Bail Application No.:

Ajay Tripathi @ Ajay Sharma @ Monu Vs. State

FIR No.

: 90/2020

PS

: Hari Nagar

U/s

: 364A/392/34 IPC

Hearing took place through Cisco WebEx.

07.08.2020

Fresh application filed. Same is taken up for hearing in terms of circular no. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 499/11885-11919/ Misc. / Gaz. /DJ West/ 2020 dated 31.07.2020.

Present:

Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Ayub Ahmed Qureshi, Ld. Counsel for applicant/ accused.

Reply to bail application filed.

Ld. Counsel for accused submits that anticipatory bail application of the co-accused Ajay Arora has been listed before Sh. Sunil Beniwal, Ld. ASJ. He submits that present bail application be also listed before him.

Let present bail application be also placed before Sh. Sunil Beniwal, Ld. ASJ for appropriate order.

Ld. Counsel for accused submits that charge sheet has been filed. Let the same be summoned for NDOH i.e. 10.08.2020.

Put up before the Court concerned for the said date.

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

State Vs Kiran Kaliya FIR No.: 254/13

P.S.: Vikas Puri

U/s: 376D/120B/109/34 IPC

DOD: 30.03.2017

THROUGH CISCO WEB EX.

07.08.2020.

Fresh application received and be taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Sh. Lokesh Kumar Khanna, Ld. Counsel for the applicant.

This is a fresh application for release of KVPs and original

Aadhar Card of surety of accused/convict Kiran Kaliya.

Put up on 17.08.2020. File be summoned from the record room for the said date.

> (Ankur Jain) ASJ (SFTC-01) West

Delhi: 07.08.2020

Bail Application No.: 1453

State Vs Gurinder Singh and Shaminder Singh

FIR No. : 761/2020 P.S.: Nihal Vihar U/s : 308/34 IPC

THROUGH CISCO WEB EX.

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present:

Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Sh. Charanjeet Singh, Ld. Counsel for the accused/appli-

cants.

IO SI Hemant Chouhan in person.

Ld. counsel for the accused submits that he may be permitted to withdraw the present bail application and he has filed separate bail application for Gurinder and Shaminder which are also listed for today.

In view of the submissions made by the counsel for the accused the present bail application is dismissed as withdrawn.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 07.08.2020

Bail Application No.: 1050 Praveen Kumar Vs. State FIR No.: 166/2020

FIR No. : 166/202 PS : Ranhola

U/s : 304B/498A/34 IPC

07.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Ishpreet Singh, Ld. Counsel for applicant/accused.

Reply filed by the IO in the connected case wherein it is stated that he is on leave.

Ld. Counsel for accused submits that charge sheet has been filed, however, he is not aware about the status of the accused Praveen.

Put up for consideration on 18.08.2020. Interim order to continue.

(ANKUR AIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

Bail Application No.: 1028

Munni Devi Vs. State FIR No. : 166/2020 PS : Ranhola

U/s : 304B/498A/34 IPC

07.08.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Ishpreet Singh, Ld. Counsel for applicant/accused.

Reply filed by the IO in the connected case wherein it is stated that he is on leave.

Ld. Counsel for accused submits that charge sheet has been filed, however, he is not aware about the status of the accused Munni.

Put up for consideration on 18.08.2020. Interim order to continue.

(ANKUR JAIN)
ASJ(Special Fast Track Court)-01

West, THC, Delhi/07.08.2020

Bail Application No.: 1391

Rahul Kumar Vs. State

FIR No.

: 600/20

PS

: Ranhola

U/s

: 308 IPC

07.08.2020

Present:

Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Shiv Shaya, Ld. Counsel for applicant/ accused.

IO ASI Sunil Dutt in person.

After hearing arguments Ld. Counsel for accused seeks liberty to withdraw the present bail application. Statement of the Ld. Counsel for the accused is recorded separately. In view of the statement the present bail application is dismissed as withdrawn with liberty to file the same after the committal proceedings. Copy of order be given Dasti to the Ld. Counsel for accused.

