

SC No.32/2021
FIR No.244/2020
PS Kamla Market
U/s 302/147/149/34 IPC
State Vs. Asif @ Sammi & Ors.

10/06/2021

File taken up today on interim bail application for grant of interim bail for the period of 90 days in terms of recommendations of High Powered Committee, filed on behalf of accused Asif @ Sammi.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
SI Giriraj is present on behalf of IO (through V.C.).
Sh. Anil Kumar Kamboj, Ld. Legal Aid Counsel for the accused Asif @ Sammi (through V.C.).

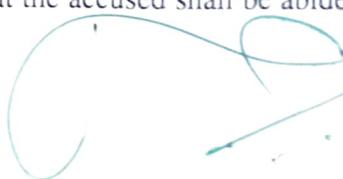
Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Reply to the aforesaid bail application of the accused is received from the concerned Jail Superintendent and IO.

By way of present order, this Court shall disposed of interim bail application of the accused Asif @ Sammi for the period of 90 days.

Arguments heard on the aforesaid interim bail application of accused Asif @ Sammi. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that in terms of directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No. (C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021, the accused be released on interim bail for the period of 90 days. It was further submitted that case of the accused falls in the criteria no.(xii) of minutes of HPC guidelines dated 11/05/2021. It was further submitted that the accused is in J/C in the present case for the period of more than eight months. It was further submitted that the accused shall be abide by all terms and


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conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present interim bail application of the accused be dismissed. It was further submitted that as per criteria no.(xii) of the minutes of H.P.C. guidelines dated 11/05/2021, the accused shall be in custody for the period more than 2 years and in view of the same, the aforesaid interim bail application of the accused is not maintainable and same be dismissed.

It is mentioned in the minutes of H.P.C. guidelines dated 11/05/2021 that:-

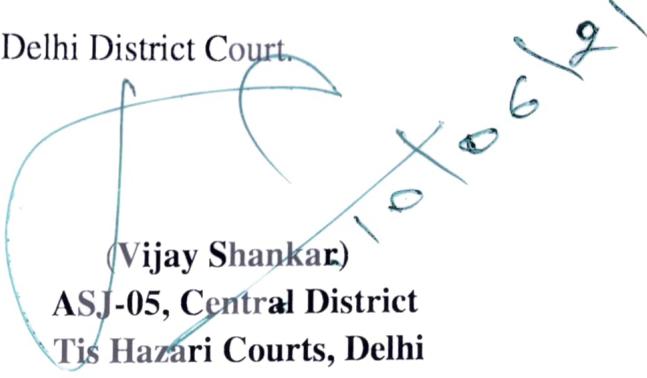
“(xii) Under trial prisoners (UTPs) facing trial for a case under Section 302 IPC and are in jail for more than two years with no involvement in any other case.”

As per criteria no.(xii), the period of custody shall be more than 2 years. As per report of the concerned Jail Superintendent, accused Asif @ Sammi is in J/C for the period of eight months & one day as on 09/06/2021. In view of the same, the case of the accused does not fall in aforesaid criteria no.(xii) of minutes of H.P.C. guidelines dated 11/05/2021. In view of the criteria/recommendations of minutes of H.P.C. recommendations dated 04/05/2021 and 11/05/2021, the present interim bail application of the accused is not maintainable. Keeping in view the directions dated 07/05/2021 passed by the Hon'ble Supreme Court of India and H.P.C. guidelines dated 04/05/2021 and 11/05/2021, facts and circumstances of the case, gravity of offence and nature of serious allegations levelled against the accused, this Court is of the considered opinion that no ground for interim bail of accused is made out. Accordingly, the present interim bail application of accused Asif @ Sammi is dismissed.

10/06/21

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action. Copy of order be also sent to DLSA, Central District, Delhi. Copy of order be also sent to SHO/IO. Ld. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

Order be uploaded on the website of Delhi District Court.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

**Bail Application No.1419/2021
State Vs. Sonu @ Suraj @ Rishabh
FIR No.136/2021
PS Roop Nagar
U/s 392/394/34 IPC**

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Addl. P.P. for the State (through V.C.)
IO/ ASI Om Prakash is present through V.C.
Sh. Akhil Goyal, Ld. Counsel for the accused Sonu @ Suraj @ Rishabh (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

TCR is received.

By way of present order, this Court shall dispose of bail application u/s. 439 Cr.P.C. of the accused Sonu @ Suraj @ Rishabh.

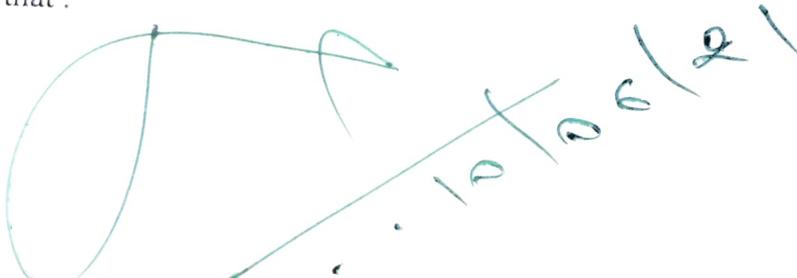
Arguments heard on the aforesaid bail application of accused Sonu @ Suraj @ Rishabh. Perused the material available on record.

