FIR No.119-20 dt. 11.12.2020

U/s 66/66C/66D r/w S 43 of IT Act

Section 120B/419/420/465/468/471 IPC

PS Cyber Cell Calcutta.



26.12.2020.

Present: Ld. APP for State through VC.

Accused Shivam Garg, Chandan Bhatia, Amarjeet & Suraj produced after fresh arrest.

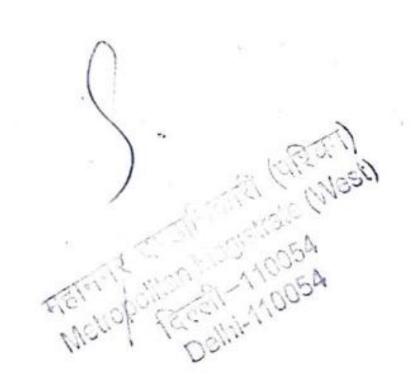
IO/Insp.Subrata Basak, SI/Ranjan Chakraborty, Ct. Manoj Bepari,

Ct. Debasish Sarkar, Ct. Subrata Sarkar in person.

Vide this order, the undersigned shall decide two applications i.e. one of police remand/transit remand and one of bail application moved on behalf of all the accused.

The IO submits that the case is that unknown accused persons entered into a criminal conspiracy and pursuant to that dishonestly/fradulently collected information of the complainant company and created fake digital signature certificate and allegeldy stole licenses/authorization/Scritps (ROSCTL) of the complainant company by fraudently using fake digital signature certificate worth more than Rs.82 laksh and transferred to ple beneficiaries without permission and thereby caused wrongful loss during the course of investigation the IO alongwith the team of Cyber PS Calcutta had found Amarjeet Singh, and recorded his statement. From his statement it was learnt from him that he made forged documents in the name of complainant's company namely Sundaram sales Private Limited and also made fake video and created fake digital certificate. The IO prays for three days police remand/transit remand for the accuse.

The second application of bail u/s 437 Cr.P.C. on behalf of all the accused persons is submitted. Ld. Counsel submits that the



Maccused are employees of Sh. Gurcharan Dhawan who is cultant of sale and purchase of transferable scripts and have nothing to do the allegations levelled in the FIR. That one M/s New Trendz Collection, Delhi, had applied for issuance of Duty Credit Scripts (Licenses) under the ROSCTL Scheme. That M/s New Trendz Collection had received for scripts i.e.

Authorisation No.		Dated.
0519221664	*	18.05.2020
0519215289		20.03.2020
051925288		20.03.2020
0519215263		20.03.2020

It is submitted by the ld. Counsel that the above authorization/licensed were never transferred by the original owner i.e. M/s New Trendz Collection to anyone. However, it had come to the notice of M/s New Trendz Collection that the above mentioned authorization/licenses had been transferred to unknown persons. The Ld. Counsel submits that applicant/accused have been arrested without any basis. Ld. Counsel submits that the above mentioned accused/applicant be released on bail as they are not involved in the present case.

Arguments heard. Record perused.

The undersigned shall dispose of both the applications vide a common order.

Considering the facts and circumstances of the present case, there appears to be a prima facie case against the accused/applicant. This court agrees with the submissions of the IO that the presence of the accused is required for finding a logical reason as to how were they in possess to of those alledgely fake digital certificates and how were they transfered to unauthorised persons. Also, the investigation is still at the intial stage. Also, the allegations against the accused are serious in nature. The case involves a





nount.

MLC perused, no fresh injuries found.

Accordingly, at this stage, the bail application of the applicant/accused is dismissed.

Three days police remand/transit remand to Calcutta is allowed. Medical examination of the accused/applicants be conducted as per law.

On court inquiry, the IO submits that the accused/applicant will travel through train.

On Court inquiry, the IO submits that the accused/applicant shall appear before the Court of Shri Dipanjan Sen, Chief Metropolitan Magistrate, Calcutta. Address – 2 & 3, Bankshall street, Bankshall Court Kolkata – 700001. Email Address of the Court is – dipanjansen.sen@gmail.com

Copy of this order be sent to the concerned Court through Email.

Copy of this order be given dasti to the IO/courisel for accused as prayed for.

The Original order alongwith documents, if any, be sent the Concerned Court through the Court of Ld. CMM (West) through proper channel.

(CHARAN SALWAN)
Duty MM-II (WEST) DELHI
26.12.2020

Metropolica 1-110054

FIR NO.17842-20 PS Tilak Nagar U/s 379/411 IPC



289

26.12.2020.

Application on behalf of accused Deepak S/o Sh. Budhai for release on personal bond.

Present:

Ld. APP for State through VC.

Sh. Manish Sehrawat for accused.

That the applicant/accused Deepak was arrested by the police officials of PS Tilak Nagar in the present case and thereafter was send to JC. Vide order dt. 15.12.2020 the accused was admitted on bail on furnishing of bail bonds and surety bond in the sum of Rs.5000/- each. Ld. Counsel submits that accused and his family members had tried their best to furnish the surety bond as per the directions of Hon'ble Court, but failed to secure a sound surety. The accused only has his mother in his family.

The ld. Counsel for accused belongs to a poor strata and the accused had tried to furnish surety but could not.

Heard. Record perused.

