

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 590/19
PS: Paschim Vihar West
U/s 376D/506 IPC
Section 6 POCSO Act
State Vs. Mukesh & Anr. (Babloo)**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Ajay Kumar Singh counsel for the applicant/accused.

Issue notice to IO to file reply as well as to complainant/prosecutrix through IO to produce the complainant/prosecutrix on the next date, returnable for **04.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

At this stage, IO/WSI Anita is present. Since date has already been given and lawyer has gone, put up on the date fixed.

^{aleo 25}
IO is verbally directed to produce the complainant/prosecutrix on the date fixed i.e. **04.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 236/16
PS: Khyala
U/s 302/341/452/324/120B/34 IPC
State Vs. Uday & Ors.**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

None for applicant/accused.

Re-list the matter for arguments on **01.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 476/20
PS: Rajouri Garden
U/s 323/341/379/34/506 IPC
State Vs. Vineet Tetri

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Vijay Malik counsel for complainant with Mr. Abhinav Sharma
complainant.

Mr. A.D Malik counsel for applicant.

Reply not filed. IO is directed to appear in person alongwith reply on
the next date.

Put up for arguments on **05.06.2020**. Date is given on joint request of
complainant and counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 179/19
PS: Ranjeet Nagar
U/s 392/394/397/411/34 IPC
State Vs. Ajay Kumar**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Counsel for the applicant.

This is the fresh application for grant of bail to accused.

Issue notice to the IO to file reply, returnable for ~~08.06.2020~~.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI


FIR No. 195/18
PS: Mianwali Nagar
U/s 307/34 IPC
25/27/54/59 Arms Act
State Vs. Arjun

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Adl. PP for the State.


Reply has been received from IO but certificate of good conduct of accused has not been received till date. Issue notice to concerned Jail Superintendent through Director General, Prisons to file the requisite certificate.

IO is directed to appear on the next date alongwith detailed report whether accused/applicant is involved in any other case or not apart from the present case, returnable for **08.06.2020**.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

At this stage, Mr. Vikrant Chaudhary counsel for applicant appeared. On request of counsel, IO and SHO to file complete detailed report regarding previous involvement of accused, if any.

On request, date is changed to **04.06.2020**.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 41/17
PS: Paschim Vihar East
U/s 302/201 IPC
State Vs. Rahul Kumar**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Counsel for the applicant/accused.

Counsel for applicant submits that he is seeking bail under the guidelines of Hon'ble High Powered Committee of Hon'ble High Court of Delhi. As per the guidelines, certificate of good conduct is not filed.

Original IO is also not present.

Issue notice to concerned Jail Superintendent through Director General, Prisons to file the requisite certificate. Also, issue notice to concerned SHO to direct the original IO of the case to appear before the court on the next date.

Put up for arguments on **09.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 62/18
PS: Rajouri Garden
U/s 302/147/149/34/120B IPC
State Vs. Sagar

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Kaushal Thakur counsel for applicant.

Although the application was fixed for hearing through video conferencing but counsel has appeared in person.

Counsel for applicant submits that he is seeking bail under the guidelines passed by Hon'ble High Powered Committee of Hon'ble High Court of Delhi. As per the said guidelines, certificate of good conduct has not been enclosed. Issue notice to concerned Jail Superintendent through Director General, Prisons to file the requisite certificate.

Moreover, IO who conducted the investigation as well as SHO are also directed to file proper reply after going through the application for arguments, returnable for **10.06.2020**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

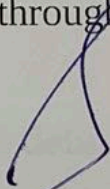
**FIR No. 148/17
PS: Khyala
U/s 302/34 IPC
State Vs. Kuldeep**

30.05.2020


Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
None for applicant/accused despite repeated calls.

From the record, it is seen that certificate of good conduct has not been received despite notice. Therefore, issue fresh notice to concerned Jail Superintendent through Director General, Prisons to file requisite certificate.

Meanwhile, as per submissions of Inspector Arvind Kumar, issue notice to the IO who had conducted original investigation, through SHO concerned, returnable for **04.06.2020**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

At this stage, Mr. Pradeep Anand, counsel for applicant appeared. On request of counsel, issue notice to Inspector Bhupesh Kumar to appear in person through DCP concerned, for the date fixed i.e. 04.06.2020.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

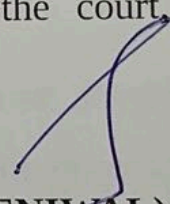
**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 12/19
PS: Rajouri Garden
U/s 376/342/506 IPC
State Vs. Sanjay**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Perusal of last order shows that no notice has been issued to the complainant/prosecutrix. This is the case under Section 376 IPC. Notice is required to be issued to the complainant/prosecutrix. Therefore, issue notice to the IO of the case to produce the complainant/prosecutrix before the court, returnable for **04.06.2020.**


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

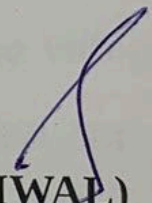
**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 202/18
PS: Tilak Nagar
U/s 392/397/120B/411/34 IPC
25/27 Arms Act
State Vs. Arif @ Shokin**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Ranjan, counsel for the applicant.