During the course of arguments on the aforesaid bail application, it was submitted by counsel for the accused Sonu @ Suraj @ Rishabh that the present bail application is the first bail application of the accused before Sessions Court and no other bail application of the accused is pending before any other Court. It was further submitted that the accused has been falsely implicated in the present case and there is no incriminating evidence against the accused and investigation in the

present case has already been completed and the accused is no more required for the purpose of further investigation as the charge-sheet has already been filed in the present case and same is pending before the concerned Ld. MM. It was further submitted that the accused was not apprehended from the spot but he was lifted from his house and no recovery has been effected from the possession of the accused. It was further submitted that in most of the cases pending against the accused, the accused has already been discharged. It was further submitted that accused is in J/C since 07/04/2021 and no useful purpose will be served by keeping the accused behind the bars and bail be granted to accused and accused shall be abide by all terms and conditions imposed by the court.

During the course of arguments, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature and accused can abscond, if the bail is granted to the accused. It was further submitted that the accused was caught red handed at the spot. It was further submitted that in the present case, co-accused is yet to be arrested and recovery of case property is yet to be effected. It was further submitted that in the present case, charge is yet to be framed and complainant/ public witnesses are yet to be examined and if the bail is granted to the accused, he can tamper with the evidence and influence the witnesses. It was further submitted that accused is habitual offender and he is involved in 32 criminal cases of different nature. It was further submitted that there is sufficient incriminating material available on record against the accused and bail application of accused Sonu @ Suraj @ Rishabh be dismissed.

It was held by the Hon'ble Supreme Court of India in case titled as **“Virupakshappa Gouda and Anr. Vs. State of Karnataka and Anr.”** {(2017) 5 SCC 406} that :



“15. The court has to keep in mind what has been stated in **Chaman Lal v. State of U.P.** The requisite factors are: (i) the nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence; (ii) reasonable apprehension of tampering with the witness or apprehension of threat to the complainant; and (iii) prima facie satisfaction of the court in support of the charge. In **Prasanta Kumar Sarkar v. Ashis Chatterjee**, it has been opined that while exercising the power for grant of bail, the court has to keep in mind certain circumstances and factors. We may usefully reproduce the said passage:

“9....among other circumstances, the factors which are to be borne in mind while considering an application for bail are:

- (i) whether there is any prima facie or reasonable ground to be believe that the accused had committed the offence.
- (ii) nature and gravity of the accusation;
- (iii) severity of the punishment in the event of conviction;
- (iv) danger of the accused absconding or fleeing, if released on bail;
- (v) character, behaviour, means, position and standing of the accused;
- (vi) likelihood of the offence being repeated;
- (vii) reasonable apprehension of the witnesses being influenced; and
- (viii) danger, of course, of justice being thwarted by grant of bail.”

16. In **CBI v. V. Vijay Sai Reddy**, the Court had reiterated the principle by observing thus:- “ 34. While granting bail, the court has to keep in mind the nature of accusation, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations. It has also to be kept in mind that for the purpose of granting bail, the legislature has used the words “reasonable grounds for believing” instead of “the evidence” which means the court dealing with the grant of bail can only

satisfy itself as to whether there is a genuine case against the accused and that the prosecution will be able to produce prima facie evidence in support of the charge. It is not expected, at this stage, to have the evidence establishing the guilt of the accused beyond reasonable doubt."

*17. From the aforesaid principles, it is quite clear that an order of bail cannot be granted in an arbitrary or fanciful manner. In this context, we may, with profit, reproduce a passage from **Neeru Yadav v. State of U.P.**, wherein the Court setting aside an order granting bail observed:*

"16. The issue that is presented before us is whether this Court can annul the order passed by the High Court and curtail the liberty of the second respondent? We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bedrock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects responsibility and accountability from its members, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society

disapproves, the legal consequences are bound to follow. At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law."

It was held by the Hon'ble Supreme Court of India in case titled as **"Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav and Anr."** {2004 Cri. L.J. 1796 (1)} that :

- "11. The law in regard to grant or refusal of bail is very well settled. The Court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the Court granting bail to consider among other circumstances, the following factors also before granting bail; they are,*
- (a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence;*
 - (b) Reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;*
 - (c) Prima facie satisfaction of the Court in support of the charge.*
- 12. In regard to cases where earlier bail applications have been rejected there is a further onus on the Court to consider the subsequent application for grant of bail by noticing the grounds on which earlier bail applications have been rejected and after such consideration if the Court is of the opinion that bail has to be granted then the said Court will have to give specific reasons why in spite of such earlier rejection the subsequent application for bail should be granted.*

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14. In such cases, in our opinion, the mere fact that the accused has undergone certain period of incarceration (three years in this case) by itself would not entitle the accused to being enlarged on bail, nor the fact that the trial is not likely to be concluded in the near future either by itself or coupled with the period of incarceration would be sufficient for enlarging the appellant on bail when the gravity of the offence alleged is severe and there are allegations of tampering with the witnesses by the accused during the period he was on bail.

