

Bail Application No.2652
FIR No.247/2021
P.S. Roop Nagar
U/s 392/394/411/34 IPC
State Vs. Lalit

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video through Conferencing Mode.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

IO/SI Ranjit Singh, PS Roop Nagar through VC.

Sh. Sita Ram Tanwar, Ld. Counsel for accused Lalit (Through VC).

This is an application under Section 439 Cr. P.C., for grant of regular bail of accused/applicant Lalit.

Part arguments on the application heard. Further, adjudicating upon the application, it is imperative to peruse the FIR and the MLC, both of which are not placed on record. IO is directed to furnish the copy of FIR alongwith MLC on NDOH.

Re-list for further arguments on the application on 06.07.2021.

Copy of order be uploaded on the official website of the Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No.2906
FIR No.0166/2021
P.S. Roop Nagar
U/s 406/420/467/468/471/120B IPC
State Vs. Mrs. Ridhi Kumar

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

This is an application under Section 438 Cr.P.C., for grant of Anticipatory bail f Mr. Ridhi Kumar.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Ld. Counsel for applicant/accused through VC.

Let reply to the application be called from IO/SHO for NDOH.

List for arguments on the application on 15.07.2021. IO is directed to supply the copy of reply two days in advance before the next date of hearing to the counsel for applicant/accused.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No.2716/2021
FIR No.357/21
P.S. Wazirabad
U/s 392/34 IPC
State Vs. Sandeep Tanwar

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application under Section 438 Cr.P.C, has been filed on behalf of accused Sandeep Tanwar for grant of Anticipatory Bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Ld. Counsel for accused/applicant through VC.
IO/ASI Sukh Pal Singh through VC.

Vide this order, I shall dispose off the anticipatory bail application filed on behalf of the accused/applicant Sandeep Tanwar.

Ld. Counsel for the accused has submitted that a perusal of FIR would reveal that complainant herein did not promptly register the FIR, rather went back to his company and reported the incident. Thus, according to Ld. Counsel for accused, this act of complainant seems to be an afterthought. Further, Ld. Counsel for accused has submitted that the spot where the incident took place is a public place, and it can not be believed that no persons were present there. Thus, he has doubted the version of the complainant. Lastly, Ld. Counsel for applicant/accused has submitted that the accused has not been identified and has been implicated merely on the basis of disclosure statement.

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Per contra, Ld. Additional PP for the State has opposed the bail application as per law. According to Ld. Additional PP for the State, perpetrators were noticed in CCTV footage albeit picture quality was not clear. Police informer identified the accused *inter-alia* on the basis of CCTV footage.

Submissions heard.

Perusal of record would reveal that co-accused Kunal refused to get the TIP conducted. Further, the accused herein has been absconding and has not joined the investigation, and is evading his arrest. Further recoveries have yet to be effected. Accordingly, considering the abovesaid facts, this Court is not inclined to grant anticipatory bail to the accused Sandeep Tawar at this juncture, and therefore present application is dismissed.

Copy be this order be uploaded on the website of the Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No.1663/2021
FIR No.358/2020
P.S.Burari
U/s 420/468/471/34IPC
State Vs. Harish Verma

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application U/s 438 Cr.P.C., has been filed on behalf of accused/applicant Harish Verma for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

ASI Rakesh Kumar on behalf of IO ASI Sukhbir Singh through VC.

Mr. Md. Illiyas, Ld. Counsel for accused/applicant Harish Verma through VC.

Ld. Counsel for accused Harish Verma has submitted that co-accused Naveen has already been granted regular bail vide order dated 15.06.2021. He has further submitted that accused herein is not required for the purpose of investigation. Ld. Counsel further submitted that only an amount of Rs.10,00,000/- (rupees ten lacs only) by way of cheque was received by the accused, and not an amount of Rs.20,00,000/- (rupees twenty lacs) as averred in the complaint. Further, Ld. Counsel has submitted that accused has clean antecedents and has never been previously involved in commission of any offence. Ld. Counsel has expressed the willingness of the accused/applicant to repay the remaining amount and thus has sought grant

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of anticipatory bail.

Per contra, Ld. Additional PP for the State and ASI Rakesh Kumar appeared on behalf of IO have strongly opposed the application as per law. It has been averred that accused herein created false documents and swindled the complainant Mahavir Singh of his hard earned money. It has been submitted that offences are grievous in nature and therefore accused be not granted bail.

Submissions heard.

Perusal of record would reveal that even though co-accused has been granted bail but a perusal of the bail order dated 15.06.2021 would reveal that the bail was apparently granted considering the medical condition of co-accused. Serious allegations have been averred qua the applicant/accused herein. Further, a perusal of the reply of the IO would reveal that accused/applicant herein was not found at the place of residence, and that he his trying to evade his arrest. Under these circumstances, considering the abovesaid facts, this Court is not inclined to grant anticipatory bail to the accused Harish Verma at this juncture, and therefore present application is dismissed.

