

State Vs Deepak
FIR No: 261/2020
under Section 307/34 IPC
PS: Burari

10.07.2020

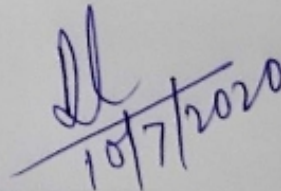
Present: Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).

Heard. Perused.

Inspite of repeated calls/pass overs, neither IO has appeared nor report has been received from him.

IO of the case shall appear in person on NDOH along with report.

Now, to come up on **13.07.2020** for arguments and disposal of present application.



(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Chetan alias Goli
FIR No: 178/2020
under Section 307/308/34 IPC and Section 25/27 Arms Act
PS: Subzi Mandi

10.07.2020

Present: Ld. Addl. PP for State.
IO/ASI Devender is also present in person.
Ld. Counsel for accused/applicant.

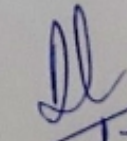
Heard. Perused.

Present application has been filed on behalf of accused/applicant named above for grant of anticipatory bail.

Ld. Counsel for accused/applicant submits that accused/applicant has been falsely implicated in this case and he was not present at the spot at the time of commission of offence. It is further submitted that accused/applicant is ready and willing to join the investigation as and when directed by IO/SHO concerned.

On other hand, IO/ASI Devender has stated that second injured named Akshay in his statement under Section 161 CrPC has stated that accused/applicant has fired one bullet upon Nikhil. It is further submitted that custodial interrogation of accused/applicant is very much essential and the weapon used in the commission of offence is to be recovered from the possession/at the instance of accused/applicant.

I have duly considered the rival submissions. I have perused the record carefully.

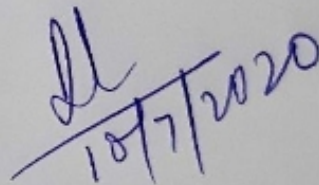

10/7/2020

:2:

Allegations against accused/applicant are of very serious nature. Custodial interrogation of accused/applicant is very much essential in order to recover weapon used in commission of the offence. The investigation of the case is at very initial stages. Accused/applicant was previously also involved in three other cases.

Keeping in view the totality of facts and circumstances, I find no merits in the application filed by accused/applicant for grant of anticipatory bail. The same is hereby dismissed and disposed of accordingly.

Copy of order be given dasti to IO as well as to counsel for accused/applicant.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Dharmavati
FIR No: 213/2020
under Section: 302/34 IPC
PS: Wazirabad

10.07.2020

Present: Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).

Heard. Record as well as reply filed by IO i.e. Insp. Gulshan Gupta through e-mail perused.

Present application has been filed on behalf of accused/applicant named above for grant of anticipatory bail.

Ld. Counsel for accused/applicant submits that accused/applicant is an old lady aged about 56 years. Accused/applicant is a govt. employee and she is working in Delhi Jal Board. Accused/applicant was not even present at the place of incident when the offence in question was committed. It is further submitted that accused/applicant had gone to mandir at the relevant time and she is being falsely implicated in this case. Accused/applicant is ready and willing to join the investigation of this case as and when directed by the IO/SHO concerned and is also ready to abide by any and all the conditions which this court may imposed upon accused/applicant while granting relief of anticipatory bail. It is further submitted that no role has been assigned to present accused/applicant in the FIR and there is a considerable delay in the lodging of FIR. Ld. Counsel has relied upon following judgments:-

dl
10/7/2020

:2:

1. Gurbaksh Singh Sibbia and etc. Vs State of Punjab (1980) 2 SCC 565
2. Siddharam Satlingappa Mhetre Vs State of Maharashtra and Ors (2011) 1 SCC 694
3. Sureshdchandra Ramanlal Vs State of Gujrat and anr. (2008) 7 SCC 591
4. Amutha Vs State (2014) 3 MLJ (Crl) 562 Madras High Court
5. Nagesha S/o Chikkamaraiah & Ors. Vs State of Karnataka & Ors. 2011 STPL 31475 Karnataka (Karnataka High Court)