20. Before concluding, we must note though an accused has a right to make successive applications for grant of bail the Court entertaining such subsequent bail applications has a duty to consider the reasons and grounds on which the earlier bail applications were rejected. In such cases, the Court also has a duty to record what are the fresh grounds which persuade it to take a view different from the one taken in the earlier applications.....”

It was held by the Hon’ble Supreme Court of India in case titled as **“Satish Jaggi Vs. State of Chhatisgarh and Ors.”** {AIR 2007 SC (Supp) 256} that :

“5. It is well settled law that in granting or non-granting of bail in non-bailable offence, the primary consideration is the nature and gravity of the offence.....

12.At the stage of granting of bail, the court can only go into the question of the prima-facie case established for granting bail. It cannot go into the question of credibility and reliability of the witnesses put up by the prosecution. The question of credibility and reliability of prosecution witnesses can only be tested during the trial.”

It was held by the Hon’ble Supreme Court of India in case titled as **“Gurucharan Singh & Others Vs. State”** {AIR 1978 SC 179 (1)} that :

“29. We may repeat the two paramount considerations, viz likelihood of the accused fleeing from justice and his

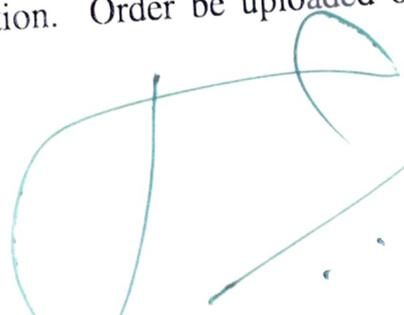
tampering with prosecution evidence relate to ensuring a fair trial of the case in a court of justice. It is essential that due and proper weight should be bestowed on these two factors apart from others. There cannot be an inexorable formula in the matter of granting bail. The facts and circumstances of each case will govern the exercise of judicial discretion in granting or cancelling bail."

The allegations against the accused are of the offences u/s. 392/394/34. The accused was caught red handed at the spot. Co-accused is yet to be arrested and recovery of case property is yet to be effected. In the present case, charge is yet to be framed and complainant/ public witnesses are yet to be examined and if the bail is granted to the accused, there is possibility that accused may tamper with the evidence and influence the witnesses. Accused is stated to be habitual offender and he is stated to be involved in 32 criminal cases.

The contentions of counsel for the accused Sonu @ Suraj @ Rishabh that the accused has been falsely implicated in the present case and there is no incriminating evidence against him is not tenable at this stage as it is well settled law that at the stage of considering bail, it would not be proper for the Court to express any opinion on the merits or demerits of the prosecution case as well as defence.

Keeping in view the facts and circumstances of the case, gravity of offence and nature of serious allegations levelled against the accused, this Court is of the considered opinion that no ground for regular bail of the accused Sonu @ Suraj @ Rishabh is made out at this stage. Accordingly, the present application for regular bail of the accused Sonu @ Suraj @ Rishabh is dismissed.

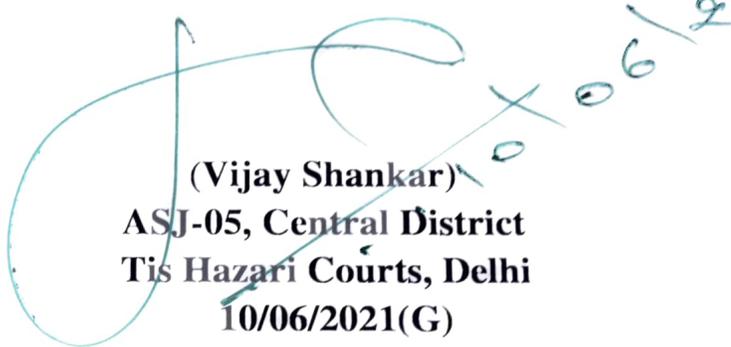
A copy of this order be sent to the concerned Jail Superintendent through E-mail for information. Order be uploaded on the website of the Delhi


10/06/21

District Court. Ld. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

TCR along with copy of this order be also sent to the Ld. concerned

MM.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

SC No.67/2021
FIR No.87/2018
PS Gulabi Bagh
U/s 308/323/341/34 IPC
State Vs. Sunder @ Rahim & Anr.

10/06/2021

File taken up today on interim bail application u/s. 439 Cr.P.C. filed on behalf of accused Sunder @ Rahim.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
Sh. Vinkle Goyal, Ld. Counsel for the accused Sunder @ Rahim (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

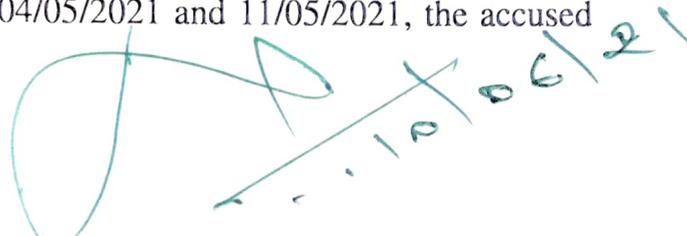
It is submitted by counsel for the accused that the present interim bail application of the accused be treated as interim bail application for the period of 90 days, as per the H.P.C. guidelines. Heard. Request is allowed.

