

Criminal Revision: 159/2019
M.C. Gupta v. Serious Fraud Investigation Office

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order 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 30.01.2020.

On 30.01.2020, matter was adjourned for 30.03.2020.

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.

Dated :04.08.2020

Present: None for Revisionist.
 None for Respondent.

It is stated by Reader of this court that when he contacted Ld. counsel Sh. Surinder Goel (mobile no. 9810100554) for revisionist over phone for the purpose of hearing through VC, he submitted that file is not with him and requested for shortest date. Further, when reader contacted ,Sh. R.S. Dhaka(mobile no.9810218191) learned counsel for respondent over phone, he submitted that file is not with him and he is out of station at Ludhiana.

As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

Put up for purpose fixed/arguments in terms of previous orders for 03.10.2020.

NAVEEN KUMAR
KASHYAP
(Naveen Kumar Kashyap)
ASJ-04/Central/04.08.2020

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INTERIM BAIL APPLICATION

State Vs.Arshad
FIR No.: 34387-2017
PS: Sarai Rohilla
U/S: 392 ,397, 34 IPC

04.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State
through VC.
Learned counsel for applicant / accused through VC.

Fresh bail bond filed .

Put up for verification of address of surety as well as
security furnished him, by the IO/SHO, through electronic mode ,for
06/08/2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/04.08.2020

INTERIM BAIL APPLICATION

State Vs. Adnan Hussain
FIR No.: 02/2014
PS: Jama Masjid
U/S: 302, 394, 411, 34 IPC

04.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.
Mr. Asghar Khan, learned counsel for the applicant / accused through VC.

Reply filed through electronic mode. The same be taken on record.

Copy be supplied to other side.

Arguments in detail heard.

Put up for order / clarification if any for **05/08/2020**.

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/04.08.2020

BAIL APPLICATION

**State v. Ajay @ Nathu
(APPLICATION OF 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**

04.08.2020

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through
VC.
Sh. Deepak Sharma, (Mobile no. 9810573758),
learned counsel for accused Dharmender @ Montu.

Reply filed by prosecution through electronic mode/e-mail. Copy of the same be supplied to the applicant side.

Put up for arguments and appropriate orders on

05.08.2020.

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**(Naveen Kumar Kashyap)
ASJ-04/Central/04.08.2020**

INTERIM BAIL APPLICATION

State Vs. Mohd. Nazim
FIR No.: 134/2015
PS: Lahori Gate
U/S: 394, 395, 397, 120B, 415, 34 IPC & 25, 27 Arms Act

04.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State
through VC.
Mr. S.N. Shukla, learned counsel for applicant / accused
through VC.

Reply already filed. Further arguments heard.

Put up for appropriate order / clarification for **05/08/2020**.

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/04.08.2020

Application for Extension of Interim Bail

FIR No. : 01/2019

PS:Darya Ganj

STATE v. Tarun @ Puchi s/o Raj Kumar

U/S: 392, 397, 34 IPC

04.08.2020.

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

Mr. K.S. Verma, learned counsel for the applicant.

1. Vide this order, application dated 29.07.2020 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 20/06/2020 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 20.06.2020.

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.

FIR No. : 01/2019

PS:Darya Ganj

STATE v. Tarun @ Puchi s/o Raj Kumar

U/S: 392, 397, 34 IPC

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.***

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.**

NAVEEN KUMAR
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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
04.08.2020

BAIL APPLICATION

**State v. Vipin Sharma
(APPLICATION OF SURESH KUMAR NAYAK)
FIR No.: 213/2018
PS: Lahori Gate
U/S: 395,412,120B,34 IPC**

04.08.2020

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through
VC.
Ms. Swati Verma, (Mobile no. 9411065521),
learned counsel for accused Sunil Kumar Nayak.

Issue notice to IO to file reply.

**Put up for reply, arguments and appropriate
orders with file on 07.08.2020.**

NAVEEN KUMAR
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**(Naveen Kumar Kashyap)
ASJ-04/Central/04.08.2020**