

FIR No. 393/2021
PS : Sarai Rohilla
U/s 380/411/34 IPC
State Vs. Ajay @ Chawani S/o Sh. Naresh Kumar

(Through Video Conferencing)

09.06.2021

Interim bail application u/s 437 Cr.P.C on behalf of applicant/accused Ajay @ Chawani S/o Sh. Naresh Kumar

Present: Ld. APP for the State
Sh. Akshat Sharma, Ld. Counsel for accused.

This is an application under Section 437 Cr. PC for grant of interim bail of applicant/accused in terms of order of Hon'ble High Court of Delhi in WP (C) 2945/2020 in the matter of "*Shobha Gupta & Ors. Versus Union of India & Ors. Dated 23.03.2020*" and minutes of the meeting of "*High Powered Committee*" dated 28.03.2020. Further relaxation has been granted by the Hon'ble High Court vide resolution dated 05.05.2021 and 11.05.2021. It is contended that accused/applicant is in JC more than 15 days. It is contended that offence is not punishable with maximum punishment of 7 years and accused fulfill the criteria as mentioned in the order of High Power Committee of Hon'ble High Court of Delhi. He further argued that due to COVID-19 outbreak, lenient view may be taken and applicant/accused may be released on interim bail.

Ld. APP for State has vehemently opposed the present application.

Submissions of both sides heard. Reply of the IO is also perused.

Considering the order of *Hon'ble High Court of Delhi* in minutes of the meeting of "*High Powered Committee*" dated 05.05.2021 and 11.05.2021, *accused is granted* interim bail for a period of 90 days from the date of his release from custody, on furnishing personal bond in sum of Rs. 15,000/- to the satisfaction of Jail Superintendent concerned subject to the following conditions:

1. **That he will surrender before the authorities concerned after the expiry of 90 days from the day of release.**
2. That he shall not indulge into similar offense or any other offence in the event of release on bail.
3. That he shall not tamper with evidence in any manner.
4. That in case of change of his residential address, he shall intimate the court about the same,
5. That he shall regularly appear before the court concerned on each and every date of hearing.

Accused be released from JC, if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email. In addition a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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(Charu Asiwali)
MM-04/Central:
Delhi/09.06.2021

FIR No. 373/2021
PS : Sarai Rohilla
U/s 380/411/34 IPC
State Vs. Ajay @ Chawani S/o Sh. Naresh Kumar

(Through Video Conferencing)

09.06.2021

Interim bail application u/s 437 Cr.P.C on behalf of applicant/accused Ajay @ Chawani S/o Sh. Naresh Kumar

Present: Ld. APP for the State
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Submissions of both sides heard. Reply of the IO is also perused.

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1. **That he will surrender before the authorities concerned after the expiry of 90 days from the day of release.**
2. That he shall not indulge into similar offense or any other offence in the event of release on bail.
3. That he shall not tamper with evidence in any manner.
4. That in case of change of his residential address, he shall intimate the court about the same,
5. That he shall regularly appear before the court concerned on each and every date of hearing.

Accused be released from JC, if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email. In addition a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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(Charu Asiwali)
MM-04/Central:
Delhi/09.06.2021

E.FIR No. 006505/2021

PS Sarai Rohilla

U/S 379 IPC

State Vs. Javed

(Through Video Conferencing)

09.06.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Javed

Present: Ld. APP for the State

Sh. Paramjeet, Ld. Counsel for accused.

As per the reply of IO, no such FIR is pending in PS Sarai Rohilla, and accordingly no arrest has been made.

Copy of reply has been supplied to the ld. Counsel.

Ld. Counsel has prayed, that he may be allowed to withdraw the present application.

Heard.

In light of the prayer made, application is allowed to be withdrawn.

Application is disposed of accordingly.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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(Charu Asiwal)

MM-04/Central:

Delhi/09.06.2021

FIR No. 349/2020
PS Sarai Rohilla
U/S 379/411 IPC
State Vs. Mahavir S/o Hukam Singh

(Through Video Conferencing)

09.06.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Mahavir S/o Hukam Singh

Present: Ld. APP for the State
Sh. Ajay Kumar Saini, LAC for accused.

LAC for accused has submitted that accused is in JC since 03.10.2020 and has been falsely implicated in the present case. LAC has also argued that accused has also been granted interim bail vide order dated 11.05.2021 and therefore, present application may also be considered favorably.

I have heard LAC for accused and perused the reply.

Accused was indeed granted interim bail vide order dt. 11.05.2021, however interim bails are being granted without prejudice to the merits of the case. In present scenario, interim bail was granted to the accused for the sole purpose of de-congestion of prison, owing to recent surge of Covid-19 cases, without considering the merits of the present case. Therefore, in the opinion of this court, mere granting of interim bail does not become an infallible ground for regular bail.

Furthermore, offence is serious in nature, he has previous involvement in more than 50 cases of similar nature, therefore the possibility of abusing the liberty granted by bail, cannot be discounted. No ground for bail is made out. Application is accordingly dismissed.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel/LAC for the accused on his email/whatsapp.

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