Reply has not been received from IO. Issue notice to IO to file proper
reply to this application, returnable for **03.06.2020**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 1886/19
PS: Paschim Vihar West
U/s 379/411 IPC
State Vs. Rahul Singh**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.


IO HC Gopi Ram is present.

Ld. Counsel for applicant.

Ld. APP for the State has submitted that as per report of IO, IO is not going to arrest the accused as accused has already joined the investigation. Therefore, the application becomes infructuous.

IO is directed not to harass the applicant/accused and give sufficient time to applicant to join the investigation as and when required.

The application is accordingly rejected as not being pressed in view of statement of IO.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 93/20
PS: Punjabi Bagh
U/s 376/323/506 IPC
State Vs. Sundeshwar Ram**

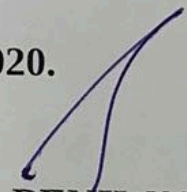
30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Counsel for the applicant/accused.

This is the fresh bail application.

Issue notice to IO to file detailed report and also issue notice to complainant/prosecutrix through IO for production of complainant/prosecutrix before this court on the next date.

On request of counsel, put up on **02.06.2020**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 283/19
PS: Patel Nagar
U/s 307/323/324/341/201/34 IPC
25 Arms Act
State Vs. Vinod @ Sonu @ Ganja**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Dinesh Rohilla, counsel for the complainant.

Mr. Shubham Gupta proxy for Mr. Vineet Jain, counsel for applicant/accused.

IO was directed to file report regarding involvement of accused in any other case as this application has been moved under the guidelines of Hon'ble high powered committee of Hon'ble High Court of Delhi. Although, IO has filed the report but the same is not clear.

IO as well as SHO is directed to file clear report under their own signatures clarifying whether applicant/accused is involved in any other case or not.

On request of proxy counsel, put up for arguments on **02.06.2020**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 1322/15
PS: Punjabi Bagh
U/s 377/323/506 IPC and 6 POCSO Act
State Vs. Ajay Kumar**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Vikrant Bhardwaj alongwith Mr. Ramvilas Ram, counsels for complainant.

Reader of the court has intimated that the counsel for applicant/accused Mr. Chirag Khurana had called him in the morning and told that father of counsel has been detected positive for Corona Virus. Under these circumstances, counsel is unable to appear before this court.

On request of counsel, re-list the matter for ~~02.06.2020~~.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 1375/14
PS: Rajouri Garden
U/s 302/201 IPC
State Vs. Pooja @ Rakhi Kapoor**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. R.D Rana, counsel for applicant/accused.

By this order, I shall decide the application requesting for grant of bail to applicant accused Puja alias Rakhi Kapoor. Facts as stated in the bail application are as follows. This is an application requesting for grant of interim bail. It is submitted that the present case has arisen because of death of maid servant. Out of 46 witnesses, 26 witnesses have been examined. That the regular bail application of the applicant has already been dismissed by Honourable High Court of Delhi. It is submitted that the applicant is not able to help her family because she is in judicial custody. It is submitted that the children of the applicant need her help. It is submitted that there is a great financial difficulty. It is submitted that a case under POSCO act has also been registered against the brother of the applicant and therefore the family is in great difficulty. The applicant is apprehensive for the safety of her child. It is therefore requested that the applicant may kindly be released on interim bail for a period of one month.

Reply has been filed to this bail application. Learned additional public prosecutor has strongly opposed this bail application. It is submitted that as per the prosecution case, a PCR call was received and the police officer upon reaching the hospital found dead body of a lady of age about 30-35 years on a wheelchair. Upon

inspection of the body, injuries were found all over the body. As per MLC, patient was declared brought dead with several injury marks upon the dead body. As soon as this information was given to the attendant, she ran away. Upon enquiry, it was revealed that the deceased was working with the applicant. The house of the applicant was found locked and upon enquiry it was found that the applicant was last seen taking her maid servant in a car in the morning and was not seen after that. Therefore, the present case was registered. It is submitted that during investigation a very serious and strong case has been made out against the applicant for the death of the deceased. Very strong evidence has been recovered from the house of the applicant regarding the death of the deceased. Manner of death appears to be homicidal. All injuries are fresh and antemortem in nature. Upon arrest, applicant confessed to her guilt. Statement of witnesses clearly corroborate the prosecution case. Out of 46 witnesses, only 16 witnesses have been examined. All the prosecution witnesses have supported the case of the prosecution. It is submitted that the minor child of the applicant is with the parents of the applicant. They can take care of the child. The applicant has already been granted custody parole for the purpose for which she is now seeking interim bail. The case is very heinous in nature.