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand. It is submitted that deceased in this case is a 2 ½ years old girl child. It is further submitted that as per postmortem report, the deceased i.e. 2 ½ years old girl had received 21 injuries and cause of death has been mentioned as "death is due to asphyxia as a result of smothering consequent to injury no. 7 to 10. All the injuries are ante-mortem in nature, fresh in duration prior to death. Injury No. 1 to 6, 11 to 18 and 21 are caused by blunt force impact. Injury No. 19 to 20 are caused by cylindrical blunt weapon. Above mentioned injuries are consistent with severe beating prior to death. However, viscera has been preserved to rule out any intoxication at the time of death. Manner of death-homicide." It is further submitted that the number of injuries etc. clearly indicates that all the family members were involved in the conspiracy of brutal murder of Kinjan @ Guddo aged 2 ½ years only. It is further mentioned that during inquest

dl
10/7/2020
5

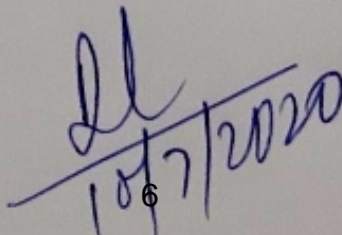
proceedings, present accused/applicant tried to mislead the police by not stating actual facts and had not even informed the mother of deceased. Accused/applicant is absconding and her custodial interrogation is required for further investigation of the case, unearth the facts behind the crime and for recovery of cylindrical blunt weapon.

I have duly considered the rival submissions. I have perused the record carefully.

Perusal of record shows that in the present case, one little girl aged about 2 ½ years had lost her life due to severe beatings given to her as well as on account of asphyxia. Beatings were given to her by some cylindrical blunt weapon and the same is yet to be recovered.

Allegations against accused/applicant are of very serious nature. The offence in question was committed in a very brutal manner inspite of the fact that the deceased/victim is a small girl aged about 2 ½ years only. The investigation of the case is at very initial stages and the weapon used in commission of the offence in question is yet to be recovered. The facts and circumstances of the aforesaid cases/judgments are totally different from the facts and circumstances of the present case and the said judgments have no applicability to the facts and circumstances of the present case.


Keeping in view the totality of facts and circumstances, I find no merits in the application filed by accused/applicant for grant of anticipatory bail. The same is hereby dismissed and disposed of


10/7/2020
6

:4:

accordingly.

Copy of order be given dasti to Ld. Counsel for
accused/applicant.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Rahul John
FIR No: 161/2016
under Section 302 IPC r/w Section 25/27 Arms Act
PS: Civil Lines

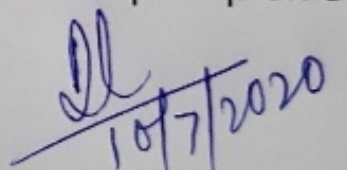
10.07.2020

Present: Ld. Addl. PP for State.
Ld. Counsel for accused/applicant.

Heard. Perused.

Report be called from IO for NDOH. A report be also called from concerned Jail Supdt regarding conduct of accused/applicant in jail for NDOH.

Now, to come up on **14.07.2020** for arguments and disposal of present application. Main file be also put up on said date.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

CA No. 231/2019
Jai Chand alias Munna Vs State

10.07.2020

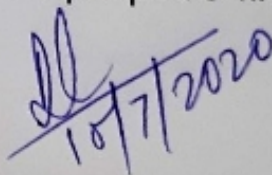
Present: None for petitioner.

Ld. Addl. PP for State i.e. respondent.

Heard. Record perused.

Inspite of repeated calls/pass overs, none has appeared for
appellant.

Now, to come up on **09.12.2020** for purpose fixed.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Md. Wakeel and Ors
FIR No: 1237/2015
PS: Sarai Rohilla

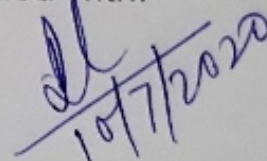
10.07.2020

Present: Ld. Addl. PP for State
All accused persons are absent.

Heard. Perused.

Now, to come up on **07.11.2020** for purpose fixed.

Previous order dated 17.03.2013 be complied with.