Report of SI Vikas Deep is received. Report of the concerned Deputy Jail Superintendent already received.

By way of present order, this Court shall disposed of interim bail application of the accused Sunder @ Rahim for the period of 90 days.

Arguments heard on the aforesaid interim bail application of accused Sunder @ Rahim. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that in terms of directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No. (C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021, the accused

A handwritten signature in blue ink is written over the date 10/06/21. The signature is a stylized, cursive name.

be released on interim bail for the period of 90 days. It was further submitted that case of the accused falls in the criteria no. (ii) of minutes of HPC guidelines dated 04/05/2021. It was further submitted that the accused has no previous involvement in any other case and jail conduct of the accused is satisfactory. It was further submitted that apart from Section 308 IPC, other Sections as mentioned in the charge-sheet are bailable. It was further submitted that the accused is in J/C in the present case for the period of more than one year and ten months. It was further submitted that the accused shall abide by all terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present interim bail application of the accused be dismissed.

It is mentioned in the minutes of H.P.C. guidelines dated 04/05/2021 that:-

“(ii) Under trial prisoners (UTPs) who are facing trial in a case which prescribes a maximum sentence of seven years or less wherein he/ she is in custody for a period of 15 days or more.”

As per report of SI Vikas Deep, the accused has no other involvement except the present case. As per report of Jail Superintendent, Jail No.1, Tihar, New Delhi, the accused is in J/C for the period more than one year and 10 months and jail conduct of the accused is satisfactory during last one year and there is no pending case against the accused. Case of the accused falls in the criteria no.(ii) of minutes of H.P.C guidelines dated 04/05/2021. Keeping in view of the directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No.(C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021 and in view of the submissions made, present interim bail application of the accused Sunder @ Rahim is allowed and accused is admitted to interim bail for the period of 90 days on furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of the concerned Jail Superintendent subject to the conditions that:-


10/05/21

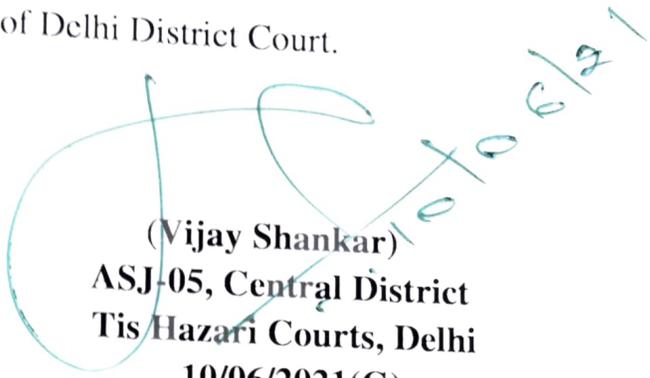
- i) Accused shall not flee from the justice;*
- ii) Accused shall not tamper with the evidence;*
- iii) Accused shall not threaten or contact in any manner to the prosecution witnesses;*
- iv) Accused shall not leave the country without permission of the Court;*
- v) Accused shall convey any change of address immediately to the IO and the court;*
- vi) Accused shall also provide his/her mobile number to the IO;*
- vii) Accused shall mark his/her attendance before the concerned IO (and if IO is not available then to concerned SHO), every week preferably on Monday through mobile by sharing his/her location with the SHO/IO;*
- viii) Accused shall further make a call, preferably by audio plus video mode to concerned IO (and if IO is not available then to concerned SHO) once in 15 days preferably on Monday between 10:00 AM to 5:00 PM;*
- x) Accused shall keep his/her such mobile number 'Switched On' at all the time, particularly between 8:00 AM to 8:00 PM every day;*
- x) Accused shall not indulge in any kind of criminal activities;*
- xi) Accused shall follow Covid-19 protocol/guidelines issued by Central Government/State Government/Competent Authorities;*
- xii) The period of interim bail of 90 days shall commence from the date of release of the accused from Jail;*
- xiii) Accused shall surrender before the concerned Jail Superintendent after expiry of interim bail period;*

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action. Copy of order be also sent to DLSA, Central

10/06/21

District, Delhi. Copy of order be also sent to SHO/IO for compliance. Ld. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

Order be uploaded on the website of Delhi District Court.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

**FIR No.87/2018
PS Gulabi Bagh
U/s 308/323/341/34 IPC
State Vs. Sunder @ Rahim**

10/06/2021

File taken up today on the application u/s. 439 Cr.P.C. of accused Sunder @ Rahim for grant of interim bail for the period of 90 days under the H.P.C. guidelines.

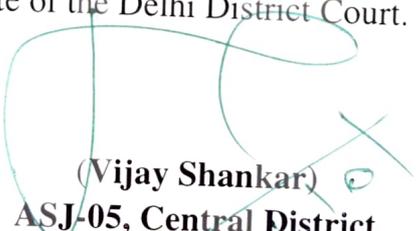
(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
None has joined the proceedings through V.C. on behalf of the accused Snder @ Rahim.