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020 Bail Application No.: 1391

Rahul Kumar Vs. State

FIR No. : 600/20

PS

: Ranhola

U/s

: 308 IPC

Mr. Shiv Shaya, Ld. Counsel for accused, Enrollment no. D/735/2014.

Without Oath

I may be permitted to withdraw the present bail application with liberty to file the same after the committal proceedings.

RO&AC

gharsden

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

FIR No: 338 /2017

PS: Tilak Nagar

STATE VS. RAVINDER

Hearing took place through Cisco WebEx.

07.08.2020

File is taken up for hearing in terms of circular no. 25-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and Ends. No. 1944-1976/DHC 2020 dated 30.07.2020.

Present:

Mr. Subhash Chauhan, Ld. Addl.PP for State.

Ms. Arti Pandey, DCW counsel

Mr. Praveen Dabas, Ld. Counsel for both accused

persons.

On oral request, both accused are exempted for today.

The case is listed for PE. In terms of the directions as contained in the above said circular evidence cannot be recorded. Accordingly, the present case is adjourned.

Put up for PE on 16.12.2020.

(ANKUR JAIN)
ASJ(Special Fast Track Court)-01
West, THC, Delhi/07.08.2020

Bail Application No.: 1463, 1518 and 1556

State Vs Virender Singh, Gurinder Singh and Shaminder Singh

FIR No.: 761/20 P.S.: Nihal Vihar U/s: 308/34 IPC

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Sh. P.P. Mann, Ld. Counsel for the accused /applicant Viren-

der Singh.

Sh. Charanjeet Singh, Ld. Counsel for accused Gurinder

and Shaminder Singh (through VC) IO SI Hemant Chouhan in person.

Arguments heard. Put up for orders.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 07.08.2020

ORDER:-

By this common order I shall decide three bail applications filed on behalf of the accused persons.

Brief facts of the case are that a complaint was made by Sunil Choudhary who stated that he along with his brothers Munil, Anil and father Parmatma Prashad are living at RZQ-21 Nihal Vihar. It is stated that on 15.07.2020 at around 6:00 pm. in the evening Munil was studying on the terrace, the water tank of Ranjit Singh's house overflowed, upon which Munil asked Ranjit Singh to stop the water

flow, however Ranjit Singh scolded him. At around 10:00 pm. three sons of Ranjit Singh namely Gurinder, Virender and Shaminder were standing outside. Gurinder was having wooden Danda, Shaminder was having Aluminum Rod and were shouting as to how Munil could abuse their father. When the three brothers tried to reason out with them Gurinder and Shaminder started hitting them with wooden danda and aluminum rod. As a result Anil and their father Parmatma Prashad received injuries.

Ld. Counsel for the accused Virender has argued that accused are in Judicial custody since 15.07.2020. The offence u/s 308 IPC is not made out as the nature of injuries are simple.

Ld. Counsel for accused Gurinder and Shaminder has argued that investigation qua the accused persons are complete. It is a case of simple quarrel and no useful purpose would be served to keep the accused persons behind the Bar.

Ld. Addl. PP for the State has opposed the bail application on the ground that co-accused is to be arrested and for the offence punishable u/s 308 IPC it is not the nature of injury which is relevant but the place where the injury is caused and the intention of the accused are relevant.

I have heard Ld. Counsel for the accused/applicant and Ld. Addl. PP for the State and have perused the record.

The nature of injury on the three MLCs bearing no. 8122-8124 of injured Anil, Sunil and Pramatma Prashad were opined to be simple. The alleged weapon of offence stands recovered. Whether the Act committed by the accused persons would attract 308 IPC or not is essentially the question which would be decided at the stage of framing of charge. The accused persons are not required for further investigation.

Considering the facts and circumstances of the case, all the accused persons namely Virender, Gurinder and Shaminder are admitted to bail on furnishing a Personal bond in the sum of Rs. 30,000/- with one surety in the like amount to the satisfaction of the Ld. MM./Duty MM concerned.

All the three bail applications stand disposed off.