(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Raman Sharma and ors
FIR No. 194/2016
PS: Nabi Karim

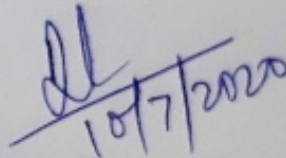
10.07.2020

Present: Ld. Addl. PP for State
All accused persons are absent.

No PW is present today.

Heard. Perused.

Now, to come up on **08.12.2020** for P.E. Witnesses be
summoned as per previous order dated 10.02.2020.



Handwritten signature of Deepak Dabas, dated 10/7/2020.

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Rohit Talwar and anr
FIR No. 195/2016
PS: Nabi Karim

10.07.2020

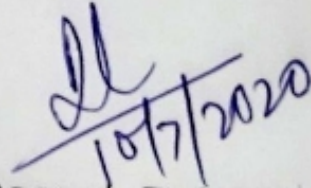
Present: Ld. Addl. PP for State

Both accused persons are absent.

No PW is present today.

Heard. Perused.

Now, to come up on **08.12.2020** for P.E. Witnesses be
summoned as per previous order dated 10.02.2020.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020

State Vs Dharmavati
FIR No: 213/2020
under Section: 302/34 IPC
PS: Wazirabad

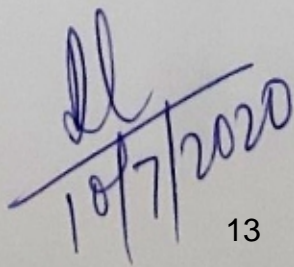
10.07.2020

Present: Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).

Heard. Record as well as reply filed by IO i.e. Insp. Gulshan Gupta through e-mail perused.

Present application has been filed on behalf of accused/applicant named above for grant of anticipatory bail.

Ld. Counsel for accused/applicant submits that accused/applicant is an old lady aged about 56 years. Accused/applicant is a govt. employee and she is working in Delhi Jal Board. Accused/applicant was not even present at the place of incident when the offence in question was committed. It is further submitted that accused/applicant had gone to mandir at the relevant time and she is being falsely implicated in this case. Accused/applicant is ready and willing to join the investigation of this case as and when directed by the IO/SHO concerned and is also ready to abide by any and all the conditions which this court may imposed upon accused/applicant while granting relief of anticipatory bail. It is further submitted that no role has been assigned to present accused/applicant in the FIR and there is a considerable delay in the lodging of FIR. Ld. Counsel has relied upon following judgments:-


10/7/2020

:2:

1. Gurbaksh Singh Sibbia and etc. Vs State of Punjab (1980) 2 SCC 565
2. Siddharam Satlingappa Mhetre Vs State of Maharashtra and Ors (2011) 1 SCC 694
3. Sureshdchandra Ramanlal Vs State of Gujrat and anr. (2008) 7 SCC 591
4. Amutha Vs State (2014) 3 MLJ (Crl) 562 Madras High Court
5. Nagesha S/o Chikkamaraiah & Ors. Vs State of Karnataka & Ors. 2011 STPL 31475 Karnataka (Karnataka High Court)

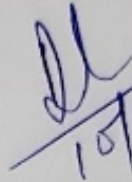
On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand. It is submitted that deceased in this case is a 2 ½ years old girl child. It is further submitted that as per postmortem report, the deceased i.e. 2 ½ years old girl had received 21 injuries and cause of death has been mentioned as "death is due to asphyxia as a result of smothering consequent to injury no. 7 to 10. All the injuries are ante-mortem in nature, fresh in duration prior to death. Injury No. 1 to 6, 11 to 18 and 21 are caused by blunt force impact. Injury No. 19 to 20 are caused by cylindrical blunt weapon. Above mentioned injuries are consistent with severe beating prior to death. However, viscera has been preserved to rule out any intoxication at the time of death. Manner of death-homicide." It is further submitted that the number of injuries etc. clearly indicates that all the family members were involved in the conspiracy of brutal murder of Kinjan @ Guddo aged 2 ½ years only. It is further mentioned that during inquest

dl
10/7/2020

:4:

accordingly.

Copy of order be given dasti to Ld. Counsel for
accused/applicant.


10/7/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/10.07.2020