

CR No: 465/2019
Shubhankar Nagar v. Rajender Singh

06.08.2020

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 dates of hearing were 01.04.2020,29.05.2020 and 25.07.2020.

On 25.07.2020, matter was adjourned for 06.08.2020.

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.

Present: None for Revisionist.

Sh. Ajit Amar, Ld.counsel for Respondent no.1 to 5.

It is submitted by learned counsel for Respondent no.1 to 5 that he does not want to address further arguments. Same is also noted. On perusal of previous ordersheet dated 25.07.2020, it can be seen that even counsel for revisionist as well as for respondent no.6 already stated that they do not want to address further arguments.

As such, put up for clarifications, if any/orders on this revision petition on 14.08.2020.

NAVEEN KUMAR
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(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

FIR No.: 251/2019
PS: Sarai Rohilla
State v. Baboo etc.

06.08.2020

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 dates of hearing were 27.02.2020, 16.04.2020.

On 08.06.2020, matter was adjourned for 06.08.2020.

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.

It is stated by Reader of this court that when he sent link to counsels for accused persons i.e. Sh. Yogender Singh Chaudhary (mobile no. 9810141935), counsel for accused Babloo, Sh. Vivek Singh (Mobile no. 9811097145), counsel for accused Dinesh @ Dhanna and Sh. Manish Garg (Mobile no. 9899522291), counsel for accused Sonu and also informed over phone for the purpose of hearing through VC. But none has joined through VC.

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 06.10.2020.

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Date: 2020.08.06 14:25:58 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

State v. Subhash Rai
FIR No.: 214/2015
PS: Civil Lines

06.08.2020

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 dates of hearing were 05.03.2020,08.04.2020,12.05.2020 and 08.07.2020

On 08.07.2020, matter was adjourned for 06.08.2020.

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.

Present: Sh. Pawan Kumar, Ld. Addl. PP fpr the State through VC
alongwith IO SI Rohit.
Sh. Yatender Kumar, learned LAC for both the accused
through VC.

At request, put up for further final arguments and appropriate orders on 04.09.2020.

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Date: 2020.08.06 14:26:46 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

: 1 :

INTERIM BAIL APPLICATION

State v. Mohd. Nazim
FIR No. : 134/2015
PS: Lahori Gate
U/S: 394,395,397, 412,120-B, 34, IPC &
25,27 Arms Act

06.08.2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC
Mr. S.N. Shukla, learned Counsel for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Vide this order, application dated 22.07.2020 moved through DLSA by the present accused Mohd. Nazim for grant of interim bail is disposed of.

3. Arguments already heard.

4. In nutshell, it is stated in such application that applicant has a wife and three children. That due to present pandemic situation, his family is facing great difficulty and is great financial crises. Further, recently the wife of the accused suffered heavy pain in the knee and she is unable to move and

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walk. That doctor has advised complete bed rest for one month. Medical document of the wife are enclosed alongwith the application. That there is nobody to look after such ailing wife. That accused is in custody for the last four years. That all the material witnesses are already examined. That vide order dated 22.06.2020, this court was pleased to dismiss his earlier bail application relating to financial difficulty etc. But it is now claimed that there is changes in the circumstances. As such, it is prayed that he be granted interim bail on appropriate terms.

5. On the other hand, a detailed reply and additional reply filed by IO. It is further argued by learned Addl. PP for the state that present offence is very serious in nature and offences charged against the accused are punishable upto imprisonment for life. It is further stated that as per verification from concerned doctor, wife of the accused is a OPD patient only and suffering from knee pain and not any serious disease. As such, it is stated that on one ground or the other, present accused is moving application for interim bail without sufficient reasons. As such, present bail application is strongly opposed.

6. The type of cases/offences with which accused is charged are discussed by **Hon'ble High Court in its meeting dated 18.04.2020**. For the present type of offences, a relaxed criteria for interim bail is recommended by Hon'ble High Court on such date but it was further subject to such accused is suffering from HIV,cancer, chronic kidney dysfunction (requiring dialysis) , Hepatitis B or C, Ashtma and T.B.

7. It is not the case of accused that he himself is suffering from any of the disease. As such, the case of the present accused does not fall under the relaxed criteria given by the Hon'ble High Court.