Copy be this order be uploaded on the website of the Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 1338/2021
FIR No. 521/2020
P.S. Civil Lines
U/s 377 IPC
State Vs. Sahil Kapoor

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Sahil Kapoor for grant of interim bail for the period of 90 days.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Jitin Kumar, Ld. Counsel for applicant/accused through VC.
Ms. Laxmi Rani, Ld. Counsel from DCW for complainant through VC.

IO/WSI Gurdeep Kaur is present through VC.

Reply to the bail application has been filed by the IO. Let copy of the same be supplied to Ld. Counsel for accused.

On the previous date of hearing TCR was requisitioned, however, the same has not been placed before this Court. Accordingly, issue notice to the Ahlmad of the concerned Court to place the TCR before this Court on NDOH.

Put up for further arguments on 12.07.2021.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 2806
FIR No. 71/21
P.S. Wazirabad
U/s 376/506 IPC
State Vs. Amit Dedha

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present 2nd application u/s 438 Cr.P.C. has been filed on behalf of accused Amit Dedha for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
None for the applicant/accused.
IO is also not present.
Re-list for consideration on 13.07.2021.
Issue notice to the IO for the NDOH.
Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 1418/2021
FIR No. 209/2021
P.S.Roop Nagar
U/s 376 IPC
State Vs. Amit

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Amit for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Paras Punyani Ld. Counsel for applicant through VC.

Ms. Laxmi Raina, Ld. Counsel for complainant from DCW
alongwith complainant through VC.

IO/WSI Shashi is present through VC.

Copy of the FIR is not legible. IO is directed to file the fresh /
legible copy of the FIR on NDOH.

Ld. Counsel for accused has submitted that he has shared a
video as part of bail application with the Reader at the official email ID on
07.06.2021, 14.06.2021 and 28.06.2021. Reader is directed to ensure that the
said video shall be played on the NDOH.

Put up for arguments 06.07.2021.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 2741
FIR No. 390/21
P.S. Wazirabad
U/s 376/313 IPC
State Vs. Dinesh Sharma

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Dinesh Sharma for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Ajay Paul Ld. Counsel for applicant/accused through VC.

IO/WSI Sonika is present through VC.

Ld. Counsel for accused states that the accused has already been arrested on 01.07.2021 and has been sent to J/C.

Under these circumstances, the present anticipatory bail application has become infructuous and is accordingly dismissed.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 1417/2021
FIR No. 74/21
P.S. Roop Nagar
U/s 392/397/120B/411/34 IPC
State Vs. Rahul

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Rahul for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Rahul Tyagi, Ld. Counsel for applicant/accused through VC.

SI Akash Deep on behalf of IO/SI Sanjay Kaushik through VC.

Ld. Counsel for accused Rahul has submitted that accused has been in J/C since 01.03.2021. Ld. Counsel strenuously argued that as per the averments made by the complainant, there is not a single allegation made against the accused Rahul. Further, no recovery is to be affected from accused Rahul. Lastly, Ld. Counsel for accused has submitted that accused Rahul has never been involved in the commission of any offence and accordingly he should be enlarged on bail.

Per-contra Ld. Addl. PP for the State alongwith the IO strongly opposed this bail application as per law. It was submitted that bail application of accused Rahul was earlier dismissed vide order dated 27.03.2021 by Ld. ASJ/Special Judge (NDPS), Tis Hazari Courts. It has been fairly conceded that when previous bail application of accused Rahul was dismissed, the charge sheet had not been filed.

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Submissions heard. Record perused.

A perusal of record and reply of the IO reveal that the charge sheet in the present case has already been filed before the Ld. Trial Court on 29.04.2021. Accused Rahul is in J/C since 01.03.2021. No recovery has to be affected from the accused Rahul. Further, this Court is inclined to concur with the submissions of Ld. Counsel for accused Rahul that no specific averments have been made by the complainant against the accused Rahul.

Keeping in mind that accused Rahul has never been involved in commission of an offence, this Court cannot rely on the mere *ipse-dixit* of the IO that the accused Rahul would again commit offence if enlarged on bail. Further, the apprehensions of accused Rahul threatening the witnesses have also not been substantiated. Under these circumstances, this Court deems it fit to grant bail to the accused.

Thus, the accused Rahul is admitted on bail on furnishing bail bond and surety bond of Rs. 10,000/- with one surety of the like amount to the satisfaction of Ld. CMM/Ld.ACMM/ Ld.Link MM/ Ld.Duty MM as the case may be, subject to the condition:-

1. He shall not visit the place of complainant or the witnesses in any manner during investigation or trial and shall not try to tamper the evidence or hamper the trial or investigation, in any manner.
2. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform any change without delay to the IO or to the Court as the case may be.
3. He shall join the investigation and attend the trial without any single default.

It is pertinent to note that any observations and expressions in this order shall not have any bearing on the merits of the case.

With these conditions bail application moved under Section 439 Cr. P.C., for grant of regular bail to accused Rahul stands disposed off.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 1113/2021
FIR No. 74/21
P.S. Roop Nagar
U/s 392/397/120B/411/34 IPC
State Vs. Lucky Noel

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Lucky Noel for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Nasir Ali, Ld. Counsel for applicant/accused through VC.

