

**IN THE COURT OF SH. NAVEEN KUMAR KASHYAP:
ADDITIONAL SESSIONS JUDGE-04:CENTRAL :TIS HAZARI**

Bail Application NO:2082/2020

**State V. Arif
FIR No. 244/2020
PS.: Kamla Market
U/s: 302, 307, 34 IPC**

09.12.2020.

**Present: Mr. Pawan Kumar Learned Addl. PP for State
through VC.
Sh. Rashid Hasmi learned counsel for the
applicant / accused through VC.**

1. Vide this order present interim bail application dated 04.12.2020 is disposed off.

2. It is stated in such application that brother of the accused is suffering from HIV and T.B. That there is no other adult male member to look after such younger brother. The mother of the accused is of old age and father has already expired and as such, presence of accused is required medical prescription/document of the accused brother is placed on record. As such, it is prayed that he be granted interim bail for thirty days.

3. On the other hand, reply filed by the IO, the factum of medical condition of the accused brother is not denied but it is submitted that there is three brothers, five sisters and a mother to take care of the brother. It is further stated that offence is very serious in nature. As such, present bail application is opposed.

4. The minimum punishment for the present offence is life imprisonment. Further specific allegations are there against the present accused. Further, having regard to the reply filed, it appears that apart from younger brother about 17-18 years old, there are five sisters also for medical treatment of younger brother from the hospital.

Under these circumstances, having regard to the nature

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of allegations made and the stage of the present case, this court is not inclined to grant the relief as sought in the present application. Hence, the same is dismissed.

5. **With these observations present bail application is disposed of as dismissed. Learned counsel for the applicant / accused is at liberty to collect the order through electronic mode. Copy of this order be also sent to Jail Superintendent concerned through electronic mode.**

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**(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
09.12.2020**

Bail Application

Bail Application No.: 1983/2020
State Vs. Deepak @Jhanji
FIR No. :21714/2020
PS: Darya Ganj
U/S: 379, 411 IPC

09.12.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for the State through VC
Mr. Rakesh Rajmurty, Learned counsel for the applicant through VC.

Vide this order, the regular bail application under section 439 Cr.P.C. on behalf of accused dated 18/11/2020 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.

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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 the present case, it is argued that applicant is an innocent; he has nothing to do with the alleged offence; he has been falsely implicated in the present case by the e-police officials of Crime Branch; that incident in question is dated 03/09/2020 while the FIR is registered on 04/09/2020 but the applicant was in custody in case FIR no. 104/2020 U/s 25 Arms Act and 102 Cr.PC PS Nand Nagari and he was release on bail on 05/09/2020 therefore he has not committed the offence in question; that nothing incriminating has been recovered from the possession of the applicant or at his instance; that alleged recovery, if any, has been planted upon him by the police; that applicant on 03/10/2020 had gone for prayer at Hanuman Mandir and had not returned to him; that his brother lodged a missing complaint in this regard; that his parents later came to know about the false implication of applicant on 07/10/2020; investigation of the present case is complete; that he is in custody since 07/10/2020; that his earlier bail application was dismissed by learned MM vide order dated 11/11/2020. As such, it is prayed that he be granted regular bail.

On the other hand, reply dated 20/11/2020 read with additional reply dated 07/12/2020 filed by IO as also argued by the learned Addl.PP for State that present accused is involved in as many as 42 criminal cases and many of which are still pending. Such cases include cases of similar nature as well as murder and POCSO Act. It is further argued that presence of present accused cannot be secured if he is released on bail or he may commit similar other offences. As such, present bail application is strongly opposed.

Although, the offence alleged is punishable upto three years, but this Court finds force in the arguments of learned Addl.PP for the state.

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The offence is nuisance to public at large. There are specific and serious allegations against the accused. Further there is incriminating evidence against the present accused. As such, this Court is not inclined to grant the relief as sought in the present application. Hence, the same is dismissed. Trial Court record be sent back.

With these observations present bail application is disposed of as dismissed. Further, both the sides are at liberty to collect the order through electronic mode. Copy of order be uploaded on the website. Further a copy of this order be sent to SHO / IO concerned. Further, copy of this order be also sent to concerned Jail Superintendent.

The observations made in the present bail application order are for the purpose of deciding of present application and do not affect the factual matrix of the investigation of the present case which is separate issue as per law.

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**(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
09/12/2020**

Anticipatory Bail

**Bail Matters No.:2056/2020
State Vs Dr. Vishwajeet Kumar
FIR No. :239/2020
PS: I.P. Estate
U/S: 419, 420, 34 IPC**

09/12/2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Manish Sharma, learned counsel for Accused through VC.
IO SI Ashok Kumar is present through VC.