I have heard arguments from both the sides. It is clear that the evidence against the applicant accused appears to be very strong. Prosecution has made very strong case against the applicant accused which enlarges the possibility and probability of the applicant accused jumping the bail and running away from the trial. Only 16 witnesses have been examined so far and they also have supported the case of the prosecution which makes it all the more probable that the applicant accused might jump bail and run away from the process of this court. Therefore,

FIR No. 1375/14
PS: Rajouri Garden

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looking at the seriousness of the allegations and the strong case made out by the prosecution against the applicant and the fact that the witnesses who have been examined have supported the case of the prosecution, the present application is rejected. One copy of this order be given free of cost to counsel for applicant by hand.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 470/14
PS: Mianwali Nagar
U/s 307/34 IPC
State Vs. Akash @ Chhotu

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Counsel for the applicant.
IO ASI Bhagirath is present.

By this order, I shall decide the bail application of applicant/accused Akash. Facts as stated in the bail application are as follows:-

That applicant has been arrested as proclaimed offender in the present case on 15.10.2018. It is submitted that earlier counsel for applicant mislead the applicant and that is why he was declared proclaimed offender. It is submitted that other cases pending against the applicant have already been disposed off and applicant is facing only two cases pending against him as on today in case bearing FIR No. 470/14 and FIR No. 1225/17. It is submitted that applicant has been falsely implicated in this case and the above mentioned cases. It is submitted that applicant is innocent. It is submitted that due to some confusion, applicant had given wrong address upon the bail bond because of which he has been declared proclaimed offender. It is submitted that there is no male member in the family to look after family of the applicant. It is therefore, prayed that the bail be granted to the applicant.

Ld. Additional PP as well as IO have strongly opposed the bail application. It is submitted that as per previous conviction involvement report, there

are other cases which are pending against the applicant therefore, he does not fit under the criteria that may be considered for grant of bail as per Hon'ble High Powered Committee of Hon'ble High Court of Delhi. Moreover, even on merits, bail should not be granted to the applicant as he ran away from the process of the court in order to evade the trial even earlier when he was granted bail and later on declared proclaimed offender and was arrested by the IO in connection with some other case.

I have heard arguments from both the sides. Even as per report, applicant has already jumped bail once in the present case and was arrested after being declared proclaimed offender. Applicant has other cases pending against him as per previous conviction/involvement report. It appears that accused is a habitual offender being involved in many cases. Accused has already jumped bail once and has misused provision of bail granted to him earlier.

In view of previous conduct and the fact that accused is under trial in other cases also as per previous conviction/involvement report, present application is rejected.

Copy of this order be given dasti to counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 90/17
PS: Punjabi Bagh
U/s 186/353/307/34 IPC &
25/27/54/59 Arms Act
State Vs. Nasimuddin @ Naseem**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Farahim Khan, counsel for accused/applicant through video conferencing.

The application was fixed for hearing through video conferencing.

Reply of IO not filed. Issue notice to IO to appear alongwith reply on the next date.

Counsel is contacted telephonically and upon her request, the application is adjourned to **03.06.2020 for arguments through Cisco Webex meeting.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 113/18
PS: Punjabi Bagh
U/s 394/397/411/34 IPC
State Vs. Sonu**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Vineet Jain, counsel for applicant.

By this order, I shall decide the bail application of applicant/accused Sonu. Facts as stated in the bail application are as follows:-

It is submitted that applicant is in judicial custody since 20.03.2018. It is submitted that there is no one to look after the family of applicant. The mother of applicant is a housemaid and cannot work because of present Covid-19 situation. It is submitted that the victim has already been examined. It is submitted that applicant is innocent and there is a delay of 11 days in registration of FIR which is not explained by the prosecution. 12 more witnesses are to be examined. Applicant is not a previous convict. Earlier bail application has been declined on 12.05.2020. It is therefore, prayed that the applicant be granted bail.

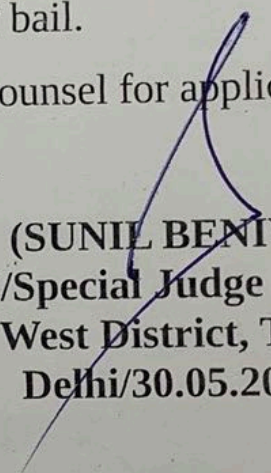
Ld. APP has strongly opposed the bail application in view of reply given by IO. It is submitted that applicant was arrested after sufficient evidence was found against him. The present bail has been sought on the ground to look after the mother of the applicant. But the applicant and his mother resides in a joint family and there are a number of other family members to look after the mother of the applicant. This ground is not valid. Applicant may again commit other offences and threaten the witnesses. Therefore, application should be rejected.

