

FIR No.499 /2021
u/s 387/506/34 IPC
PS Punjabi Bagh
S/v Rohit Bhardwaj

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.

Sh. Abhishek Kaushik, Ld. Counsel for accused / applicant Rohit Bhardwaj.

An application for grant of bail is moved on behalf of accused Rohit Bhardwaj.

Arguments heard on bail application. Perused the reply of IO.

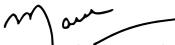
It is submitted by ld. counsel for the accused / applicant that accused has nothing to do with the present case and has been falsely implicated. It is further stated that there is no evidence against the accused / applicant and he has been arrested only on the basis of disclosure statement made by co-accused persons. It is also submitted by ld. Counsel that applicant has no concern with the co-accused persons. It is further submitted that applicant has clean antecedents having responsibility of his family. It is further submitted that accused / applicant has no previous involvement and is ready to abide by the terms of the bail.

Bail application is opposed by Ld. APP for the State stating that accused / applicant had threatened the complainant through his accomplices who are juveniles and there are every chances that he can tamper with the evidence if released on bail.

Considering the abovesaid submissions and that accused has no previous involvement, accused / applicant Rohit Bhardwaj is no more required for any custodial interrogation. Hence, accused Rohit Bhardwaj is admitted to bail on furnishing bail bond in the sum of Rs.20,000/- with one surety of like amount subject to following conditions:-

1. That he shall not tamper or intimidate the witnesses.
2. That he shall appear on each and every date of hearing.
3. That he shall furnish his address as and when he changes the same.

Application is accordingly disposed.


(Manish Jain)

MM-01(West)/THC:Delhi
05.06.2021

FIR No.142 /21
u/s 356/379/411 IPC
PS Punjabi Bagh
S/v Vikas

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.

Sh. Puran Kumar, Id. Counsel for the accused.

An application for bail u/s 437 Cr.P.C. moved on behalf accused Vikas.

It is submitted by Id. counsel for the accused / applicant that accused has nothing to do with the present case and has been falsely implicated. It is further submitted that investigation of the present case is complete and accused / applicant is no more required for any custodial interrogation. It is further submitted that accused / applicant is ready to abide by the terms of the bail.

Bail application is opposed by Ld. APP for the State.

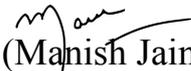
Arguments heard on bail application. Perused the reply of IO.

It is stated by IO that TIP of accused in the present case has been failed.

Considering the abovesaid submissions, accused / applicant Vikas is no more required for any custodial interrogation. Hence, accused Vikas is admitted to bail on furnishing a personal bond to the satisfaction of jail superintendent concerned in the sum of Rs.5,000/- subject to following conditions:-

1. That he shall not tamper or intimidate the witnesses.
2. That he shall appear on each and every date of hearing.
3. That he shall furnish his address as and when he changes the same.

Application is accordingly disposed off.


(Manish Jain)

MM-01 /(West)/THC:Delhi

05.06.2021

FIR No.202/21
u/s 356/379/411 IPC
PS Punjabi Bagh
S/v Vikas

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.

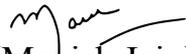
Sh. Puran Kumar, ld. Counsel for the accused.

An application for bail u/s 437 Cr.P.C. moved on behalf accused
Vikas.

Heard. Perused the reply of IO.

It is submitted by IO that TIP of accused is yet to be conducted and inadvertently it was not conducted on the previous date fixed i.e. 04.06.2021. It is further submitted that TIP is now fixed for 11.06.2021. Accordingly, at request of Ld. Counsel for the accused, bail application is kept pending for 12.06.2021.

IO is directed to file reply with respect to TIP on date fixed.


(Manish Jain)

MM-01 /(West)/THC:Delhi
05.06.2021

FIR No.548 /2020
u/s 379/411 IPC
PS Punjabi Bagh
S/v Brijesh

01.06.2021

Present: Ld. APP for the State.

Sh. Pankaj Sharma, Ld. Remand Advocate for accused / applicant Brijesh.

An application for grant of interim bail for 90 days moved on behalf of accused / applicant Brijesh.

Reply has been filed by IO.

It is submitted by Id. Counsel that applicant is innocent and has been falsely implicated in the present case. Ld. Counsel for accused has submitted that alleged section falls into the category decided by the High Powered Committee in its minutes dated 04.05.2021 in which the HPC has laid down the criteria to release the under trial prisoners on interim bail. It is further requested that accused be released on furnishing personal bond before Jail Superintendent concerned. It is also submitted that accused is ready to abide by the terms of the bail.

Ld. APP for the state has opposed the application stating that accused may jump the bail and influence the witness if released.

I have heard the arguments on the bail application and have perused the report.

In view of the emergent circumstances arisen as a result the outbreak of second wave of Covid-19, in the Minutes of Meeting dated 04.05.2021 of the Hon'ble High Powered Committee for implementation of the directions issued by the Hon'ble Supreme Court of India in Suo Moto Petition (Civil) No/1/2020 and for decongestion of Jails, certain guidelines for release of prisoners on interim bail were passed.