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8. Even otherwise on merit, admittedly, interim bail application of the present accused is recently dismissed. Further, ground of illness of the wife now raised in the present application is not found to be a serious disease and in any case, this court is not inclined to grant interim bail to the accused under these circumstances having regard to nature of offence and the allegations against the present accused. As such, this court is not inclined to grant interim bail to the present accused. With these observations, present interim bail application is dismissed.

9. Copy of this order be sent to Jail Superintendent concerned as well as to the IO. Counsel for accused is at liberty to obtain the copy of this order through electronic mode.

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Date: 2020.08.06 14:28:36 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
06.08.2020.

CA: 379/2019
Sabihuddin Siddiquee v. Nasir

06.08.2020

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 10.02.2020.

On 10.02.2020, matter was adjourned for 30.03.2020.

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.

Present: None for Appellant.

None for Respondent.

It is stated by Reader of this court that when he contacted Ld. counsel Sh.Dharmender (mobile no. 9891445632) learned counsel for Appellant over phone for the purpose of hearing through VC, he submitted that he is out of station and file is also not with him and requested for shortest date. Further, when reader contacted ,Sh. M.S. Khan, (mobile no.9818416099) learned counsel for respondent over phone, he submitted that file is not with him and he will argue after the arguments of counsel for Appellant.

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 05.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

**CR No.96/2020 to CR No. 101/2020
Deepak Talwar Vs. ITO**

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 cases, last regular date of hearing was 16/03/2020. On 16/03/2020, the matters were adjourned for 16/04/2020.

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

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

Dated :06.08.2020

Present: **Mr. Tanveer Ahmed, learned counsel for the revisionist through VC.
None for ITO / respondent.**

As reported by the concerned staff, the contact number of respondent is not provided on record.

Further, it is stated by the learned counsel for the revisionist also that having regard to the bulky and complicated nature of law involved in the present matter, it is difficult to address arguments through VC and he prays that the matter may be heard in physical hearing only.

Under these circumstances, put up for further arguments in view of the previous order for **16/09/2020**.

Interim order, if any, to continue till the next date of hearing.

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(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

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CC No.: 24/2017
Enforcement Directorate v. Vineet Gupta

06.08.2020

Present: None.

Today, case was fixed for orders on application for release of passport moved by applicant Anirudh Agarwal.

Due to some technical error/Internet issue, order could not be dictated through electronic mode.

Put up for dictation/clarification, if any/orders on present application of applicant Anirudh Agarwal for 10.08.2020.

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Date: 2020.08.06 14:30:57 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

SC No.: 28445/2016
State Vs Mukesh Jardari Wakude & Anr

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 23/01/2020. On 23/01/2020, the matter was adjourned for 16/04/2020.

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 :06.08.2020

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

This matter as per record is pending for PE. Further, as per directions by the Hon'ble High Court, at present the matters at the stage of contested PE matters are not taken up through VC.

But it is submitted by the counsel for the applicant / accused that there is some request of accused Mukesh Jardari relating to traveling to outside Delhi. As such, put up for further proceedings, arguments and appropriate orders regarding such issue only for **10/08/2020**. Learned counsel for accused is at liberty to move an appropriate application in the meanwhile relating to the same.

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Date: 2020.08.06 14:31:41 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

CA No.: 295/2019
Ramanand Chaudhary Vs Mohd. Israil & State

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 21/01/2020.

On 21/01/2020-, the matter was adjourned for 16/04/2020 and from 16/04/2020 the matter was adjourned for 08/06/2020.

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 :06.08.2020

Present: None for appellant Ramanand Chaudhary.
Mr. P.K. Singhal, learned counsel for respondent no.1 Mohd. Israil through VC.
Mr. Pawan Kumar, learned Addl.PP for the State through VC.

It is stated by Reader of this court that despite contact made, learned counsel for the appellant has not joined proceedings through VC.

It is stated by learned counsel for respondent no.1 that certain miscellaneous applications relating to the amount to be deposited in this matter u/s 138 NI Act is pending.

Put up for further arguments and appropriate order on the same for **02/09/2020**.

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Date: 2020.08.06 14:33:03 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

FIR No.: 171/2010
PS Pahar Ganj
State Vs Joginder @ Joga & others.