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

In the present case, two applications for interim bail were filed on behalf of the accused Sunder @ Rahim. Another application for interim bail has already been disposed of today vide separate order. In view of the same, the present application is disposed of accordingly.

Order be uploaded on the website of the Delhi District Court.


**(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)**

FIR No.407/2020
PS Roop Nagar
U/S 498-A/302/306/201/34 IPC
State Vs. Abhishek Kumar

10/06/2021

Present application u/s. 439 Cr.P.C. has been filed on behalf of the accused Abhishek Kumar for extension of interim bail for the period of 2 months.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO/Inspector Ashok Kumar is present through V.C.
Sh. Ravin Rao, Ld. Counsel for the accused Abhishek Kumar (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

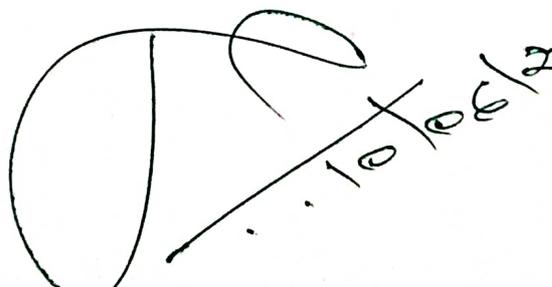
TCR is received.

Reply of the aforesaid application for extension of interim bail of the accused has been filed.

By way of present order, this Court shall disposed of application u/s. 439 Cr.P.C. of the accused Abhishek Kumar for extension of interim bail for the period of 2 months.

Arguments heard on the aforesaid application for extension of interim bail of the accused Abhishek Kumar. Perused the material available on record.

During the course of arguments, it was submitted by counsel for the accused that interim bail was granted to the accused vide order dated 20/05/2021 passed by the Ld. Vacation Judge/ ASJ-04 (Central), Tis Hazari Courts, Delhi for the period of 3 weeks. It was further submitted that period of interim bail is going to be expired on 11/06/2021. It was further submitted that the medical condition of the accused is now almost stable and

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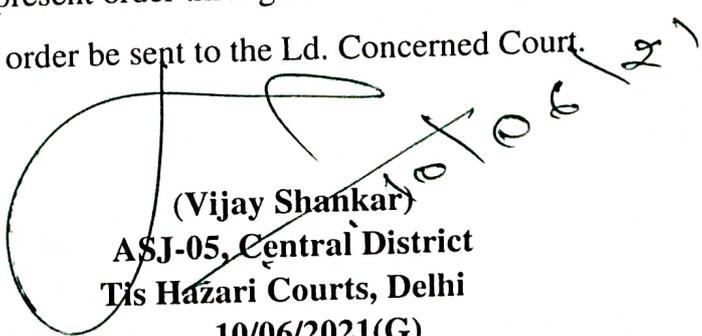
he has to conduct the COVID-19 test by tomorrow. It was further submitted that children of the accused are under treatment at IHBAS and they have to be examined by the concerned doctor on 15/06/2021 and parents of the accused are also suffering from various old aged ailments. It was further submitted that there is no family member available in the family to look after the children and parents of the accused. It was further submitted that the interim bail of the accused be extended for the period of 2 months and the accused shall be abide by all terms and conditions, if the interim bail of the accused is extended and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid application for extension of interim bail, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present application of the accused be dismissed.

Considering the facts, circumstances, submissions made and report filed by the IO, the present application u/s. 439 Cr.P.C. of the accused Abhishek Kumar for extension of interim bail is allowed for the period of 2 weeks subject to same terms and conditions as imposed vide order dated 20/05/2021 passed by the Ld. Vacation Judge/ ASJ-04 (Central), Tis Hazari Courts, Delhi and also subject to the condition that the accused shall not seek further extension of interim bail on any ground. Accused shall surrender before the concerned Jail Superintendent after the expiry of interim bail period.

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action. Copy of order be also sent to DLSA, Central District, Delhi. Copy of order be also sent to SHO/IO for compliance. Ld. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

TCR alongwith copy of this order be sent to the Ld. Concerned Court.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

Bail Application No.1343/2021
CNR No.DLCT01-006988-2021
FIR No.296/2021
PS Wazirabad
State Vs. Jatin

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).

IO/ SI Anjani Kumar is present (through V.C.).

None has joined the proceedings through V.C. on behalf of the accused Jatin.

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

In the interest of justice, I am not passing any adverse order on account of non-appearance of counsel for the accused.

The aforesaid bail application of the accused be put up for consideration on

21/06/2021.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

At this stage, Sh. Pranay Abhishek, Ld. Counsel for the accused Jatin has joined the proceedings through V.C and has prayed for pre-ponement of the date. Heard. Request is allowed. At the request of counsel for the accused, the next date of hearing i.e. 21/06/2021 stands cancelled and the aforesaid bail application of the accused be put up for consideration on 15/06/2021. Date of 15/06/2021 is given at the specific request and convenience of counsel for the accused.