Therefore, in view of the guidelines laid down by the Hon'ble High Powered Committee, the applicant is hereby granted interim bail for a period of 90 days on furnishing of personal bond in the sum of Rs.5,000/- to the satisfaction of Jail Superintendent concerned and further interim bail is granted subject to the condition that:

(a) In case of change of the residential address, the applicant shall intimate the court and the jail authorities about the same;

(b) That he shall maintain social distancing at public places in compliance of the order and directions of various authorities;

(c) That he shall not engage himself in any criminal activity or



shall not indulge into similar offence or any other whatsoever;

(d) That he shall not influence with evidence in any manner;

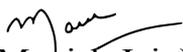
(e) That he shall not influence / intimidate the witnesses;

(f) That the accused / applicant shall not change his mobile number contact number furnished by him and ensure that the same remains operational during the period of interim bail. In case, he has not furnished his mobile / contact number, he is directed to furnish the same;

(g) That he shall surrender before the concerned jail superintendent after completion of interim bail.

Application disposed of accordingly.

Copy of order be provided electronically to the Id. Advocate for the accused, as prayed for. Copy of order be also sent to the Jail Superintendent concerned for intimation.


(Manish Jain)

MM-01 West)/THC:Delhi

05.06.2021

FIR No.450/2021
U/S 420 IPC
PS Punjabi Bagh
S/v Rahul Chadda

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.

Sh. Rakesh Malviya, Id. Counsel for the accused Rahul Chadda.

An application has been moved on behalf of Mrs. Simran (mother of accused Rahul Chadda) against the illegal detention / custody of accused Rahul Chadda by the Jail Superintendent, Tihar Jail.

It is submitted by Id. Counsel that the accused was in JC in FIR No. 134/2021, PS Special Cell and thereafter bail was granted by Ld. ASJ Sh. Dharmender Rana, Patiala House Court vide order dated 02.06.2021. It is further submitted that the bail bonds were furnished, however, the accused has not been released from JC by the Jail Superintendent thereby stating that the accused is also detained in FIR no. 450/21, PS Punjabi Bagh, under section 420 IPC.

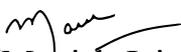
Reply of IO perused wherein it has been stated that the abovenamed accused was never arrested in the present FIR. It is further submitted that after due permission from the Ld. Duty MM, the accused was interrogated in the Tihar Jail, however, after due interrogation no link was carved out with respect to the FIR no.450/21, PS Punjabi Bagh.

A report has also been filed by the Jail Superintendent concerned on 04.06.2021 wherein it has been stated by him that though the bail has been granted in FIR no.134/21, PS Special Cell, the accused is in custody in FIR no.450/21 and further, production warrants has been issued against the accused with respect to the FIR no. 450/21.

It is observed that the accused was never arrested by the IO in the FIR no.450/21 and further, on information received by the Ahlmad of this court, no case is pending with respect to FIR no.450/21. It implies that there was no occasion to issue any production warrant by this court. Further since the accused has never been arrested by the IO in the FIR no.450/21, Jail Superintendent concerned is directed to release the accused, if not required, in any other case.

Copy of order be given dasti to Id. Counsel.

Copy of order be also sent to the Jail Superintendent concerned for compliance.


(Mahish Jain)

MM-01 /(West)/THC:Delhi:05.06.2021

FIR No.90 /2017
u/s 307 IPC
PS Punjabi Bagh
S/v Naim

05.06.2021

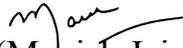
Matter taken up through VC.

Present: Ld. APP for the State.
Applicant/accused Pankaj Arora in person.

An application for calling the status report from the Jail Superintendent, Tihar Jail moved on behalf of accused/applicant Naim.

Status report filed on behalf of jail superintendent. Copy supplied to ld. Counsel electronically.

In view of the aforesaid, application is disposed of accordingly.


(Manish Jain)

MM-01 /(West)/THC:Delhi
05.06.2021

FIR No.449/2021
u/s 33/38/58 Delhi Excise
Act & 188/269/270 IPC
PS Punjabi Bagh
S/v Pankaj Arora

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.
Applicant/accused Pankaj Arora in person.

An application for releasing the articles of Jamatalashi has been moved on behalf of accused/applicant Pankaj Arora.

Heard and perused the reply of IO.

In view of submissions made, the application of accused is allowed.

Jamatalashi articles be released to applicant / accused as per seizure memo and as per rules.

Copy of this order be given dasti to the accused/applicant.

Application is disposed of accordingly.


(Manish Jain)

MM-01 /(West)/THC:Delhi
05.06.2021

FIR No.
Case No.
PS
S/v

05.06.2021

Matter taken up through VC.

Present: Ld. APP for the State.

(Manish Jain)
MM-01 /(West)/THC:Delhi
05.06.2021