1. Vide this order, anticipatory bail application dated 02/12/2020 under section 438 Cr.P.C. on behalf of accused filed through counsel is disposed off.
2. I have heard both the sides and gone through the record.
3. At this stage it may be noted that in the case of **Bhadresh Bipinbhai Sheth Vs. State Of Gujarat & Another**(Criminal Appeal Nos. 1134-1135 Of 2015, Arising Out Of Special Leave Petition (Crl.) Nos. 6028-6029 Of 2014), Hon'ble SC discussed and reviews the law relating to section 438 Cr.P.C.
4. A judgment which needs to be pointed out is a Constitution Bench Judgment of this Court in the case Gurbaksh Singh Sibbia and Other vs. State of Punjab(1980 AIR 1632 ; 1980 SCR(3) 383), The Constitution Bench in this case emphasized that provision of anticipatory bail enshrined in [Section 438](#) of the Code is conceptualised under [Article 21](#) of the Constitution which relates to personal liberty. Therefore, such a provision calls for liberal interpretation of [Section 438](#) of the Code in light of [Article 21](#) of the Constitution. The Code explains that an anticipatory bail is a pre- arrest legal process which directs that if the person

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in whose favour it is issued is thereafter arrested on the accusation in respect of which the direction is issued, he shall be released on bail. The distinction between an ordinary order of bail and an order of anticipatory bail is that whereas the former is granted after arrest and therefore means release from the custody of the police, the latter is granted in anticipation of arrest and is therefore, effective at the very moment of arrest. A direction under [Section 438](#) is therefore intended to confer conditional immunity from the 'touch' or confinement contemplated by [Section 46](#) of the Code. The essence of this provision is brought out in the following manner:

“26. We find a great deal of substance in Mr Tarkunde’s submission that since denial of bail amounts to deprivation of personal liberty, the court should lean against the imposition of unnecessary restrictions on the scope of [Section 438](#), especially when no such restrictions have been imposed by the legislature in the terms of that section. [Section 438](#) is a procedural provision which is concerned with the personal liberty of the individual, who is entitled to the benefit of the presumption of innocence since he is not, on the date of his application for anticipatory bail, convicted of the offence in respect of which he seeks bail. An over-generous infusion of constraints and conditions which are not to be found in [Section 438](#) can make its provisions constitutionally vulnerable since the right to personal freedom cannot be made to depend on compliance with unreasonable restrictions. The beneficent provision contained in [Section 438](#) must be saved, not jettisoned. No doubt can linger after the decision in [Maneka Gandhi v. Union of India](#), (1978) 1 SCC 248, that in order to meet the challenge of [Article 21](#) of the Constitution, the procedure established by law for depriving a person of his liberty must be fair, just and reasonable. [Section 438](#), in the form in which it is conceived by the legislature, is open to no exception on the ground that it prescribes a procedure which is unjust or unfair. We ought, at all costs, to avoid throwing it open to a Constitutional challenge by reading words in it which are not to be found therein.”

5. Though the Court observed that the principles which govern the grant of ordinary bail may not furnish an exact parallel to the right to anticipatory bail, still such principles have to be kept in mind, namely, the object of bail which is to secure the attendance of the accused at the trial, and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise, bail is not to be withheld as a punishment. The Court has also to consider whether there is any possibility of the accused tampering with evidence or influencing witnesses etc. Once these tests are satisfied, bail should be granted to an undertrial which is also important as viewed from another angle, namely, an accused person who enjoys freedom is in a much better position to look after his case and to properly defend himself than if he were in custody. Thus, grant or non-grant of bail depends upon a variety of circumstances and the cumulative effect thereof enters into judicial verdict. The Court stresses that any single circumstance cannot be treated as of universal validity or as necessarily justifying the grant or refusal of bail. After clarifying this position, the Court discussed the inferences of anticipatory bail in the following manner:

“31. In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of

which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the State" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in [The State v. Captain Jagjit Singh](#), AIR 1962 SC 253 : (1962) 3 SCR 622 : (1962) 1 Cri LJ 216, which, though, was a case under the old [Section 498](#) which corresponds to the present [Section 439](#) of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail."

6. It is pertinent to note that while interpreting the expression "may, if it thinks fit" occurring in [Section 438\(1\)](#) of the Code, the Court pointed out that it gives discretion to the Court to exercise the power in a particular case or not, and once such a discretion is there merely because the accused is charged with a serious offence may not by itself be the reason to refuse the grant of anticipatory bail if the circumstances are otherwise justified. At the same time, it is also the obligation of the applicant to make out a case for grant of anticipatory bail. But that would not mean that he has to make out a "special case". The Court also remarked that a wise exercise of judicial power inevitably takes care of the evil consequences which are likely to flow out of its intemperate use.