SHO/ IO is directed to file the detailed/ further reply to the aforesaid bail application on or before the next date of hearing. IO is bound down for the next date of hearing i.e. 15/06/2021.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

(3)

Bail Application No.903/2021
FIR No.809/2015
PS Burari
State Vs. Brahm Prakash
U/s 420/467/468/471/34 IPC

0/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO/SI Satender Singh is present (through V.C.),
None has joined the proceedings through V.C. on behalf of the accused.
Sh. Mohinder Pal Singh, Ld. Counsel for the complainant (through V.C.).

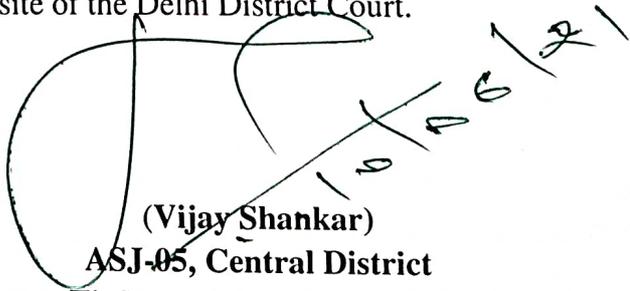
Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

None has joined the proceedings through V.C. on behalf of the accused even on the last date of hearing i.e. 01/06/2021. In the interest of justice, I am not passing any adverse order on account of non-appearance of counsel for the accused. Last opportunity is granted to the counsel for accused for appearance on the next date of hearing.

The aforesaid bail application of the accused be put up for consideration on 02/07/2021.

IO is bound down for the next date of hearing i.e. 02/07/2021.

Order be uploaded on the website of the Delhi District Court.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

4

State Vs. Deepak Kumar
CNR No.DLCT01-004904-2021
Bail Application No.857/2021
FIR No.314/2020
PS Subzi Mandi
U/s 33/38/58 Delhi Excise Act

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO has not joined the proceedings through V.C.
Sh. Shubham Asri, Ld. Counsel for the accused Deepak Kumar (through V.C.).
Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Further reply to the aforesaid bail application of the accused is received.

It is submitted by counsel for the accused today he is not in position to argue on the present bail application of the accused, as his mother is admitted in the hospital and the present bail application be taken up for consideration on some other day. It is further submitted by counsel for the accused that accused has already joined the investigation in the present matter and he shall co-operate in the investigation and he shall join the investigation as and when directed by the SHO/ IO.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 12/07/2021. Date of 12/07/2021 is given at the specific request and convenience of counsel for the accused.

Issue notice to the IO to appear with further/ detailed reply to the aforesaid bail application of the accused on the next date of hearing i.e. 12/07/2021.

Interim order, if any, to continue till next date of hearing. Accused is directed to join the investigation as and when directed by the SHO/ IO.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazafi Courts, Delhi
10/06/2021(G)

(3)

**Bail Application No.1030/2021
FIR No.370/2020
PS Subzi Mandi
U/s 420/34 IPC
State Vs. Raman Bhutani**

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).

IO has not joined the proceedings through V.C.

Sh. Ankti Gupta, Ld. Counsel for the accused Raman Bhutani (through V.C.).

Sh. Sahil Puri, Ld. Counsel for the complainant (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

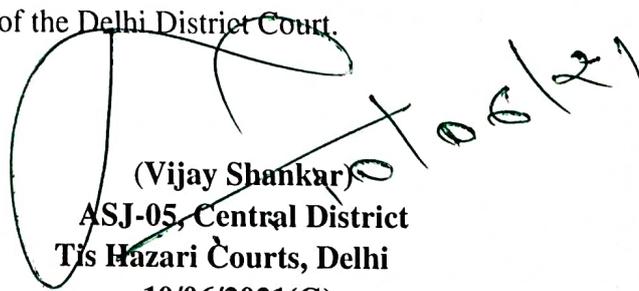
It is submitted by counsel for the parties that the present matter has already been settled between the parties and accused has made the full and final settlement amount to the complainant. It is further submitted by counsel for the accused that accused has already joined the investigation in the present matter and he shall co-operate in the investigation and he shall join the investigation as and when directed by the SHO/ IO.

Report not received from the SHO/ IO. In terms of the order dated 28/05/2021, issue notice to the SHO/ IO to file appropriate/ detailed report on the next date of hearing.

At joint request, the aforesaid bail application of the accused be put up for consideration on 09/07/2021. Date of 09/07/2021 is given at the specific request and convenience of counsel for the parties.

Interim order, if any, to continue till next date of hearing. Accused is directed to join the investigation as and when directed by the SHO/ IO.

Order be uploaded on the website of the Delhi District Court.


(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

6

Bail Application No.428
FIR No.481/2020
PS Subzi Mandi
U/s 420/468471/34 IPC
State Vs. Kamal Prasad

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO/ SI Lalit Kumar is present (through V.C.).
Sh. Saurabh Sharma, Ld. Counsel for the accused Kamal Prasad (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

It is submitted by SI Lalit Kumar that investigation of the present matter has been recently assigned to him and time be granted to him to file the further/ detailed reply to the aforesaid bail application of the accused. Heard. Request is allowed. Further/ detailed reply be filed on or before the next date of hearing.