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 25/02/2020. On 25/02/2020, matter was adjourned for 16/04/2020 and thereafter adjourned for 08/06/2020.

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 :06.08.2020

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

At the request of learned counsel for the accused persons, put up for the purpose already fixed for **06/10/2020**.

Issue production warrant for the accused persons who are in JC for the next date of hearing through VC / electronic mode.

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(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

BAIL APPLICATION

**State v. Ajay @ Nathu
(Applicant 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**

06.08.2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Sh. Deepak Sharma, Learned counsel for the applicant / accused
through VC.

Vide this order, the bail application under section 439 Cr.P.C. on behalf of accused Dharmender @ Montu dated 29.07.2020 filed through counsel is disposed of.

I have heard both the sides and have gone through the record.

The personal liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. The sanctity of liberty is the fulcrum of any civilized society. Deprivation of liberty of a person has enormous impact on his mind as well as body. Further article 21 Of the Constitution mandates that no person shall be deprived of his life or personal liberty except according to procedure established by law. Further India is a signatory to the International Covenant On Civil And Political Rights, 1966 and, therefore, Article 21 of the Constitution has to be understood in the light of the International Covenant On Civil And Political Rights, 1966. *Further* Presumption of innocence is a human right. Article 21 in view of its expansive meaning not only protects life and liberty ,but also envisages a fair procedure. Liberty of a person should not ordinarily be interfered with unless there exist cogent grounds therefor. The fundamental principle of our system of justice is that a person should not be deprived of his liberty except for a distinct breach of law. If there is no substantial risk of the accused fleeing the course of justice, there is no reason why he should be imprisoned during the period of his trial. The basic rule is to release him on bail unless there are circumstances suggesting the possibility of his fleeing from justice or

thwarting the course of justice. When bail is refused, it is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution.

Further it has been laid down from the earliest time that the object of Bail is to secure the appearance of the accused person at his trial by reasonable amount of Bail. The object of Bail is neither punitive nor preventive. Deprivation of liberty must be considered a punishment unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after convictions, and that every man is deemed to be innocent until duly tried and duly found guilty. From the earlier times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial, but in such case 'necessity' is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the constitution that any persons should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty under Article 21 of the Constitution upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. Apart from the question of prevention being the object of a refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any court to refuse bail as mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson. While considering an application for bail either under Section 437 or 439 CrPC, the court should keep in view the principle that grant of bail is the rule and committal to jail an exception. Refusal of bail is a restriction on personal liberty of the individual guaranteed by Article 21 of the Constitution. Seriousness of the offence not to be treated as the only consideration in refusing bail : Seriousness of the offence should not to be treated as the only ground for refusal of bail. (Judgment of **Sanjay Chandra Vs. Central Bureau of Investigation, AIR 2012 SC 830** relied).

But, 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 societal order. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly thing which the society disapproves, the legal consequences are bound to follow.

Further discretionary jurisdiction of courts u/s 437 and 439 CrPC should be exercised carefully and cautiously by balancing the rights of the accused and interests of the society. Court must indicate brief reasons for granting or refusing bail. Bail order passed by the court must be reasoned one but detailed reasons touching merits of the case, detailed examination of evidence and elaborate documentation of merits of case should not be done.

At this stage , it can also be fruitful to note that requirements for bail u/s 437 & 439 are different. Section 437 Cr.P.C. severally curtails the power of the Magistrate to grant bail in context of the commission of non-bailable offences punishable with death or imprisonment for life, the two higher Courts have only the procedural requirement of giving notice of the Bail application to the Public Prosecutor, which requirement is also ignorable if circumstances so demand. The regimes regulating the powers of the Magistrate on the one hand and the two superior Courts are decidedly and intentionally not identical, but vitally and drastically dissimilar. (**Sundeep Kumar Bafna Vs. State of Maharashtra, AIR 2014 SC 1745**).

