

FIR No. 238/2018
PS Sarai Rohilla
State v. Ashok
U/s 302/120B IPC

13.08.2020


Present: None

A letter dated 12.08.2020 is received from Superintendent Jail, Tihar, Central Jail No. 4, Delhi on the email ID of the Court, in respect of confirmation of case particulars/FIR number in respect of accused Ashok S/o Girja Shankar. It is submitted that in order dated 07.08.2020 vide which interim bail is granted to the accused Ashok, at one place the FIR number has been typed as "491/2017" where as accused Ashok is facing trial in case FIR No. 238/2018".

Perused.

It appears that error has crept in order dated 07.08.2020 due to some typographical mistake and it needs to be rectified. According, it is ordered that **accused-applicant Ashok is granted interim bail for 45 days in case FIR No. 238/2018 on furnishing personal bond in the sum of Rs.50,000/- to the satisfaction of the Jail Superintendent concerned** and subject to the same conditions as contained in order dated 7.8.2020.

Copy order be sent to Jail Superintendent for compliance.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
13.08.2020

FIR No. 214/2014
PS: Crime Branch
State Vs. Gulshan etc.
U/s 20/29 NDPS Act

13.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

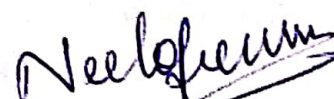
Sh. Pragun Dua, Counsel for accused-applicant
(through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of the accused-applicant Gulshan Kumar in case FIR No. 214/2014.

Medical report in respect of the accused-applicant Gulshan in terms of the previous order is not received. Let the same be called for from the Jail Superintendent for the next date of hearing.

For report and consideration, put up on **18.08.2020**.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
13.08.2020

FIR No. 240/2018

PS Timarpur

State v. Nitin Chhabra etc. (applicant-accused Manu Wadhwa)

U/s 302/201/120B/34 IPC

13.08.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. L. D. Mual, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail of two months on behalf of accused Manu Wadhwa in case FIR No. 240/2018.

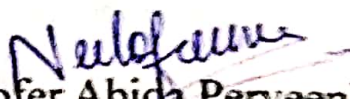
When it is put to the Ld. counsel for accused-applicant as to what is the ground raised for grant of interim bail, Ld. Counsel submits that interim being is being sought only on the ground to enable the accused-applicant make provisions for the sustenance of his unmarried sister. When it is put to the Ld. Counsel for the accused-applicant whether there is any other family member capable of taking care of the sister of the accused-applicant, at which, Ld. Counsel for accused-applicant submits that there is one another brother, however, he has no connection with the other siblings and has never taken care of the sister and even he does not live in Delhi and that the sister of the accused-applicant is living with some relatives. When it is put to the Ld. counsel for the accused-applicant as to



what is the age of the sister of the accused-applicant, I.d. counsel submits that sister of the accused is a young girl somewhere in the age bracket of 25-26 years. It is submitted that parents of accused-applicant died long ago.

Heard.

Interim bail can alone be granted in compelling circumstances and in such extraordinary exigencies where personal presence of the accused would be absolutely indispensable. In the case in hand, however, the personal presence of the accused-applicant is not absolutely necessary as the sister of the accused-applicant is an adult though unmarried and financial hardship alone, being faced by the sister of the accused-applicant, is no ground for release of the accused-applicant on interim bail. Moreover, there is another brother of the accused-applicant who can take care of his sister. There are therefore, no compelling circumstances calling for release of the accused-applicant on interim bail in the present case. **Interim bail application is accordingly dismissed.**


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
13.08.2020

FIR No. 91/2018

PS Kotwali

State v. Kasim

U/s 342/395/397/412/120B/34 IPC & 25/27/54/59 Arms Act

13.08.2020

Fresh application received. Be registered.


Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Archit Kaushik, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail or in alternative interim bail of 60 days on behalf of accused Kasim in case FIR No. 91/2018.

Ld. counsel for the accused-applicant submits that he does not wish to press upon the present bail application and that the same may be dismissed as having been withdrawn. It is ordered accordingly. **The application for grant of regular bail or in alternative interim bail of 60 days on behalf of accused Kasim in case FIR No. 91/2018 is dismissed.**


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
13.08.2020

FIR No. 56/2019

PS NDRS

State v. Rahul @ Samir

U/s 307/324/506 IPC

13.08.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Diwakar Chaudhary, LAC for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail of 45 days on behalf of accused Rahul @ Samir in case FIR No. 56/2019 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons on Delhi due to out break of covid-19 pandemic, received from Jail Superintendent.