7. Another case to which can be referred to is the judgment of a Division Bench of this

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FIR No. :239/2020
PS: I.P. Estate
U/S: 419, 420, 34 IPC

Court in the case of [Siddharam Satlingappa Mhetre v. State of Maharashtra and Others](#)(SLP(CRL.) 7615/2009 DATED 02-12-2021).This case lays down an exhaustive commentary of [Section 438](#) of the Code covering, in an erudite fashion, almost all the aspects and in the process relies upon the aforesaid Constitution Bench judgment in Gurbaksh Singh's case. In the very first para, the Court highlighted the conflicting interests which are to be balanced while taking a decision as to whether bail is to be granted or not, as is clear from the following observations:

“1.This appeal involves issues of great public importance pertaining to the importance of individual's personal liberty and the society's interest. Society has a vital interest in grant or refusal of bail because every criminal offence is the offence against the State. The order granting or refusing bail must reflect perfect balance between the conflicting interests, namely, sanctity of individual liberty and the interest of the society. The law of bails dovetails two conflicting interests, namely, on the one hand, the requirements of shielding society from the hazards of those committing crimes and potentiality of repeating the same crime while on bail and on the other hand, absolute adherence to the fundamental principle of criminal jurisprudence regarding presumption of innocence of an accused until he is found guilty and the sanctity of individual liberty.....”

8. The principles which can be culled out can be stated as under:

(i) The complaint filed against the accused needs to be thoroughly examined, including the aspect whether the complainant has filed a false or frivolous complaint on earlier occasion. If the connivance between the complainant and the investigating officer is established then action be taken against the investigating officer in accordance with law.

(ii) The gravity of charge and the exact role of the accused must be properly comprehended. Before arrest, the arresting officer must record the valid reasons which have led to the arrest of the accused in the case diary. In exceptional cases, the reasons could be recorded immediately after the arrest, so that while dealing with the bail application, the remarks and observations of the arresting officer can also be properly evaluated by the court.

(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.

(iv) There is no justification for reading into [Section 438](#) CrPC the limitations mentioned in [Section 437](#) CrPC. The plenitude of [Section 438](#) must be given its full play. There is no requirement that the accused must make out a “special case” for the exercise of the power to grant anticipatory bail. This virtually, reduces the salutary power conferred by [Section 438](#) CrPC to a dead letter. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints and conditions on his freedom, by the acceptance of conditions which the court may deem fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.

(v) The proper course of action on an application for anticipatory bail ought to be

that after evaluating the averments and accusations available on the record if the court is inclined to grant anticipatory bail then an interim bail be granted and notice be issued to the Public Prosecutor. After hearing the Public Prosecutor the court may either reject the anticipatory bail application or confirm the initial order of granting bail. The court would certainly be entitled to impose conditions for the grant of anticipatory bail. The Public Prosecutor or the complainant would be at liberty to move the same court for cancellation or modifying the conditions of anticipatory bail at any time if liberty granted by the court is misused. The anticipatory bail granted by the court should ordinarily be continued till the trial of the case.

(vi) It is a settled legal position that the court which grants the bail also has the power to cancel it. The discretion of grant or cancellation of bail can be exercised either at the instance of the accused, the Public Prosecutor or the complainant, on finding new material or circumstances at any point of time.

(vii) In pursuance of the order of the Court of Session or the High Court, once the accused is released on anticipatory bail by the trial court, then it would be unreasonable to compel the accused to surrender before the trial court and again apply for regular bail.

(viii) Discretion vested in the court in all matters should be exercised with care and circumspection depending upon the facts and circumstances justifying its exercise. Similarly, the discretion vested with the court under [Section 438](#) CrPC should also be exercised with caution and prudence. It is unnecessary to travel beyond it and subject the wide power and discretion conferred by the legislature to a rigorous code of self-imposed limitations.

(ix) No inflexible guidelines or straitjacket formula can be provided for grant or

refusal of anticipatory bail because all circumstances and situations of future cannot be clearly visualised for the grant or refusal of anticipatory bail. In consonance with legislative intention, the grant or refusal of anticipatory bail should necessarily depend on the facts and circumstances of each case.