Further at this stage it can be noted that interpreting the provisions of bail contained u/s 437 & 439 Cr.P.C., the Hon'ble Supreme Court in its various judgments has laid down various considerations for grant or refusal of bail to an accused in a non-bailable offence like, (i) Whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; (ii) Nature of accusation and evidence therefor, (iii) Gravity of the offence and punishment which the conviction will entail, (iv) Reasonable possibility of securing presence of the accused at trial and danger of his absconding or fleeing if released on bail, (v) Character and behavior of the accused, (vi) Means, position and standing of the accused in the Society, (vii) Likelihood of the offence being repeated, (viii) Reasonable apprehension of the witnesses being tampered with, (ix) Danger, of course, of justice being thwarted by grant of bail, (x) Balance between the rights of

the accused and the larger interest of the Society/State, (xi) Any other factor relevant and peculiar to the accused. (xii) While a vague allegation that the accused may tamper with the evidence or witnesses may not be a ground to refuse bail, but if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. Furthermore, in the landmark judgment of **Gurucharan Singh and others v. State** (AIR 1978 SC 179), it was held that there is no hard and fast rule and no inflexible principle governing the exercise of such discretion by the courts. It was further held that there cannot be any inexorable formula in the matter of granting bail. It was further held that facts and circumstances of each case will govern the exercise of judicial discretion in granting or refusing bail. It was further held that such question depends upon a variety of circumstances, cumulative effect of which must enter into the judicial verdict. Such judgment itself mentioned the nature and seriousness of nature, and circumstances in which offences are committed apart from character of evidence as some of the relevant factors in deciding whether to grant bail or not.

Further it may also be noted that it is also settled law that while disposing of bail applications u/s 437/439 Cr.P.C., courts should assign reasons while allowing or refusing an application for bail. But detailed reasons touching the merit of the matter should not be given which may prejudice the accused. What is necessary is that the order should not suffer from non-application of mind. At this stage a detailed examination of evidence and elaborate documentation of the merit of the case is not required to be undertaken. Though the court can make some reference to materials but it cannot make a detailed and in-depth analysis of the materials and record findings on their acceptability or otherwise which is essentially a matter of trial. Court is not required to undertake meticulous examination of evidence while granting or refusing bail u/s 439 of the CrPC.

In this case, it is stated that present case is pending trial and is at prosecution evidence stage but due to present pandemic condition, there is no effective hearing since 15.02.2020. That present applicant is in JC for more than five years and six months. That name of the present applicant was not disclosed by complainant Insp. Anil Kumar in the FIR nor by member of the raiding team who were present alleged incident in question. That

investigation in the present case is complete. That trial is likely to take time as prosecution has cited 44 witnesses and all such witnesses are police officials only. So far only 20-21 witnesses from the chargesheet are examined. In fact, it is claimed that it is the present accused who are victim and police officials misused their power illegally and in fact injured the present accused by bullet injury and further even caused death of another minor children who is the relative of the accused person. It is further argued that in order to cover up their misdeed, the police officials has concocted present false story. That no public or local person was made witness. That present accused has two minor children aged 7 and 5 years. That there is no legally tenable against the accused person. That earlier regular bail application was dismissed by learned Predecessor of this court vide order dated 29.02.2016 and thereafter on 27.01.2017 and again on 15.10.2018. More importantly it is pressed that recently co-accused Krishan is granted regular bail by Hon'ble High Court vide order dated 27.07.2020 and is is claimed that on the ground of parity also, present accused be granted regular bail. It is stated that accused is permanent resident of Delhi. It is further argued by learned counsel for accused that there is material inconsistency in the statement of police official Ravi Kant and Nasir. It is further argued that earlier bail application was dismissed stating that trial is likely to complete soon. It is further stated that role assigned to present accused is the similar role to the Krishan who is granted bail by Hon'ble High Court. It is further stated that present accused is already acquitted in fifteen criminal cases alleged by the prosecution. It is further stated that 8 other matters reported as untrace by the police. That only three criminal cases including present one is pending against the present accused. It is further stated that he is already on bail in two other pending criminal cases. As such, it is argued that he is in JC at present in present case only. As such, he be granted regular bail.

On the other hand, in reply filed by IO, as also argued by learned Addl. PP for the state that present applicant is one of the five co-accused.