FIR No. 113/18
PS: Punjabi Bagh

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I have heard arguments from both the sides. Bail application has been filed on the ground to look after the mother with the excuse that there is no one else to look after the mother. As per reply, applicant resides in joint family. Therefore, this is not a ground to grant bail to applicant when allegations against him are serious. Applicant is accused of offence under Section 397 IPC for which there is no upper limit to the maximum prescribed punishment. Therefore, the application is rejected as no ground is made out for grant of bail.

Copy of order be given dasti to counsel for applicant.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 183/2020
PS: Paschim Vihar East
U/s 376/328/366 IPC
State Vs. Amit Kumar**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Counsel for the applicant/accused.

Counsel for complainant also present.

Complainant/prosecutrix is present in the court and has been duly identified by her own lawyers.

By this order, I shall decide the application requesting for grant of bail to applicant/accused Amit Kumar. Complainant/prosecutrix shall be referred to as Ms. 'R'. In the bail application and as per oral submissions of counsel for applicant, it is submitted that the complainant/prosecutrix has married the applicant/accused on 01.05.2019 with her own consent and free will and without any kind of pressure, coercion or influence from any corner. It is submitted that the complainant is leading a happily married life. It is submitted that applicant has been falsely implicated in the present case because of attitude and anger of complainant/prosecutrix. It is submitted that applicant has not committed any offence. It is submitted that both the complainant/prosecutrix and applicant were involved in consensual sexual relationship befitting that of husband and wife. It is submitted that parents of the complainant put pressure on the complainant to make complaint against the applicant and thereafter, complainant filed a false case under the influence of her parents. It is submitted that even the police officials did not take any action on the complaint but filed the present FIR under Section 156(3) Cr.P.C. It is submitted that complainant and her parents have concealed true and material facts and got the present FIR registered.

Ld. Additional Public Prosecutor has opposed the bail application. Even the complainant/prosecutrix Ms. 'R' who is present today has opposed the bail application and has submitted that bail should not be granted. Ld. Additional PP has submitted that the applicant mixed some stupefying substance in cold drink and administered the same to the complainant/prosecutrix and thereafter committed offence under Section 376/328/366 IPC with the prosecutrix without her consent.

Complainant is present in the court and has strongly opposed the bail application. The only defence of applicant is that the sexual relationship between the applicant/accused and complainant were consensual in nature and present case has been registered under the instigation and pressure of the parents of complainant/prosecutrix. The allegations against the applicant/accused are very serious in nature. It is submitted that applicant/accused may jump bail and threaten the complainant and there is strong possibility of accused committing other offence again. It is also submitted that other accused are yet to be arrested.

I have heard arguments from both the sides. Looking at the seriousness of the offence and allegations against the applicant, it is not advisable to grant bail to the applicant/accused at this stage. It is also not mentioned in reply to the bail application whether the evidence of complainant has been taken in the court or not. Therefore, there is a strong possibility that applicant/accused may jump bail or try to threaten or intimidate the complainant/prosecutrix also. As per report, other accused persons are yet to be arrested. Therefore, in view of these allegations, the present bail applicant is rejected at this stage.

Copy of order be given dasti to counsel for accused.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 33/17
PS: Khyala
U/s 376 IPC & Section 6 POCSO Act
State Vs. Kailash**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. K.S Rana counsel for applicant through video conferencing.

This is the fresh bail application. Report of IO filed.

Issue notice to complainant/prosecutrix through IO for production of complainant/prosecutrix before the court on the next date.

Put up for arguments on **02.06.2020 through Cisco webex meeting.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 767/15
PS: Ranjeet Nagar
U/s 302 IPC
State Vs. Chandergupt @ Kalwa**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Ms. Jia Afroz counsel for accused/applicant through video conferencing.

The application was fixed for hearing through video conferencing.

Reply of IO not filed. Issue notice to IO to appear alongwith reply on the next date.

Counsel is contacted telephonically and upon her request, the application is adjourned to **09.06.2020 for arguments through Cisco Webex meeting.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 22/20
PS: Khyala
U/s 302/354 IPC
State Vs. Sahil**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Ms. Jia Afroz counsel for accused/applicant through video conferencing.

The application was fixed for hearing through video conferencing but the same could not be connected despite repeated efforts by Ahlmad of the court. Thereafter, counsel is contacted telephonically and upon her request, the application is adjourned to **09.06.2020 for arguments through Cisco Webex meeting.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 140/19
PS: Punjabi Bagh
U/s 392/397/34 IPC
State Vs. Aashish Pandey

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mahesh Patel, counsel for applicant/accused.