SI Akash Deep on behalf of IO/SI Sanjay Kaushik through VC.

Ld. Counsel for accused Lucky Noel has submitted that accused has been in J/C since 03.03.2021. Ld. Counsel for accused Lucky Noel contended that the present case is one where allegations were made of simple snatching of bag, but were later converted into commission of a graver offence of robbery. According to Ld. Counsel for accused Lucky Noel, the complainant while recording his supplementary statement, introduced the possession of pistol in the hands of one of the assailants, which according to Ld. Counsel for the accused Lucky Noel, is an after thought. Further, it was contended that test identification parade of co-accused Monu failed i.e. the complainant could not recognize Monu.

Per-contra Ld. Addl. PP for the State alongwith the IO strongly opposed the bail application as per law.

Submissions heard. Record perused.

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A perusal of the FIR would reveal that the complainant, in the first instance, levelled allegations that when they were passing through the spot in Shakti Nagar then at the round about two persons touched their bike against the scooty of the complainant, whereafter a quarrel ensued. The complainant further alleged that the two persons on the bike started arguing with them and after diverting their attention, snatched the bag containing money from the hand of the complainant and thereafter ran away. It had been further averred by the complainant, as recorded in the FIR, that he can recognize the assailants. Further, it is also a matter of record that despite this averment, the complainant failed to recognize co-accused Monu during the test identification parade. It is equally strange that the factum of being threatened by a pistol was not revealed by the complainant at the very first instance. Further, the allegations that the accused Lucky Noel can threaten the witnesses has not been substantiated. Significantly, how the evidences can be tampered with, especially after the charge sheet has been filed, has not been explained by the IO. Under these circumstances, this Court deems it fit to grant bail to the accused.

Thus, the accused Lucky Noel is admitted on bail on furnishing bail bond and surety bond of Rs. 10,000/- with one surety of the like amount to the satisfaction of Ld. CMM/Ld.ACMM/ Ld.Link MM/ Ld.Duty MM as the case may be, subject to the condition:-

1. He shall not visit the place of complainant or the witnesses in any manner during investigation or trial and shall not try to tamper the evidence or hamper the trial or investigation, in any manner.

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2. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform any change without delay to the IO or to the Court as the case may be.

3. He shall join the investigation and attend the trial without any single default.

It is pertinent to note that any observations and expressions in this order shall not have any bearing on the merits of the case.

With these conditions bail application moved under Section 439 Cr. P.C., for grant of regular bail to accused Lucky Noel stands disposed off.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021

Bail Application No. 2651
FIR No. 618/20
P.S. Wazirabad
U/s 376D/506 IPC
State Vs. Faizan Ahmed

03.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Faizan Ahmed for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. C.L. Dhawan, Ld. Counsel for applicant/accused through VC.
IO/WSI Sonika is present through VC.

Ld. Counsel for accused Faizan Ahmed has submitted that the FIR has been lodged belatedly in the present matter. Further, Ld. Counsel for the accused has strenuously argued that accused has been falsely implicated in a false case and has placed reliance on order dated 24.05.2021 passed by the Hon'ble High Court of Delhi in bail application no. 4116/20. Ld. Counsel has submitted that the above mentioned anticipatory bail order squarely applies to the applicant / accused Faizan Ahmed and thus he should be enlarged on anticipatory bail.

Per-contra Ld. Addl. PP for the State alongwith the IO have opposed the bail application as per law. It has been submitted that the accused is yet to join investigation and that proceedings u/s 82 Cr.P.C. against the accused have also been initiated.

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Submissions heard.

A perusal of the record reveals that similar allegations have been made against accused Faizan Ahmed and co-accused Khurshid Khan. A perusal of the reply of the IO reveals that raids were conducted against both the accused and since both the accused were absconding, process u/s 82 Cr.P.C. was initiated. Pertinently, it is vital to note that vide order dated 24.05.2021, Hon'ble High Court of Delhi has passed detailed observations and has enlarged co-accused Khurshid Khan on anticipatory bail. Keeping in mind the fact that the allegations against accused herein are similar to those made against accused Khurshid Khan, and the fact that the same role has been attributed to both the accused, on the grounds of parity, this Court hereby grants anticipatory bail to the accused Faizan Ahmed on his furnishing a personal bond in the sum of Rs. 50,000/- with one surety of the like amount to the satisfaction of the IO/SHO subject to the following conditions:-

1. He shall join the investigation as and when required by the IO.
2. He shall not leave the country without permission of the court.
3. He shall attend the trial on the dates fixed.
4. He shall not threaten the complainant or any of her relatives directly or indirectly.

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5. He shall not tamper with the evidence.

It is pertinent to note that any observations and expressions in this order shall not have any bearing on the merits of the case.

Subject to the aforesaid conditions, the bail application is allowed.

Order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/03.07.2021