(x) The following factors and parameters that need to be taken into consideration while dealing with anticipatory bail:

(a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(c) The possibility of the applicant to flee from justice;

(d) The possibility of the accused's likelihood to repeat similar or other offences;

(e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of [Sections 34](#) and [149](#) of the Penal Code, 1860 the court should consider with even greater care and caution, because overimplication in the cases is a

matter of common knowledge and concern;

(h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

9. In the present case, it is argued on behalf of applicant / accused that he is falsely implicated in the present case; that there is tussle going on between junior doctors and hospital management; that he met with an accident on 04/08/2020 and advised one month rest; despite his request, rest was declined; that he was quarantined from 11/09/2020 to 24/09/2020; he further reported on 25/09/2020 and performed his duty till 04/11/2020 and on 04/11/2020 even his RTPCR Test was conducted; and he was home quarantined by CMO. It is further argued that hospital management falsely claimed that he in conspiracy with one Rashid Khan impersonated such Rashid Khan and such Rashid Khan performed duty in place of present applicant. It is further argued that such allegations are contrary to the documents / material on record. But familiarity with such Rashid Khan is not denied. It is

stated that he is a young man with bright carrier; that FIR is registered in a haste; that he has roots in society; that further offence alleged is a compoundable in nature and punishable upto 07 years only. As such, it is stated that his case is also covered under the judgment of Ar2nesh Kumar. Accordingly, it is prayed that he be granted anticipatory bail with direction to the IO / SHO to release him on bail in the event of his arrest in the present case.

10. On the other hand, reply is filed by the IO as also argued by learned Addl.PP for the State that present FIR was registered at the instance of hospital Management; that co-accused Rashid Khan was detained on the spot with fake documents. Such Rashid Khan is known to the present accused and present accused paid him Rs. 40,000/- for doing duty in his place during corona pandemic. As such, duty was to be performed wearing PP Kit. That investigation is at very initial stage and offence is very serious in nature and undermines the fight against corona pandemic. As such, present application for bail is strongly opposed.

11. In the present case, co-accused Rashid Khan is not a doctor. Still he was performing duty as a doctor. He is detained by the hospital staff on the spot ,while illegally and dangerously performing duty as a doctor. Further,as per allegations before registration of FIR, he admitted the involvement of present accused in the present case. As such, in official capacity, present FIR was registered by the hospital Management. Further, in present pandemic situation, the nature of offence cannot be taken lightly, although it is punishable upto 07 years. Its a cheating not only with hospital , but more seriously woth the already hospitalized corona positive patients. Further, it cannot be said prima facie that allegations

against the accused / applicant are baseless. Therefore, having regard to the nature of offence, material against accused, that his custodial interrogation may be required including for the purpose of investigation relating to conspiracy and cheating aspects, this Court is not inclined at this stage to grant the relief sought in the present application. With these observation, present application is dismissed.

12 Both the sides are at liberty to collect order through electronic mode. Further, a copy of this order be sent to concerned IO / SHO. Further, copy of this order be uploaded on website.

13.. Before parting it would be fruitful to note that offences alleged at present are punishable upto 07 years. As such, IO / SHO concerned are duty bound to comply with the directions of Hon'ble Supreme Court in case of Arnesh Kumar.

14. The observations made in the present anticipatory bail application order are for the purpose of deciding of present application and do not affect the factual matrix of the investigation of the present case which is separate issue as per law.

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ASJ-04(Central/Delhi/09/12/2020)

State Vs Dr. Vishwajeet Kumar
FIR No. :239/2020
PS: I.P. Estate
U/S: 419, 420, 34 IPC

BAIL APPLICATION.: 2101/2020.

State v. Vivek Bansal @ Vicky.

FIR no.: 479/2020.

PS: Sarai Rohilla.

09.12.2020

This court is also discharging bail duty of first link.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through VC.

Sh. Siddharth Singh Ld. Counsel for applicant/accused through VC.

Part arguments in detail heard.

Put up for further arguments including clarifications from IO why in the title of reply, it is mentioned as Anticipatory bail application whereas it is regular bail application as per learned counsel for applicant.

Issue notice to IO to appear with case file.

Put up on 11.12.2020.

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Additional Sessions Judge-04/Central
09.12.2020

BAIL APPLICATION.: 798/2020

**State v. Riesh Kumar
FIR no.: 103/2019
PS: Hazrat Nizamuddin**

09.12.2020

This court is also discharging bail duty of first link.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through VC.
Ld. Counsel for applicant/accused through VC.
IO is also present through VC.

Arguments in detail heard.

Put up for orders at 4pm.

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**(NAVEEN KUMAR KASHYAP)
Additional Sessions Judge-04/Central
09.12.2020**

At 4 pm

Certain clarifications required regarding the reply, if any filed by IO.

As such, issue notice to IO for next date.

Put up for orders/clarifications, if any on 16.12.2020.

in the meanwhile, interim protection, if any to continue in terms of
previous order.

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Date: 2020.12.09
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**(NAVEEN KUMAR KASHYAP)
Additional Sessions Judge-04/Central
09.12.2020**

**Bail Matters No.:2104/2020
State Vs Titari
FIR No.: 317/2020
PS: Lahori Gate**

09/12/2020

This Court is also discharging duties as First Link Judge of the Court of Ms. Neelofer Abida Perveen, learned ASJ/NDPS(Central) Delhi who is on leave today.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
None.