By this order, I shall decide the application requesting for grant of interim bail to accused/applicant Ashish Pandey. Facts as stated in the bail application are as follows:-

That the applicant is innocent and has been falsely implicated. That present application is covered under the notification dated 18.05.2020 and the previous notification passed by Hon'ble High Court. That applicant/accused was arrested on the basis of disclosure statement of co-accused. There is no evidence against the applicant/accused. That offence under Section 397 IPC is not attracted. Although the charge has been framed against the accused/applicant. The health condition of mother of applicant is not good and mother has been advised for operation. Presence of applicant is required to arrange money for the surgery and to look after and take care of his mother. Applicant/accused is the only person to look after his mother as father is old age person. First bail application was dismissed on 13.04.2020 and second application was withdrawn on 15.05.2020. It is therefore, prayed that applicant be granted interim bail for a period of two months.

Ld. Additional PP has strongly opposed the bail application as per the reply filed on behalf of IO. Ld. APP submits that applicant/accused was part of a group who duped and deceived the complainant Ajay Rajput and committed the

offences as mentioned as per the charge framed against the accused/applicant. It is submitted that one of the co-accused showed the knife and threatened the complainant and looted his two mobile phones, one laptop with bag and Rs.4000/- from the complainant and then pushed out the complainant from the moving vehicle and fled away leaving the complainant on the road without any phone. During investigation, co-accused Mohd. Adnan and present applicant were arrested and Rs.2000/- and two mobile phones were recovered from the possession of Mohd. Adnan and laptop of the complainant was recovered from the possession of applicant/accused Ashish Pandey. Five bail applications of the applicant have already been rejected by the court. Charge has been framed against the applicant by the Hon'ble Court on 30.07.2019.

Ld. APP for the state has submitted that the present offence is cognizable and non-compoundable in nature and is triable by court of sessions. Ld. APP has further submitted that the present applicant does not fall under the criteria laid down by the Hon'ble High Powered Committee of Hon'ble High Court of Delhi as the minimum punishment prescribed is seven years and there is no limit upon the maximum punishment prescribed for the offence under Section 397 IPC. Even otherwise on merits, the case against the accused/applicant is very strong and allegations against the applicant are very serious in nature. Five bail applications of the accused/applicant have already been rejected and two of them were within the lockdown period only. Therefore, bail should not be granted.

I have heard arguments from both the sides. Allegations and charge against the accused is very serious. Offence under Section 397 IPC attracts a minimum punishment of seven years and there is no upper limit of punishment that can be imposed upon the accused. Therefore, the present case does not fall within

FIR No. 140/19
PS: Punjabi Bagh

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the criteria laid down by Hon'ble High Powered Committee of Hon'ble High Court of Delhi. Moreover, even on merits, it is not advisable to grant bail to the applicant/accused. Offence against the accused is very strong. Laptop of complainant was recovered from the possession of applicant/accused. Five bail applications of applicant have already been rejected. As per reply of IO, there is a strong possibility that applicant may hamper the investigation and may commit further offence. In view of the strong evidence, there is a strong possibility that applicant might jump bail if the same is granted. Also, strong possibility of intimating, threatening and even harming the prosecution witnesses including complainant cannot be ruled out. Therefore, in view of abovementioned, present bail application is rejected.

Copy of order be given dasti to counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

FIR No. 285/17

PS: Khyala

U/s 302/394/397/411/201 IPC

State Vs. Subhash @ Gaurav

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Jaidev Solanki counsel for applicant/accused.

By this order, the court shall decide the bail application of accused/applicant Subhash@ Gaurav. Facts as stated in the bail application are as follows:-

That the applicant/accused has been booked under Section 302/394/397/411/201 IPC. It is submitted that the applicant has been falsely implicated in the present case at the instance of the complainant. It is submitted that financial condition of the applicant is very poor and family members are on the verge of starvation. The application was arrested from Kanjhawala road at 3.20 pm on 09.09.2017. The police has effected the recovery from the applicant but in the next line, it is mentioned that the police did not go anywhere and did not make any recovery. It is submitted that applicant/accused has been falsely implicated in the present case. It is submitted that prosecution witness is a planted witness by the police in order to make out the case against the applicant/accused based on circumstantial evidence. That 18 prosecution witnesses have been examined. Therefore, applicant/accused may be granted bail upon the basis of poor financial condition and on the ground of mercy.

During the course of arguments, counsel for accused/applicant has submitted that he is not pressing this bail application under the guidelines issued by Hon'ble High Powered Committee of Hon'ble High Court of Delhi on 18.05.2020.

Ld. Additional PP has strongly opposed the bail application on following grounds:-

It is submitted that the complainant/witness of the present case Mr. Vinod Kumar has been contacted who has stated that there is a threat to his life from accused person, if he is released on bail. His statement has been enclosed with the reply.