It is submitted by counsel for the accused that accused has already joined the investigation in the present matter and he shall co-operate in the investigation and he shall join the investigation as and when directed by the SHO/ IO.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 14/07/2021. Date of 14/07/2021 is given at the specific request and convenience of counsel for the accused.

Interim order, if any, to continue till next date of hearing. Accused is directed to join the investigation as and when directed by the SHO/ IO.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

7

Bail Application No.2510/2021
FIR No.410/2020
PS Wazirabad
State Vs. Rajesh @ Raju

10/06/2021

Present application u/s. 439 Cr.P.C. has been filed on behalf of the accused Rajesh @ Raju for grant of interim bail for the period of 90 days under the H.P.C guidelines.
(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO has not joined the proceedings through V.C.
Sh. Hukam Chand, Ld. Legal Aid Counsel for the accused Rajesh @ Raju (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Reply received from the IO.

It is submitted by Addl. P.P. for the State that appropriate report regarding Nationality of the accused be called from the SHO concerned for proper adjudication of the present bail application of the accused. Heard. Request is allowed.

Issue notice to the SHO/ IO to file report regarding Nationality of the accused Rajesh @ Raju on or before the next date of hearing.

Issue notice to the concerned Jail Superintendent to file the jail conduct report of the accused, period of custody of the accused, nominal roll of the accused and list of all pending cases against the accused, on the next date of hearing.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 23/06/2021. Date of 23/06/2021 is given at the specific request and convenience of counsel for the accused.

Order be uploaded on the website of the Delhi District Court.

(Nijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

6

Bail Application No.2515/2021
State Vs. Mudassir Habib
FIR No.02/2021
PS Crime Branch
U/s 420/468/471/506/120B/34 IPC

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).

IO has not joined the proceedings through V.C.

Sh. Ashutosh Kumar, Ld. Counsel for the accused Mudassir Habib (through V.C.).

Complainant and Ld. Counsel Sh. Ankit Goel are present (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

TCR is received.

It is submitted by counsel for the accused that interim bail application of the accused is also fixed for today and the present application be adjourned for some other day.
Heard. Request is allowed.

At joint request, the aforesaid bail application of the accused be put up for consideration on **18/06/2021**. Date of 18/06/2021 is given at the specific request and convenience of counsel for the parties.

Issue notice to the IO, for the purpose of clarifications, for the next date of hearing.

Order be uploaded on the website of the Delhi District Court.

10/06/21

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

(a)

Bail Application No.2518/2020
FIR No.296/2021
PS Wazirabad
U/s 393/395/34 IPC
State Vs. Amit Kumar

10/06/2021

Present 1st application u/s. 438 Cr.P.C. has been filed on behalf of accused Amit Kumar or grant of anticipatory bail.

(Proceedings Convened through Video Conferencing)

Present: Sh. M.K.Shukla, Ld. Substitute Addl. P.P. for the State (through V.C.).
IO/ SI Anjani Kumar Singh is present (through V.C.).
Sh. Dushyant Chaudhary, Ld. Counsel for the accused Amit Kumar (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

IO seeks time for filing further/ detailed reply to the aforesaid bail application of the accused. Heard. Request is allowed. Further/ detailed reply be filed on or before the next date of hearing.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 15/06/2021. Date of 15/06/2021 is given at the specific request and convenience of counsel for the accused.

IO is bound down for the next date of hearing i.e. 15/06/2021.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

10

FIR No.407/2020
PS Roop Nagar
U/S 498-A/302/306/201/34 IPC
State Vs. Abhishek Kumar

10/06/2021

Present application u/s. 439 Cr.P.C. has been filed on behalf of the accused Abhishek Kumar for extension of interim bail for the period of 2 months.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO/Inspector Ashok Kumar is present through V.C.
Sh. Ravin Rao, Ld. Counsel for the accused Abhishek Kumar (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

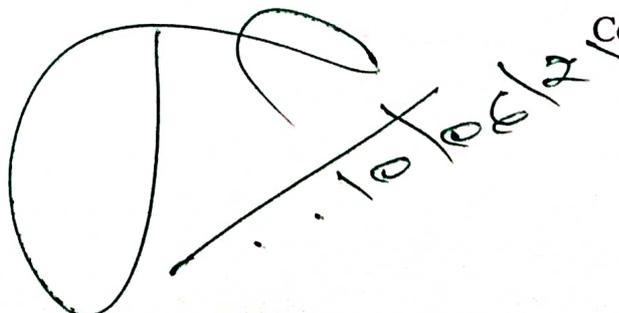
TCR is received.

Reply of the aforesaid application for extension of interim bail of the accused has been filed.

By way of present order, this Court shall disposed of application u/s. 439 Cr.P.C. of the accused Abhishek Kumar for extension of interim bail for the period of 2 months.

Arguments heard on the aforesaid application for extension of interim bail of the accused Abhishek Kumar. Perused the material available on record.