Despite repeated calls none has appeared.

Put up for appearance of counsel for the accused and for arguments / appropriate orders including whether earlier anticipatory bail moved by the same accused in the present case or not for 19/12/2020.

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Date: 2020.12.09
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**(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020**

At this stage, Mr. Anil Kumar Mishra, learned counsel has appeared. At his request, the date is changed to **08/01/2021**. It is made clear that no interim protection is granted in this case. Copy of this order be sent to SHO / IO concerned.

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Date: 2020.12.09
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**(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020**

Bail Application No.: 200/2020
State Vs Karan
FIR No.: 668/2020
PS Sarai Rohilla

09.12.2020

This Court is also discharging duties as First Link Judge of the Court of Ms. Neelofer Abida Perveen, learned ASJ/NDPS(Central) Delhi who is on leave today.

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

Arguments heard.

By way of this application it has been prayed that accused was granted bail vide order dated 02/12/2020 on furnishing of personal bond and two sureties bond in the sum of Rs. 15,000/- each. Now it is prayed that he is unable to arrange surety for such a huge amount. As such, it is prayed that surety amount may kindly be reduced and he be released on personal bond only.

In support of his submission, he has relief upon the following decisions : -

1. *Court of its Motion Vs. State, W. P. (Crl.) No.779/2020 decided on 09.04.2020 by Hon'ble Delhi High Court.*
2. *Ajay Verma Vs. Govt. of NCT of Delhi W. P. (C) No.10689/2017 passed on 15.12.2017 and 08.03.2018 by Hon'ble Delhi High Court.*
3. *Moti Ram & Ors. Vs. State of M.P., (1978) 4 SCC 47.*

On the other hand, the application is opposed by ld. Addl. PP on behalf of State on the ground that applicant should not be released on personal bond as the allegations against him are quite serious and he may abscond and his presence may not be secured during trial in that eventuality. I have bestowed my thoughtful consideration to the respectful submissions made on behalf of both sides and have also gone through the authorities cited on behalf of applicant.

It is an undisputed fact that bail order of applicant / accused in this case passed by Sessions Court on 02/12/2020 but they could not avail benefit of the bail order as they could not produce surety in this case. It is a matter of common knowledge that in view of pandemic situation, the applicant may be finding it difficult to arrange for surety. Moreover, they are stated to be belonging to financial poor family. But only about one week time is

lapsed since such bail was granted. As such, under these peculiar facts and circumstances and while taking guidance from the directions issued by Hon'ble Delhi High Court in the above referred decisions, and the fact remains that period of two months has not already passed since passing of such bail order, this Court is not inclined to allow the application under consideration **at present**. But having noted so the amount of personal bond and surety bond is reduced to Rs.7,500/- each. Other conditions shall remain the same including two sureties having regard to the nature of offence and conduct of the accused and overall facts and circumstances of the case.

With these observations present application is disposed off. Copy of this order be given dasti to both the sides electronically, as per rules. Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for being delivered to the applicant / accused and for necessary compliance.

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(Naveen Kumar Kashyap)
ASJ-04/Central/09/12/2020.

Bail Application No.: 2102/2020
State Vs Jai Prakash Meena
FIR No.: 137/2020
PS Rajinder Nagar

09.12.2020

This Court is also discharging duties as First Link Judge of the Court of Ms. Neelofer Abida Perveen, learned ASJ/NDPS(Central) Delhi who is on leave today.

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

Arguments heard.

By way of this application it has been prayed that accused was granted bail vide order dated 18/12/2020 on furnishing of personal bond and one sureties bond in the sum of Rs. 20,000/-. Now it is prayed that he is unable to arrange surety as his father is expired and there is no other male member in his family for such a huge amount. As such, it is prayed that surety amount may kindly be reduced and he be released on personal bond only.

In support of his submission, he has relief upon the following decisions :-

1. *Court of its Motion Vs. State, W. P. (Crl.) No.779/2020 decided on 09.04.2020 by Hon'ble Delhi High Court.*
2. *Ajay Verma Vs. Govt. of NCT of Delhi W. P. (C) No.10689/2017 passed on 15.12.2017 and 08.03.2018 by Hon'ble Delhi High Court.*
3. *Moti Ram & Ors. Vs. State of M.P., (1978) 4 SCC 47.*

On the other hand, the application is opposed by ld. Addl. PP on behalf of State on the ground that applicant should not be released on personal bond as the allegations against him are quite serious and he may abscond and his presence may not be secured during trial in that eventuality. I have bestowed my thoughtful consideration to the respectful submissions made on behalf of both sides and have also gone through the authorities cited on behalf of applicant.