Copy of the order of Virender be given dasti, and be sent through electronic mode to the counsel for accused Gurinder and Shaminder.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 07.08.2020

Bail application no. 1318 Sajjan Shukla Vs. State FIR No. : 176/2020

PS : Nihal Vihar

U/s : 392/397/336/34 IPC &

25/54/59 Arms Act

07.08.2020

The Court of undersigned is having duty as per the Circular no. 499/11885-11919/ Misc./ Gaz./DJ/West/2020 dated 31.07.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. R. K. Gupta, Ld. Counsel for applicant/accused.

TCR received.

Arguments heard.

Put up for orders.

(ANKUR JAIN)
ASJ(Special Fast Track Court)-01
West, THC, Delhi/07.08.2020

12:45 PM

1. The brief facts of the case are that a complaint was made by Kali Charan, who stated that he is working in Nangloi Gas Service Indian Gas Agency and on 16.03.2020 was going to IDBI bank Nangloi for depositing a sum of Rs. 3,71,000/- along with his colleague Narender Rana on their motor cycle bearing



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two boys on motor cycle came from behind and stopped their motor cycle in front of their motor cycle. The pillion rider put a katta on the forehead and demanded the bag and thereafter snatched the bag. While running away they fired from their desi katta.

- 2. Ld. Counsel for accused has argued that accused had no role to play and have been in continuous custody from the date of his arrest. It is argued that charge sheet has been filed and no useful purpose will be served to keep the accused behind bars.
- 3. On the other hand, Ld. Addl. PP for State has argued that motor cycle which was used in the commission of the crime has been recovered from the accused. Moreover, accused Sajjan Shukla had given a tip off to co-accused Jitender Sharma who along with two persons followed the motor cycle of the complainant and thereafter snatched the bag.
- 4. I have heard Ld. Addl. P. P. for State and Ld. Counsel for accused and perused the record.
- 5. As per the charge sheet a secret information was received that apart from two persons who had committed the crime there were two other persons who were following them. The secret informer had also given the number of the motor cycle as DL 4S CK 3452. This motor cycle belongs to the present accused. Accused was arrested and it was further revealed that one Jitender Sharma and Deep Narain were also involved. Deep



Narain had told them that he had seen the workers of Gas Agency depositing huge amount in IDBI Bank since he was working in Jio company. The CDR of either Sajjan Shukla or Jitender Sharma has not been placed on record but as per the charge sheet same has been obtained.

6. The allegations against the accused are serious in nature. Thus, I do not find any ground to grant bail to the accused. Bail application is dismissed. Copy of the order be given dasti. TCR be sent back.

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

Bail Application No.: 1559

State Vs Dherender Singh @ Dheerender Kumar

FIR No.: 166/2020

P.S.: Ranhola

U/s: 304B/498-A/34 IPC

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Sh. Ishpreet Singh, Ld. Counsel for the accused/applicant.

Ms. Aarti Pandey, Ld. DCW counsel.

Reply has not been received from the IO as he is on leave.

Ld. Counsel for the accused submits that charge-sheet has

been filed but he does not have the copy of the charge-sheet.

If so advised, he is directed to appear before the court

concerned.

Put up for consideration on 18.08.2020.

(Ankur Jain) ASJ (SFTQ-01) West Delhi: 07.08.2020

ASJ-01, SPECIAL FAST TRACK COURT (WEST):TIS HAZARI COURTS:DELHI

Bail Application No.: 1512

Mohd. Jibrail Vs. State FIR No. : 20/2020

PS : Hari Nagar

U/s: 363/366/366A IPC & Sec. 9 of Prohibition of Child Marriage Act.

07.08.2020

The Court of undersigned is having duty as per the Circular no. 499/11885-11919/ Misc./ Gaz./DJ/West/2020 dated 31.07.2020

Present:

Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Varun Kumar, Ld. Counsel for applicant/accused.

ASI Shiv Lal in person.

TCR received.

Arguments heard.

Put up for orders.

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

1 PM

1. The brief facts of the case are that a complaint was given by Smt. 'K' to the effect that her daughter 'AK' is missing. On her complaint FIR U/s 363 Ipc was registered. During the course of investigation it was found that the girl has embraced Islam and has married to the accused. After completion of investigation charge sheet was filed.