I have heard arguments from both the sides. Allegations against the applicant are very serious in nature. This is a case under Section 302/394/397/411/201 IPC. This is not a fit case to grant bail to the applicant/accused as IO has annexed statement of prosecution witness Mr. Vinod Kumar that there is a threat to his life if applicant is released on bail. Moreover, it is not clear whether evidence of prosecution witnesses especially the important witnesses connecting the applicant with the crime have been recorded or not. Moreover, even as per criteria laid down by Hon'ble High Powered Committee of Hon'ble High Court of Delhi, this case does not appear to be a fit case for grant of interim bail as there is threat to the life of prosecution witness as per his own statement annexed with the reply. Since allegations are serious in nature and in view of the opposition of prosecution witness Mr. Vinod Kumar, present bail application is rejected at this stage. Copy of order be given dasti to counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 62/18
PS: Rajouri Garden
U/s 302/120B/147/149/174A IPC
State Vs. Kamal @ Nitin**

30.05.2020

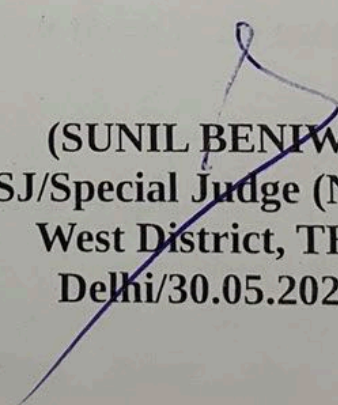
Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. A.D Malik counsel for the applicant/accused.

Although reply has been filed on behalf of IO but certificate of good conduct has not been received from concerned jail superintendent.

Issue fresh notice to concerned Jail Superintendent through Director General Prisons to file certificate of good conduct of accused, returnable for

03.06.2020.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 181/19
PS: Tilak Nagar
U/s 392/394/395/397/411/34 IPC
State Vs. Khushank Kohli

30.05.2020

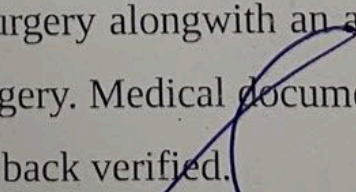
Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Mahesh Patel, counsel for the applicant.

By this order, I shall decide the bail application moved on behalf of applicant/accused Kushank Kohli. Facts as stated in the application are as follows:-

This is the second application requesting for grant of interim bail for a period of two months. Applicant is in JC since 09.04.2019. Applicant is innocent and has been falsely implicated. As per allegation, no offence under Section 397/394/392 are made out against the present applicant. Counsel has submitted that the present application has been moved not on the merits of the case but on the grounds of mercy citing medical reasons of surgery of wife of applicant. It is submitted that even as per the medical documents filed which have been properly verified by the IO and even as per the report of IO, wife of applicant is to undergo medical surgery as advised by the doctor on 02.06.2020. Doctor has advised two units of blood and attendant to come alongwith patient. It is submitted that applicant does not have any other able bodied person in his family to look after his wife and to fulfill other needs and requirements.

IO has submitted that he has verified medical documents from the concerned doctor as per which the wife of applicant is to undergo surgery and some arrangements are to be made for the surgery alongwith an attendant which shall be required to look after the wife after surgery. Medical documents from the concerned hospital are attached which have come back verified.



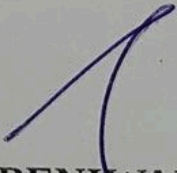
FIR No. 181/19
PS: Tilak Nagar

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Ld. Additional PP for the state has submitted that in view of medical condition of the wife as stated, he has no objection if interim bail is granted on humanitarian basis.

After hearing arguments, this court is inclined to grant bail to the applicant for 45 days on humanitarian grounds to look after his wife and to attend surgery but subject to the condition of filing bail bond in the sum of Rs.20,000/- with one surety and subject to the condition that the applicant shall not be granted any extension of bail on this ground of medical surgery of his wife and subject to the condition that he shall not jump bail and shall surrender before the Jail authorities before 12 pm after expiry of 45 days and subject to the condition that he shall not contact or threaten or intimidate or harm any of the prosecution witnesses during his period of interim bail. The bail bond shall be accepted to the satisfaction of concerned Duty MM or concerned Ilaka Magistrate.

Copy of this order be sent to Jail Superintendent through concerned Nodal Officer and one copy be sent to concerned SHO. Dasti copy be also given to counsel for applicant.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

Bail Applicatin No.1117

FIR No. 188/2020

PS : Khyala

U/s 326B IPC

State v. Raj Kumar Pathak (Raju Jha)

30.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Sh. Mriyunjay Singh, Ld. Counsel for the accused/applicant
through Cisco Webex Video Conferencing.