Ld. LAC for accused-applicant submits that accused-applicant fulfills all the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 as he is in custody since 25.05.2019 and has not been involved in any other criminal case besides the present one.

Custody certificate alongwith conduct report is received. Accused-applicant is stated to be in custody for over six months in connection with present case FIR for commission of offence under section

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307 IPC, and his conduct is also reported to be satisfactory and no previous involvement is alleged against the accused-applicant. Accused-applicant fulfills the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 in order to decongest the prisons on Delhi due to out break of covid-19 pandemic. **The application is therefore allowed and accused-applicant Rahul @ Samir S/o Raj Kumar is granted interim bail of 45 days in terms of guidelines dated 18.5.2020, upon furnishing personal bond in the sum of Rs.30,000/- to the satisfaction of Jail Superintendent concerned in the present case FIR and subject to the condition that accused-applicant shall deposit his passport if he holds one with the IO and that during the period of interim bail he shall not in any manner threaten/ influence the witnesses in this case or tamper with the evidence or interfere with the course of justice in any manner whatsoever, and shall furnish his mobile phone number and that of one responsible member of the family to the IO and shall ensure that the mobile phone number remains throughout on switched on mode with location activated and shared with the IO. That the accused-applicant shall not leave the territorial limits of NCR Region without prior permission of this court.**

Application stands disposed of.


(Neelofer Avida Perveen)
ASJ (Central)THC/Delhi
13.08.2020

FIR No. 54/2017
PS Kotwali
State v. Mohd. Rizwan
U/s 397/394/324/34 IPC

13.08.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Diwakar Chaudhary, LAC for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of bail on behalf of accused Mohd. Rizwan in case FIR No. 54/2017.

Reply is filed.

Ld. LAC for the accused-applicant submits that the applicant/accused is innocent with deep roots in the society and nothing to do with the present case FIR. That the applicant/accused was arrested on 13.04.2017 and since then he is in JC. That the applicant/accused has been falsely implicated in the present case and is a poor rickshaw puller trying to make a honest living.

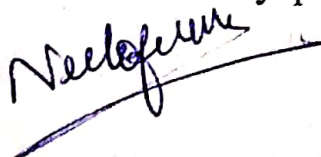
Ld. Addl PP for the State submits that accused-applicant is a rickshaw puller hired by the complainant who was a foreign national and alongwith his co-accused Raj Kumar they both robbed the complainant at knife point of his mobile and cash and in commission of robbery, co-accused of the accused-applicant inflicted knife injuries on the person of

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the complainant. That it is not disputed that accused has clean antecedents.

Heard.

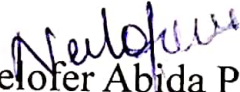
Accused-applicant is a rickshaw puller, who was hired by the complainant, a foreign national and is alleged to have robbed the foreign national in complicity with the co-accused. Accused-applicant is not alleged to be the offender who inflicted knife injuries on the person of the complainant in the course of commission of the robbery and the accused-applicant also has clean antecedents. Six witnesses have been examined including public witnesses, however, complainant remains to be examined who is a foreign national. In such facts and circumstances and taking into consideration that due to the prevailing situation due to covid-19 pandemic, conclusion of trial is likely to take sometime, the application is allowed and **accused-applicant Mohd. Rizwan @ Irfan is ordered to be released on bail upon furnishing personal bond in the sum of Rs. 40,000/- with two sureties in the like amount each to the satisfaction of the Court/Ld. Duty MM** and subject to the condition that prior to his release accused-applicant shall deposit her passport if he holds one with the IO. That he shall scrupulously appear on each and every date of hearing before the court so as not to cause any obstruction or delay to its progress and he shall not interfere with the proceedings in any manner, that he shall not engage in any criminal activity, that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such facts to the Court or to any police officer or tamper with



the evidence. That accused shall furnish the mobile phone number of self and that of the sureties to the IO and the Court and shall ensure that the mobile phone numbers remain throughout on switched on mode with location activated and shared with the IO. That accused-applicant shall confirm his location with the IO every week and shall not leave the territorial limits of NCT without prior intimation to the IO. That he shall not change his mobile phone number and address without prior intimation to the IO and the sureties shall also intimate the IO in the event of change of address.

The accused shall get his presence marked before SHO of PS Kotwali on the first day of every month.

The bail application is disposed of accordingly.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
13.08.2020