It is an undisputed fact that bail order of applicant / accused in this case passed by Sessions Court on 18/11/2020 but they could not avail benefit of the bail order as they could not produce surety in this case. It is a matter of common knowledge that in view of pandemic situation, the applicant may be finding it difficult to arrange for surety. Moreover, they are stated to be belonging to financial poor family. But, under these peculiar facts and circumstances and while taking guidance from the directions issued by Hon'ble Delhi High

Court in the above referred decisions, and the fact remains that period of two months has not already passed since passing of such bail order, this Court is not inclined to allow the application under consideration **at present**. But having noted so the amount of personal bond and surety bond is reduced to Rs.10,000/-each. Other conditions shall remain the same including one surety having regard to the nature of offence and conduct of the accused and overall facts and circumstances of the case.

With these observations present application is disposed off. Copy of this order be given dasti to both the sides electronically, as per rules. Attested copy of this order be sent to concerned Jail Superintendent on his official e-mail ID for being delivered to the applicant / accused and for necessary compliance.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09/12/2020.

BAIL APPLICATION

**State v. Taufiq Kala
(applicant Saddam)
FIR No. : 20/2016
PS: Crime Branch**

09.12.2020.

Undersigned is also discharging bail roster duty.

Present: Mr. Pawan Kumar ,Ld. Addl. PP for the State through VC.
Sh. Rashid Khan, Ld. Counsel for applicant through VC.

Put up for further appropriate order/consideration on 18.01.2021.

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(Naveen Kumar Kashyap)

ASJ-04/Central/09.12.2020

State Vs Zuhaid @ Makku @ Danish
(Application for bail of Zuhaid)

FIR No. 170/2019

P. S. Lahori Gate

09.12.2020

This court is also discharging bail roster duty.

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

Mr. Sandeep Yadav, learned counsel for applicant through VC.

In view of the directions, if any, passed by the Hon'ble Supreme Court of India, put up for further proceedings for **15/12/2020**.

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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Imran @ Akhtar Khan & Ors
(Application for bail of Vishal @ Honey)
FIR No 227/2020
P. S. Wazirabad

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Rajpal Kasana, learned counsel for the applicant through VC.

Replies dated 28/11/2020 & 02/12/2020 filed by the IO. However, the same relate to medical condition of mother only and not on merit.

As such, issue show cause notice to IO to explain as to why reply on merit not filed to the same.

Put up for further appropriate orders for **11/12/2020**. Further, IO to appear with case file also on the next date of hearing.

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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Mohd. Umair @ Umer
(Application for bail of Mohd. Umair @ Umer)
FIR No 50/2020
P. S. Chandni Mahal

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Jaspal Singh, learned counsel for applicant through VC.

Case file is required.

Put up for arguments, clarification, and appropriate orders with case file for

14/12/2020.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Ajay Sharma & others
(Application for extension of IB of Deepak @ Bunty)
FIR No. 506/2015
P. S. Nabi Karim

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for applicant.

In view of the directions, if any, passed by the Hon'ble Supreme Court of
India, put up for further proceedings for **15/12/2020**.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Suni & others
(Application for bail of Sunil Rathore)
FIR No. 415/2015
P. S. Kotwali

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Ravinder Aggarwal, learned counsel for applicant through VC.

Case file is required in the present case.

Put up for arguments, clarification, and appropriate orders with case file for

14/12/2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Sunil & others
(Application of Chander Pal for providing currency)
FIR No. 415/2015
P. S. Kotwali

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Ravinder Aggarwal, learned counsel for applicant through VC.

Put up for further clarification / appropriate orders for **17/01/2021**.

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Date: 2020.12.09 19:32:59
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Pramod & others
(Bail Bond of Deepak Singh)
FIR No. 485/2014
P. S Timarpur

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Diwakar Chaudhary, learned counsel for applicant through VC.

This is an application for replacement of security.

Heard.

At request, put up for further appropriate orders for **10/12/2020**.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Padam Singh
(Application for extension of IB of Padam Singh)
FIR No 55/2018
P. S. Kotwali

09.12.2020

This court is also discharging bail roster duty.

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

None.

Put up for further appropriate orders / consideration for **17/01/2021**.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

State Vs Pramod Kumar & others
(Application for replacement of surety of Deepak)
FIR No. 485/2014
P. S. Timar Pur

09.12.2020

This court is also discharging bail roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Mr. Diwakar Chaudhary, learned counsel for applicant through VC.

At request, put up for further appropriate orders / consideration for tomorrow

i.e. **10/12/2020**.

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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CA No. 452/2019
Mukesh Sharma Vs Pramod Sharma

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

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

09.12.2020

This court is also discharging bail Roster duty till further orders.
Present: Mr. Deepak Vats, on behalf of appellant Mukesh Sharma through VC.
Mr. Rishi Manchanda, learned counsel for respondent Pramod Sharma through VC.