That in order to kill policeman, he indiscriminately fired with his illegal pistol on the day of incident. It is further stated that his wife and others are daily wager and earning livelihood for themselves. That accused has a joint family. That present accused is found involved in 29 criminal cases. It is stated that he is involved in heinous crimes. It is further stated that apart from PW-4 other police officials are also deposed against him. That role of present accused is different from co-accused Krishan who is granted regular bail recently by Hon'ble High Court. It is further stated that accused himself went hospital and got admitted himself in order to create favourable evidence in his favour.

In view of observation made by Hon'ble High Court in para-11 of the bail order dated 27.07.2020 and the argument address at present by both sides, put up for further arguments/clarifications particularly regarding role of co-accused Krishan vis-a-vis the present accused Dharmender ,*as well as IO to file further reply regarding last criminal case/incident alleged against the present accused Dharmender @ Montu.* **As such, issue fresh notice to IO to file further reply. A copy of this order be sent to IO for his ready reference. Ahlmad is directed to do needful accordingly.**

Put up on 11.08.2020 for further arguments/ clarifications/ orders on the present bail application.

NAVEEN KUMAR
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Date: 2020.08.06 14:34:44 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/06.08.2020

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

06.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.
Mr. Kabir Ahmed, learned counsel for applicant through VC.
Report of IO received regarding verification of surety bonds.
At request of counsel, put up for 13/08/2020, for further proceeding, appropriate order

NAVEEN KUMAR
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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/06.08.2020

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Date: 2020.08.06 14:44:35 +05'30'

BAIL APPLICATION

State Vs. Gautam
FIR No.: 70/2019
PS: Sarai Rohilla
U/S: 302, 34 IPC

06.08.2020.

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

Fresh application seeking interim bail on behalf of applicant / accused Gautam has been filed through counsel. The same be checked and registered separately.

Issue notice to IO to file reply by the next date of hearing.

Put up for reply, arguments and appropriate order for **10/08/2020.**

NAVEEN KUMAR KASHYAP
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Date: 2020.08.06 14:35:49 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/06.08.2020

BAIL APPLICATION

State Vs. Vikas Kaushik @ Sunny s/o Mr. Anand Prakash
FIR No.: 524/2014
PS: Burari
U/S: 364, 302, 201, 120B, 34 IPC & 25,27, 54, 59 Arms Act

06.08.2020.

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

After some arguments, learned counsel for the applicants seeks permission to withdraw the present application with liberty to file afresh with latest development in this matter.

Heard. Allowed in the interest of justice.

The present application is allowed to be withdrawn. Hence, the same is dismissed as withdrawn with liberty to file afresh.

NAVEEN KUMAR KASHYAP
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Date: 2020.08.06 14:37:02 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/06.08.2020

INTERIM BAIL APPLICATION

State Vs. Sunny s/o Karan Dev
FIR No.: 20/2016
PS: Crime Branch Central
U/S: 364A, 395, 342, 420, 468, 471, 120B IPC

06.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.
Mr. Pt. ACP Gautam, learned counsel for the applicant / accused Sunny through VC.

Report regarding medication condition/status of **accused Sunny** not received from concerned Jail Superintendent. The same be awaited for report for 12:00 Noon.

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

At 12:00 Noon

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

The report regarding medication condition of accused Sunny has still not been received. In the meanwhile, today wrongly the medical condition of co-accused Taufique @ Kala has been received from the concerned JS. However, this application is pertaining to accused Sunny. **Issue fresh notice to concerned Jail Superintendent regarding Medical condition of accused Sunny for the next date of hearing.**

Put up for appropriate order for **11/08/2020**.

NAVEEN KUMAR
KASHYAP

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KUMAR KASHYAP
Date: 2020.08.06 14:37:56 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/06.08.2020

INTERIM BAIL APPLICATION

State Vs. Taufique @ Kala
FIR No.: 20/2016
PS: Crime Branch Central
U/S: 364A, 395, 342, 420, 468, 471, 120B IPC

06.08.2020.

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

Fresh application seeking grant of interim bail on behalf of applicant / accused Taufique @ Kala has been filed by counsel. It be checked and registered separately.

Issue notice to IO to file reply to the same by the next date of hearing.

Put up for reply, arguments and appropriate order for 10/08/2020.

NAVEEN KUMAR
KASHYAP

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KUMAR KASHYAP
Date: 2020.08.06 14:38:54 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District/06.08.2020