By this order, I shall dispose of the bail application file on behalf of
the accused/applicant Raj Kumar Pathak (Raju Jha).

Arguments in this case were heard through video conference in the
open Court.

Facts as stated in the bail application and as narrated by Ld. Counsel
for the applicant/accused are as follows.

It is submitted that applicant/accused has been falsely implicated in
the present case. It is further submitted that applicant is innocent and has not
committed any offence. It is also submitted that applicant is a resident of Bihar
and is a migrant labour and has four children to look after. It is submitted that
applicant was employed by the complainant and dismissed from his job by the
complainant without paying his wages because the complainant did not want to
pay the wages that is why he implicated the applicant in a false case. It is
requested that bail may be granted keeping in view the family of the
applicant/accused.

Bail Applicatin No.1117

FIR No. 188/2020

PS : Khyala

U/s 326B IPC

State v. Raj Kumar Pathak (Raju Jha)

As against this Learned Additional Public Prosecutor has strongly opposed this bail application on the following grounds. It is submitted that the applicant was involved in an acid attack upon the complainant who was his employer. It is submitted that it was a well planned and premeditated attack. It is submitted that applicant is very dangerous and he threw acid upon the person of the complainant under a grudge because he was terminated from his job because of his own bad conduct. It is further submitted that if applicant is granted bail, there is a strong possibility that he might jump bail and run away from the process of this Court. Ld. APP further submits that there is also a strong possibility that applicant might try to intimidate and threaten the complainant and other prosecution witnesses. Therefore, bail should not be granted.

I have heard arguments from both the sides. Applicant was involved in acid attack as per case of prosecution upon his own employer. Applicant is a migrant labourer from Bihar. There is a strong possibility that he might jump bail if granted. Also, the possibility of threatening and intimidating the complainant and other prosecution witnesses cannot be ruled out. This time, the applicant might even succeed in further harming the complainant. Thereafter, in view of the serious allegations and strong evidence, this application is rejected. Copy of the order be given/dasti dasti to the Ld. Counsel for the applicant/accused.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
30.05.2020

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI

Application No.392/2020

FIR No.326/2016

PS : Vikas Puri

U/s 302/307/452/427/147/148/149/34/120B IPC

State v. Salman @ Riyazuddin

30.05.2020

Present: Mr. Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Ld. Counsel for the accused/applicant through Telephone Call

made with Ahlmad of the Court. Ahlmad of this Court has submitted that despite repeated attempts, counsel for the applicant could not connect with the Court through Video Conferencing and has told the Ahlmad that his application and its contents may be considered for grant of bail and the application may be decided on the basis of averments made in the application as he does not wish to argue through video conferencing. Therefore, this court is proceeding to decide the application on the basis of averments made in the application.

In the application, it is submitted that accused is in JC since 01.04.2016. It is submitted that applicant has been falsely implicated. It is submitted that the present application is for grant of interim bail for 45 days on the basis of the criteria of High Powered Committee of Hon'ble High Court of Delhi.

Reply has been filed to this bail application. Ld. APP has strongly opposed the bail application on the basis of reply. Ld. APP further submits that this bail application does not fit the criteria of HPC of Hon'ble High Court of Delhi as the same has been returned by the designate Court of Ld. ASJ Sh. Vihsal

Application No.392/2020
FIR No.326/2016
PS : Vikas Puri
U/s 302/307/452/427/147/148/149/34/120B IPC
State v. Salman @ Riyazuddin

Singh with the same observations. Ld. APP further submits that upon the merits of the case, bail should not be granted in this case as the evidence against the applicant is very strong. **It** is further submitted by Ld. APP that the incident was captured in CCTV camera. During investigation, the complainant, the injured Vikas and other public witnesses also identified the accused. It is further argued by Ld. APP that the weapon of offence i.e. Lathi was got recovered by the accused during investigation.

I have heard the arguments from the side of the Ld. APP and considered the bail application as well as reply. In view of the opposition and reasons given by Ld. APP that the applicant was involved in murder of Dr. Pankaj and also assault upon father of Dr. Pankaj and this whole offence was captured in CCTV Footage in which the applicant is clearly visible, no ground for bail is made out as evidence against the application is very strong and there is strong possibility that applicant might jump bail and run away from the Court. There is also strong possibility that applicant may try to threaten and intimidate prosecution witnesses. Therefore, this application is rejected. Copy of the order be given/sent dasti to Ld. Counsel for the applicant/accused.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

FIR No. 326/16

PS: Vikas Puri

U/s 302/307/452/427/147/148/149/34/120B IPC

State Vs. Behruddin

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Lal Singh Thakur, counsel for applicant through video conferencing.