It is stated that there is likelihood of settlement in the present case at this stage.

As such, at joint request, the matter is referred for mediation. Parties are directed to appear before Mediation Cell Central District for **14/12/2020 at 2:00 PM**.

Further, put up for further appropriate proceedings / appropriate orders before this Court for **19/12/2020**.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CrI. Rev.: 392/2019
Mast Ram & Anr. v. Clavacon India P. Ltd. & Ors.

09.12.2020

Present: None for revisionist.
Proxy counsel for respondent company.

Put up for purpose fixed /appropriate proceedings on 16.04.2021.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

Crl. Rev.: 394/2019
Mast Ram & Anr. v. Clavacon India P. Ltd. & Ors.

09.12.2020

Present: None for revisionist.
Proxy counsel for respondent company.

Put up for purpose fixed /appropriate proceedings on 16.04.2021.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

SC: 28099/16
State v. Karan Sharma @ Rohit Sharma
FIR no.: 400/15
PS: Timarpur

09.12.2020

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

Put up for appearance of accused.

Issue P/w of the accused, if any in JC for next date.

Put up for PE in terms of previous order for 16.04.2021.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

SC: 28248/16
State v. Jafar Ali
FIR no.: 325/2012
PS: Burari

09.12.2020

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through VC.
Sh. Sansar Pattnaik, Ld. Counsel for accused through VC..
Accused Jafar Ali is stated to be on regular bail.

Put up for PE in terms of previous order for 16.04.2021.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

SC: 28592/16
State v. Mohd. Nazim
FIR no.: 275/2009
PS: Burari

09.12.2020

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

Put up for further arguments and appropriate orders in terms of previous order for 14.12.2020.

(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

At this stage,

Sh. Sagheer Ahmad, Ld. Counsel accused appears. He is apprised of the order passed in the morning.

It is clarified that no opportunity shall be granted to accused if he failed to address final arguments on next date of hearing.

Put up on date already fixed.

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Date: 2020.12.09 19:37:58 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

At this stage,

Accused appeared through VC with counsel Sh. Puran Sharma. They are apprised of the order passed in the morning.

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Date: 2020.12.09 19:38:15 +05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CrI. Rev.: 808/18
Anil Kumar v. Anwar

09.12.2020

Present: None.

Put up for 16.04.2021 for arguments/purpose fixed.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CA: 180/2019,181/2019,185/2019,186/2019,187/2019
Hitesh Kumar Aggarwal v. State

09.12.2020

Present: Sh. Vaibhav Sinha, Ld. Counsel for applicant through VC.
None for respondent/original complainant.

Put up for purpose fixed/compliance for 18.12.2020.

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Date: 2020.12.09 19:38:49
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

At this stage,

Sh. Kunal Kalra, counsel for respondent appears. He is apprised of the order passed in the morning.

Put up on date already fixed i.e. 18.12.2020.

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Date: 2020.12.09 19:39:13
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CA:192/2019

Mirajuddin Gilkar v. Wild Life through Deputy Director S.R. Murthy

09.12.2020

Present: None for Appellant.

Sh. Kunal Rawat, Ld. Counsel for respondent/Wild Life.

Issue court notice to the Appellant and/or his counsel in view of directions from the higher authority. Same is issued within one week.

Put up on 09.02.2021.

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

CrI. Rev.: 565/2019
Imran Ghauri v. Md. Israil & Ors.

09.12.2020

Present: Sh. Mukesh Kumar, Ld. Counsel for revisionist.
Sh. Khursheed Anwar, Ld. Counsel for respondent.

Arguments already heard in this case.
As such, put up for orders/clarifications if any on 15.12.2020.

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Date: 2020.12.09 19:39:51
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(Naveen Kumar Kashyap)
ASJ-04/Central/09.12.2020

B. A. No. 1797
FIR No. 280/20
PS Wazirabad
State v. Rajesh @ Raju
U/s 392/397/411/34 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing).

Counsel for accused-applicant (through videoconferencing.

Hearing is conducted through videoconferencing.

This is third application under Section 439 CrPC for grant of bail on behalf of accused-applicant Rajesh @ Raju in case FIR No. 280/2020.

Matter is fixed for orders today.

Chargesheet not received in terms of previous orders. Be requisitioned for the next date of hearing.

Put up for purpose fixed before the Ld. Regular Court on **15.12.2020.**

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Date: 2020.12.09
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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

FIR No. 232/20
PS Roop Nagar
State v. Toshinder Khari
M. A. No.199/2020

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing).

Sh. Atul Kumar Sharma, Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is an application for preponment of next date of hearing on behalf of accused-applicant Toshinder Khari in case FIR No.232/20.