- 2. Ld. Counsel for accused has argued that the accused is in fact the husband of the victim. There are no allegations in the statement u/s 164 Cr.P.C. It is therefore argued that accused should be granted bail as charge sheet has already been filed.
- 3. On the other hand, Ld. Addl. PP for State has argued that as per the documents collected by IO the date of birth is 03.02.2003 and therefore the consent of the girl is immaterial.
- 4. I have heard Ld. Addl. P. P. for State and Ld. Counsel for accused and perused the record.
- 5. On record there are 3 date of birth of the victim the First is 10.09.2002, the other is 10.09.1998 and the last is 03.02.2003. The first two date of birth are reflected in the enrollment slip and the Adhar Card. The Adhar Card was used at the time when the girl was married with the accused under Muslim Personal Law. In my opinion the date of birth on Adhar Card would have no value and the date of birth as reflected in the school register would take precedence.
- 6. The Date of birth as per the school register is 03.02.2003. The copy of the admission and withdrawal register is placed on record. The name of mother and the father is clearly reflected in the said register and which matches with the detail as mentioned in the FIR. On the date of FIR the girl was around 16 years 10 months and her consent for any act would be irrelevant. The allegations are serious in nature. Thus, I find no

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ground to grant bail to the applicant / accused. Bail application is dismissed. Trial Court be sent back. Copy of order be given Dasti.

(ANKUR JAIN)

ASJ(Special Fast Track Court)-01 West, THC, Delhi/07.08.2020

Bail Application No.: 1539

State Vs Simran Kaur

FIR No.: 594/20

P.S.: Nihal Vihar U/s: 498-A/304B/34 IPC

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present:

Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Sh. Salimuddin, proxy Counsel for the accused/applicant. Ms. Sunita Choubey, Ld. Counsel for the complainant along

with brother of deceased.

10 Inspector Mahavir Singh in person.

Ld. counsel for the accused request for adjournment on the ground that main counsel is not available.

Ld. Addl. PP on instructions from the IO has informed that charge-sheet has already been filed in the present case, however, final opinion of Postmortem Report is awaited for want of FSL result.

Put up for further proceedings on 27.08.2020.

(Ankur Jain) ASJ (SFTC-01) West

Delhi: 07.08.2020

State Vs Shahrukh FIR No.: 787/20 P.S.: Nihal Vihar

U/s: 376/506IPC

THROUGH CISCO WEB EX.

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present:

Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Sh. M.P. Sinha, Ld. Counsel for the accused/applicant.

Victim through VC.

This is the fresh application filed on behalf of the accused u/s 438 Cr.P.C. .

Let notice of the application be issued to the IO. IT will be appropriate to issue notice to the complainant through IO in terms of the practice directions of the Hon'ble High Court of Delhi, in order to establish the identify of the victim.

Put up for arguments on 11.08.2020.

(Ankur Jain) ASJ (SFTC-01) West

Delhi: 07.08.2020

SC No. : 440/18

State Vs Sarvesh Mittal

FIR No.: 107/2018

P.S.: Moti Nagar U/s: 376/313/509/506 IPC

THROUGH CISCO WEB EX.

07.08.2020.

File taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Sh. Damish Khan, Ld. Proxy Counsel for the accused

Ld. counsel for the accused submits that accused was unable to join the proceedings. On his oral request, accused is exempted for today.

Ld. Proxy counsel for the accused submits that main counsel also could not join the proceedings as his maternal uncle has suffered a paralytic attack.

At request, put up for consideration on charge on

21.08.2020.

(Ankur Jain) ASJ (SFTC-01) West Delhi: 07.08.2020

SC No.: 124/14

State Vs Rahul Yadav & Anr.

FIR No.: 647/14

P.S.: Kirti Nagar U/s: 376 D/365 IPC

THROUGH CISCO WEB EX.

07.08.2020.

File taken up for hearing in terms of Circular No. 26-DHC/2020 dated 30.07.2020 of Hon'ble High Court of Delhi and No. 1977-2009/DHC/2020 dated 30.07.2020.

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti Pandey, Ld. DCW counsel.

Both the accused on bail.

