

IN THE COURT OF SH. ASHOK KUMAR, ACMM-2 CUM ACJ,
ROUSE AVENUE COURT COMPLEX, NEW DELHI

CBI Vs. Nirmal Singh Bhangoo and Ors.
CC No. RC-BD-1 2014 E 0004 BS&FC
U/s 120B R/W 409, 411, 420, 467, 468, 471, 474 and substantive
offence u/s 409, 411, 420 and 474 IPC and Section 4, 5, r/w
6 of PCMCS(B) Act 1978.

07.09.2020

Preliminary order on bail seeking report from concerned Jail Supdt./concerned DG (Prison) Bhatinda Jail, Punjab as well as providing time to the prosecution to file reply to the interim bail application of accused Nirmal Singh Bhangoo.

Arguments heard on the interim bail application on WhatsApp as VC on CISCO WEBEX not working due to non availability of WIFI due to breakdown in service.

Present: Sh. Sukant Vats, Ld.PP for CBI.
Sh. Mohit Mathur along with Sh. Manoj Pant, Ld. Counsels for applicant/accused Nirmal Singh Bhangoo.

In view of the prevailing pandemic of COVID-19 as per directions of Hon'ble High Court the proceeding are conducted from home.

This interim bail application has been filed on medical grounds that the accused who is having multiple ailments has been diagnosed as an ASYMPTOMATIC CASE OF COVID-19 AND THAT HIS IMMUNITY IS COMPROMISED DUE TO COMORBIDITIES. Hence, request is made for interim bail for a period of three months from the date of release from the Jail.

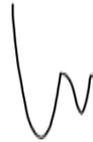
Ld. prosecutor from CBI has sought time to file reply within 5 to 10 days since the IO is on a week's leave and due to their internal procedure of the approval of the reply, such amount of time is required. This court in view of the medical grounds cannot accept such a submission and reply be filed by 09.09.2020 on or before 10 am.

Contd.....

The concerned DG (Prison) as well as Jail Supdt. Bhatinda Jail, Punjab are also directed to file a complete report on the medical condition of the accused as well as the report whether they have necessary infrastructure and doctors to deal with the case of such asymptomatic patient with comorbidities. The report be filed by the DG(Prison)/Jail Supdt. on **09.09.2020 on or before 10 am. The Reader is directed to email this order on the official email ID of Bhatinda Jail for this purpose.**

List for the reply by CBI, report from Bhatinda Jail as well as arguments on the interim bail application on **09.09.2020 at 1.30 pm.**

Copy of this order be provided to the counsel for accused and Ld. PP for CBI as per the guideline framed by Ld. District Judge through electronic mode/email/WhatsApp if so requested and be also uploaded on the official Website of Delhi District Court. Ahlmad/Asstt. Ahlmad is also directed to take a print out of the ordersheet and tag the same in the judicial file.



(ASHOK KUMAR)
ACMM-2 CUM ACJ,
ROUSE AVENUE COURT,
NEW DELHI-07.09.2020

IN THE COURT OF SH. ASHOK KUMAR, ACMM-2 CUM ACJ,
ROUSE AVENUE COURT COMPLEX, NEW DELHI

CBI Vs. Emmanuel Amaechi Esonwanne @ Kevin Ezzo @ Kev
CC No. RC-221/2020/E/0005 of CBI, EO-III, New Delhi
U/s 468, 471 IPC, Sec. 12 of Passport Act 1967 and Sec. 14 of
Foreigners Act.
07.09.2020

Order on interim bail application.

This is link court's matter because the Ld. CMM is home quarantine.

Arguments on the interim bail application heard on WhatsApp as VC on CISCO WEBEX not working due to non availability of WIFI due to breakdown in service.

Present: Sh. Navneet Jawa, Ld. APP for CBI.
Sh. R.D. Tyagi, Ld. Counsel for applicant/accused Emmanuel
Amaechi Esonwanne @ Kevin Ezzo @ Kev

In view of the prevailing pandemic of COVID-19 as per directions of Hon'ble High Court the proceeding are conducted from home.

It is submitted by Ld. Defence counsel that vide this interim bail application, release from JC is sought only for a period of one month for the twin purpose of revalidating the illegal stay of the accused on expiry of his passport and allegedly forged VISA as stated by the prosecution as well as for renewal of the passport.

It is further submitted that application for revalidating the stay will be made to FRRO, R.K. Puram and application for renewal of the passport is to be made to the Nigerian Embassy. It is submitted that the accused was arrested in August, 2020 on the allegation of committing non-bailable offences u/s 468 IPC and u/s 14 Foreigners Act. The passport of the accused expired on 18.01.2016 and the old passport number of the accused is A-02633352. Further vide order dated 02.09.2020, the Ld. CMM allowed the application of the accused for renewal of the passport and for this purpose allowed him to take a copy of the passport.

I have also perused the reply of IO and heard the Ld. PP. I agree with the submission of the prosecution that the application to FRRO can be filed and pursued on line. As far as renewal of passport is concerned, the concerned Jail Supdt. can be directed to provide custodial guards from the jail

Contd.....

/2/

to and fro the embassy and appointment to the embassy in this regard may be sought online and the Jail Supdt. is directed to do the needful for compliance of the order. **The Reader is directed to email this order on the official email ID of Jail for this purpose**

Hence, the application for interim bail is dismissed as there are adequate alternatives to provide relief to the accused.

Copy of this order be provided to the counsel for accused and Ld. PP for CBI as per the guideline framed by Ld. District Judge through electronic mode/email/WhatsApp if so requested and be also uploaded on the official Website of Delhi District Court. Ahlmad/Asstt. Ahlmad is also directed to take a print out of the ordersheet and tag the same in the judicial file.



(ASHOK KUMAR)
(Link Court of Ld. CMM)
ACMM-2 CUM ACJ,
ROUSE AVENUE COURT,
NEW DELHI-07.09.2020