applicant/ accused herein). IO submits that the latter conversation is available on records.

Ld. Counsel for the complainant has also opposed the prayer for bail on the ground that the complainant is still getting threatening messages and the victims as well as their families are living in a constant fear for their lives and property. This assertion is supported by the IO.

This Court has considered the rival submissions. Name of the applicant/accused figures in the FIR. The allegations leveled against the applicant/ accused are grave and serious in nature. Investigation in the matter is still going on and reports of FSL are still awaited. The investigation done till now has revealed the existence of a deep conspiracy hatched in order to extort money. The

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: 8 :

**FIR No. 30/2020
Abhay Arora Vs State**

complainant is still receiving threatening messages. In view of the above facts, this Court is not inclined to grant bail to the applicant/ accused Abhay Arora. Hence, the present bail application stands dismissed.

Copy be also sent to the Jail Superintendent concerned for necessary information. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/24.08.2020 (K)**