At the request of Ld. Counsel for accused-applicant, for consideration, put up before the Ld. Regular Court on **10.12.2020**.

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Date: 2020.12.09 19:41:13
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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B. A. No. 2092
FIR No. 410/2020
PS: Wazirabad
State Vs. Rajesh @ Raju
U/s 308/34 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Hari Dutt Sharma, LAC for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of bail moved on behalf of accused Rajesh @ Raju in case FIR No. 410/2020.

Reply is filed.

At the request of Ld. Counsel for accused-applicant, for consideration, put up before the Ld. Regular Court on **18.12.2020**.

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Date: 2020.12.09 19:41:27
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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B. A. No. 1795
FIR No. 405/2020
PS: Wazirabad
State Vs. Paras Kumar Pal
U/s 376D/354B/328/34 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Rajinder Kumar, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 437 CrPC for grant of bail on behalf of accused-applicant Prasa Kumar Pal in case FIR No.405/2020.

At the request of Ld. Counsel for accused-applicant, for consideration, put up before the Ld. Regular Court on **10.12.2020**.

NAVEEN KUMAR KASHYAP
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Date: 2020.12.09 19:41:42 +05'30'

(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B. A. No.3723
FIR No. 328/2019
PS Crime Branch
State v. Rajan Sharma
U/s 406/419/420/467/471/120B IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Rajiv Lochan, Counsel for accused-applicant (through video conferencing)

Sh. R. S. Chaggar, counsel for complainant (through video conferencing)

Hearing is conducted through video conferencing.

This is application under Section 439 CrPC for grant of bail on behalf of accused-applicant Rajan Sharma in case FIR No. 328/2019.

At the request of Ld. Counsels for parties, for consideration, put up before the Ld. Regular Court on **14.12.2020**.

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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B. A. No. 1938
FIR No. 261/2020
PS: Burari
State Vs. Deepak Kumar
U/s 307/34 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K.P.Singh, Addl. PP for State.

Sh. Parveen Dabas, Counsel for accused-applicant

Sh. Sauraj Yadav, counsel for complainant.

Hearing is conducted through video conferencing.

This is second application under Section 439 CrPC for grant of regular bail moved on behalf of accused Deepak Kumar in case FIR No. 261/2020.

At the request of Ld. Counsel for accused-applicant, for consideration, put up before the Ld. Regular Court on **21.12.2020**.

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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B.A. No. 1883/2020
FIR No. 468/2020
PS Burari
State v. Prashant Kumar
U/s 376/506 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

Sh. Raj Kumar, Counsel for accused-applicant (through video conferencing)

Sh. Masood Alam, counsel for prosecutrix with prosecutrix (through video conferencing)

Hearing is conducted through video conferencing.

This is an application u/s 439 Cr.P.C for grant of bail on behalf of accused-applicant Prashant Kumar in case FIR No. 468/2020.

At the request of Ld. Counsel for parties, for consideration, put up before the Ld. Regular Court on **15.12.2020**.

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(Naveen Kumar Kashyap)
1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi
09.12.2020

B. A. No. 1870
FIR No. 276/2020
PS: Subzi Mandi
State Vs. Deepak Kumar
U/s 307/506 IPC & 25 Arms Act

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K. P. Singh, Addl. PP for State

Sh. Murari Tiwari, Counsel for accused-applicant

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Deepak Kumar in case FIR No.276/2020.

At the request of Ld. Counsel for accused-applicant, for consideration, put up before the Ld. Regular Court on **17.12.2020**.

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(Naveen Kumar Kashyap)

1st Link Addl. Sessions Judge-04 (Central),
Tis Hazari Courts, Delhi

09.12.2020

B. A. No. 3393 & B. A. No. 3394

FIR No. 171/2019

PS: Wazirabad

State Vs. Om Prakash

State Vs. Santosh Kumar

U/s 498A/406/34 IPC

09.12.2020

Present application is put up before me by the Reader of the Court of Ms. Neelofer Abida Perveen, Ld. Special Judge (NDPS Act), Delhi while submitting that Ld. Presiding Officer is on leave today.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Amit Kumar Mishra, counsel for accused-applicants (through video conferencing)

Hearing is conducted through video conferencing.

These are two applications under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicants Om Prakash and Santosh Kumar in case FIR No.171/2019.

At the request of Ld. Counsel for accused-applicants, for consideration, put up before the Ld. Regular Court on **14.12.2020**.
Interim protection, if any, to continue till the next date of hearing only.

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(Naveen Kumar Kashyap)

1st Link Addl. Sessions Judge-04 (Central),

Tis Hazari Courts, Delhi

09.12.2020

Tis Hazari Courts, Delhi/09.12.2020