By this order, I shall decide and dispose off bail application filed on behalf of applicant/accused Behruddin. Arguments were heard through video conferencing from the lawyer of the applicant in open court. Facts as stated in the bail application and narrated through video conferencing are as follows:-

Ld. Counsel has submitted that applicant is seeking bail of 45 days as per directions dated 18.05.2020 of High Powered Committee of Hon'ble High Court of Delhi. It is submitted that applicant is 22 years old and is innocent. It is submitted that all the material witnesses have been examined and there is no evidence against the applicant. Applicant has been granted interim bail thrice and has always surrendered before the authority. Applicant is the only son in the family and has been falsely implicated. It is submitted that mother of applicant is suffering from medical illness and operative intervention may be required. Father of applicant is not in a position to look after the mother of the applicant. Presence of applicant is necessary to look after the mother and hence the present application.

Ld. APP has strongly opposed the bail application on the following grounds:-

FIR No. 326/16
PS: Vikas Puri
U/s 302/307/452/427/147/148/149/34/120B IPC
State Vs. Behruddin

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That the incident was captured in CCTV camera. That the complainant, injured Vikas and other witness identified the accused during investigation. That the date for the surgery of the mother of accused has not been fixed till date by the concerned doctor. That the accused has two brother, father and one sister to look after his mother. That if bail is granted, the accused may threaten the witnesses and tamper with the prosecution evidence.

I have heard arguments from both the sides. This court is inclined to agree with submissions of Ld. APP. No date has been fixed for any kind of surgery of the mother of applicant. Moreover, even if a date is given, applicant has many other family members to look after the mother and physical presence of applicant is not required to look after the mother and her surgery. Moreover, evidence against the applicant is very strong. He also does not fit the criteria for grant of interim bail as per HPC of Hon'ble High Court as has been observed by designated court of Ld. ASJ Sh. Vishal Singh. Applicant was clearly identified in the CCTV footage by the complainant and witnesses at the scene of crime. There is a strong possibility that applicant might run away if granted interim bail and also the possibility that applicant might try to threaten, intimidate and harm the prosecution witnesses, if bail is granted. Therefore, in view of these observations, application is rejected.

Copy of this order be given/sent to counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 322/18
PS: Khyala
U/s 302/307/34 IPC
State Vs. Vinod Bhati**

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Pranay Abhishek, counsel for applicant/accused.

By this order I shall decide the bail application of the applicant accused Vinod Bhati. Facts stated in the bail application are as follows. That through order dated 26 March 2020, the court was pleased to grant interim bail to the applicant for a period of 30 days which was extended till 1 June 2020 through order dated 23 April 2020. The present application has been moved requesting for extension of interim bail for a period of 60 days as the son of the applicant is diagnosed with urinary tract infection and has been advised for surgery. But surgery could not take place due to lock down. Surgery was advised for 26 April 2020. The surgery could not be conducted. Now the doctors have advised surgery on 7 June 2020. It will take about 4 to 6 weeks to recover fully. The applicant has to take care of his family. Therefore under the circumstances, it is requested that the applicant may be granted further bail for a period of 60 days.

Learned additional public prosecutor has opposed the present application for extension of interim bail for a further period of 60 days. It is submitted that the applicant had already been granted interim bail for the very same purpose. It is submitted that the applicant is facing allegations of very serious offences. Learned additional public prosecutor has further submitted that there are

other family members in the family of the applicant accused who can look after the child of the applicant and the applicant cannot continue to take benefit and advantage of the ground of required surgery of his child. Learned additional public prosecutor has submitted that this will become a never-ending process.

I have heard arguments from both the sides. This court is inclined to agree with submissions of learned additional public prosecutor. Already interim bail has been granted to the applicant accused on many occasions and the same has been enjoyed by the applicant accused on many occasions. Even on this ground of surgery of the child of the applicant, this court has already granted interim bail to applicant accused earlier also. Now, this ground of surgery cannot become a continued and never-ending process as the applicant accused is facing charges for serious offences. Even otherwise, there are other family members of the applicant who can look after the child of the applicant during the surgery and thereafter. Therefore, the present application requesting for extension of interim bail is rejected. One copy of this order be given by hand to counsel for applicant.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 85/20
PS: Patel Nagar
U/s 307/186/353/506/34 IPC
& Section 25 & 27 Arms Act
State Vs. Gaurav Kakkar

30.05.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Kunal Kalra counsel for applicant through video conferencing.

The application was fixed for hearing through video conferencing but perusal of record shows that IO has not properly verified the medical documents of mother of applicant. In view of the same, IO is directed to properly verify the medical documents of mother of applicant and thereafter, file reply.

Counsel is contacted telephonically and upon his request, the application is adjourned to **01.06.2020 for arguments through Cisco Webex meeting.**

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/30.05.2020