During the course of arguments, it was submitted by counsel for the accused that interim bail was granted to the accused vide order dated 20/05/2021 passed by the Ld. Vacation Judge/ ASJ-04 (Central), Tis Hazari Courts, Delhi for the period of 3 weeks. It was further submitted that period of interim bail is going to be expired on 11/06/2021. It was further submitted that the medical condition of the accused is now almost stable and

 Contd...../2-

(12)

**FIR No.114/2012
PS Timarpur
U/s 379/411/174-A IPC
State Vs. Manish @ Motta**

10/06/2021

Present application for readmission to bail has been filed on behalf of the accused Manish @ Motta.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO has not joined the proceedings through V.C.
Ms. Seema Gupta, Ld. Counsel for the accused Manish @ Motta (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Issue notice of the present application to the State. Addl. P.P. for the State accepts the notice of the aforesaid application.

Reply to the aforesaid bail application of the accused is received.

Issue notice to the IO for the next date of hearing.

It is submitted by counsel for the accused that in the present case, charge-sheet has already been filed and same is pending before the concerned Ld. MM.

TCR be called one day prior to the next date of hearing.

At the request of counsel for the accused, the aforesaid application of the accused be put up for consideration on 18/06/2021. Date of 18/06/2021 is given at the specific request and convenience of counsel for the accused.

Order be uploaded on the website of the Delhi District Court

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

**FIR No.107/2012
PS Timarpur
U/s 379/411/174-A IPC
State Vs. Manish @ Motta**

10/06/2021

Present application for readmission to bail has been filed on behalf of the accused Manish @ Motta.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).
IO has not joined the proceedings through V.C.
Ms. Seema Gupta, Ld. Counsel for the accused Manish @ Motta (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Issue notice of the present application to the State. Addl. P.P. for the State accepts the notice of the aforesaid application.

Reply to the aforesaid bail application of the accused is received.

Issue notice to the IO for the next date of hearing.

It is submitted by counsel for the accused that in the present case, charge-sheet has already been filed and same is pending before the concerned Ld. MM.

TCR be called one day prior to the next date of hearing.

At the request of counsel for the accused, the aforesaid application of the accused be put up for consideration on 18/06/2021. Date of 18/06/2021 is given at the specific request and convenience of counsel for the accused.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)

(14)

**Bail Application No.979/2021
State Vs. Sandeep Kumar Sood
FIR No. 02/2021
PS Crime Branch
U/s 420/468/471/506/120-B/34 IPC**

10/06/2021

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

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).

IO has not joined the proceedings through V.C.

Sh. Jitendra Singh Sirohi, Ld. Counsel for the accused Sandeep Kumar Sood (through V.C.).

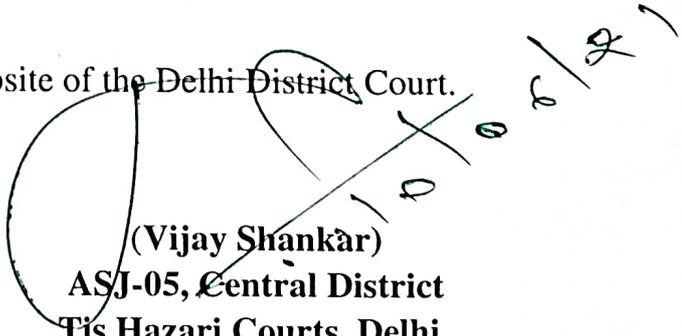
Complainant and Ld. Counsel Sh. Ankit Goel are present (through V.C.).

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

Issue notice to the IO, for the next date of hearing.

At joint request, the aforesaid bail application of the accused be put up for consideration on 18/06/2021. Date of 18/06/2021 is given at the specific request and convenience of counsel for the parties.

Order be uploaded on the website of the Delhi District Court.


**(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)**

15

FIR No.195/2020
PS Roop Nagar
U/s 394/411/34 IPC
State Vs. Ghanshyam @ Buddha

10/06/2021

Present application u/s. 439 Cr.P.C. has been filed on behalf of accused Ghanshyam @ Buddha for grant of interim bail.

(Proceedings Convened through Video Conferencing)

Present: Sh. Anil, Ld. Addl. P.P. for the State (through V.C.).

SI Sanjay Kaushik is present through V.C.

None has joined the proceedings through V.C. on behalf of the accused.

Ahlmad is absent. One of the regular stenographers is on leave today and no substitute stenographer is available/ provided.

None has joined the proceedings through V.C. on behalf of the accused even on the last date of hearing i.e. 04/06/2021. In the interest of justice, I am not passing any adverse order on account of non-appearance of counsel for the accused. Last opportunity is granted to the counsel for accused for appearance on the next date of hearing

Reply to the aforesaid bail application of the accused is received.

TCR is received. TCR be sent back and same be called one day prior to the next date of hearing.

It is submitted that regular bail application of the accused is already fixed for 21/06/2021.

Put up the aforesaid bail application of the accused for consideration on 21/06/2021.

Issue notice to the IO for the next date of hearing i.e. 21/06/2021.

Order be uploaded on the website of the Delhi District Court.

(Vijay Shankar)
ASJ-05, Central District
Tis Hazari Courts, Delhi
10/06/2021(G)