Ms. Asmita Narula along with Sh. Vaibhav Singh, Ld.

Counsel for the accused

The matter is listed for PE.

In terms of the directions evidence cannot be recorded.

Put up for **PE** on **01.10.2020**.

(Ankur Jain)

ASJ (SFTC-01) West

Delhi: 07.08.2020

Bail Application No.: 1431

State Vs. Guddu FIR No.: 134/2020

P.S.: Anand Parbat

U/s: 307/323/324/109/111/170/120-B/34 IPC

07.08.2020.

The court of undersigned is having duty as per the Circular No. 499/11885-11919/Misc./Gaz/DJ/West/2020 dated 31.07.2020.

Present:

Sh. Subhash Chauhan, Ld. Addl. PP for the State.

Ms. Aarti DCW counsel.

Sh. Nagender Singh, Ld. Counsel for the accused/applicant.

Arguments heard. Put up for orders.

(Ankur Jain) ASJ (SFTC-01) West

Delhi: 07.08.2020

At 12:00 noon

ORDER:-

The brief facts of the case are that Om Prakash made a complaint that he owed Satinder Rs/ 1500/- which he could not returned due to lock-down. In the night of 08.06.2020 Satinder along with 4 persons came to his house and demanded the amount and

threatened him. On 09.06.2020 Satinder along with 4 other persons including the present applicant came to the house and demanded money. On refusal the 4 persons started giving knife blows. When the son of the complainant namely Kapish tried to save him Kakku gave a knife blow in the stomach. The 4 four boys along with Satinder then ran away from the spot.

Ld. Counsel for the accused has argued that Guddu has no role to play, he has no criminal antecedent therefore, he should be admitted to anticipatory bail.

On the other hand Ld. Addl. PP for the State has argued that injured Kapish remained in the hospital for 12 days. Co-accused are yet to be arrested and final opinion is to be obtained.

I have heard Ld. Counsel for the accused/applicant and Ld. Addl. PP for the State and have perused the record.

The allegations against the accused person is serious in nature, accused Guddu is named in FIR. Complainant has categorically stated that he could identify them by name. Co-accused are yet to be arrested.

Considering the facts and circumstances of the case, no ground for grant of bail to the accused is made out. Application stands dismissed.

Copy of the order be given dasti.

(Ankur Jain) ASJ (SETC-01) West Delhi: 07.08.2020

Bail Application No.: 1626

Kartik @ Popla @ Khopdi @ Ashu Vs. State

eFIR No. : 112/20

PS : Anand Parbat

U/s : 356/379/411/34 IPC

Hearing took place through CISCO WebEx.

07.08.2020

The Court of undersigned is having duty as per the Circular no. 499/11885-11919/ Misc./ Gaz./DJ/West/2020 dated 31.07.2020

Present: Mr. Subhash Chauhan, Ld. Addl. PP for State.

Mr. Anil Kumar, Ld. Counsel for applicant/accused. HC Damodar from PS Anand Parbat in person.

Arguments heard.

Put up for orders.

(ANKUR JAIN)
ASJ(Special Fast Track Court)-01
West, THC, Delhi/07.08.2020

12:30 PM

- 1. Brief facts of the case are that a complaint was made by Sanjay Chauhan, that while he was travelling from his home to work, two persons with covered faces snatched his gold chain and ran away.
- 2. Ld. Counsel for accused submits that gold chain has been

recovered. Accused is in JC since 09.07.2020 and no useful purpose will be served to keep him behind bars.

- 3. On the other hand, Ld. Addl. PP for State has argued that accused is a habitual criminal and has 3 previous involvements. Out of which one case is of criminal nature.
- 4. I have heard Ld. Addl. P. P. for State and Ld. Counsel for accused and perused the record.
- 5. As per the report of IO accused was identified from CCTV footage, he was apprehended and gold chain was recovered. The accused is involved in three other cases. I thus find no ground to grant bail to the accused. Bail application is dismissed. Copy of the order be sent to all concerned through electronic mode.

(ANKUR JAIN)
ASJ(Special Fast Track Court)-01
West, THC, Delhi/07.08.2020