In the present case, the accused was admitted on bail vide order dt.15.12.2020. Considerating the fact that he is having no one to stand surethin, his prayer deserves to be accepted. Accordingly, in view of ordres Hon'ble High court of Delhi, in matter of Ajay Verma Vs. Govt. Of Delhi, V 10689/2017 the application of accused is allowed and as such he is admitting bail on furnishing personal bond in the sum of Rs.5,000/- to the satisfaction of the concerned jail superintendent.

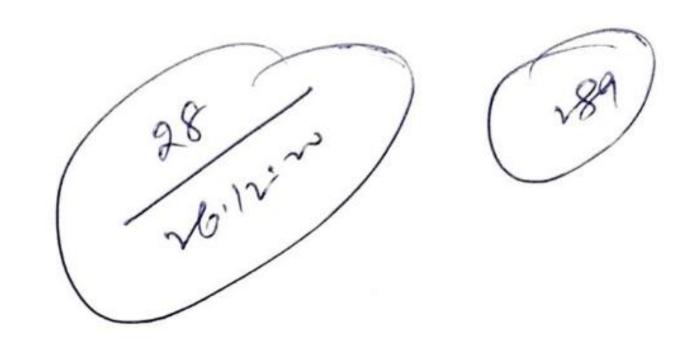
Application stands disposed off.

Copy of this order be sent to the Jail superintendent through all permissible modes including email.

Copy of this order also be sent through email to the ld. Counsel for accused.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020

FIR NO.17575-20 PS Tilak Nagar U/s 379/411 IPC



26.12.2020.

Application on behalf of accused Deepak S/o Sh. Budhai for release on personal bond.

Present:

Ld. APP for State through VC.

Sh. Manish Sehrawat for accused.

That the applicant/accused Deepak was arrested by the police officials of PS Tilak Nagar in the present case and thereafter was send to JC. Vide order dt. 15.12.2020 the accused was admitted on bail on furnishing of bail bonds and surety bond in the sum of Rs.5000/- each. Ld. Counsel submits that accused and his family members had tried their best to furnish the surety bond as per the directions of Hon'ble Court, but failed to secure a sound surety. The accused only has his mother in his family.

The ld. Counsel for accused belongs to a poor strata and the accused had tried to furnish surety but could not.

Heard. Record perused.

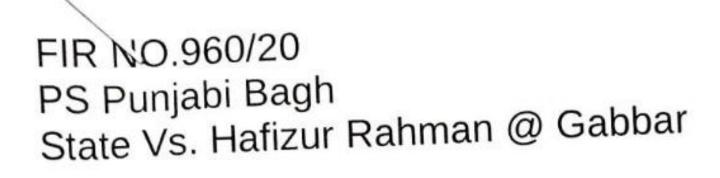
In the present case, the accused was admitted on bail vide order dt.15.12.2020. Considerating the fact that he is having no one to stand surety for him, his prayer deserves to be accepted. Accordingly, in view of ordres of the Hon'ble High court of Delhi, in matter of Ajay Verma Vs. Govt. Of Delhi, W.P.(C) 10689/2017 the application of accused is allowed and as such he is admitted on bail on furnishing personal bond in the sum of Rs.5,000/- to the satisfaction of the concerned jail superintendent.

Application stands disposed off.

Copy of this order be sent to the Jail superintendent through all permissible modes including email.

Copy of this order also be sent through email to the ld. Counsel for accused.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020







26.12.2020.

Fresh application for grant bail of accused Hafizur Rahman @ Gabbar filed on behalf of accused/applicant.

Present:

SH. M. D. Nabeel Ld. APP for State through VC.

SH. M.W. Rehman Id. Counsel for accused.

This is application for grant of bail of accused Hafizur Rahman @ Gabbar, S/o Sh. Azizur R/o Qasim Vihar, H.No.717, Ward No.31, Amit Enclave (Qasim Vihar) Loni District Ghaziabad filed on behalf of accused u/s 437 Cr.P.C.

Reply by IO filed.

It is submitted by the ld. Counsel for accused that the accused was arrested by the police officials of PS Punjabi Bagh Delhi on 12.12.2020 and since then he has been languishing in judicial custody. The applicant/accused is only the bread earner in his family. Ld. Counsel submits that nothing has been recovered from the possession of the accused. No fruitful purpose will be served keeping him behind the bars.

Ld. APP for State has argued that he has been habitual offender and caught red handed and the accused should not be enlaged on bail as there is the possibiltiy of accused fleewing from the justice.

This court is mindful of the proposition that bail is a rule and jail is an exception. As held by Hon'ble Supreme Court of India in the judgment titled State of Rajasthan, Jaipur Vs. Balchand @ Baliay 1978 SCR (1) 538, "The basic rule is bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offence or intimidating witness and the like by the petitioner who seeks



## ohlargment on bail from the court".

The accused is languishing in the custody since 12.12.2020 and reply filed by the IO is not showing any cognent ground for showing custodial detention of the accused.

In view of the submissions made by both the parties and considering the fact that accused is ready to cooperate in investigation and he has been already in jail since 12.12.2020, no fruitful purpose would be served by keeping the accused in judicial custody. The accused Hafizur Rahman @ Gabbar, S/o Sh. Azizur is hereby admitted to bail subject to furnishing of personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following conditions:-

- 1. That he shall not indulge into similar offence or any other offence in the even of release on bail.
- 2. That he shall not tamper with the evidence in any manner.
- 3. That in case of change of his residential address, he shall intimate the court about the same.
- 4. That he shall regularly appear before this court on each and every date of hearing.

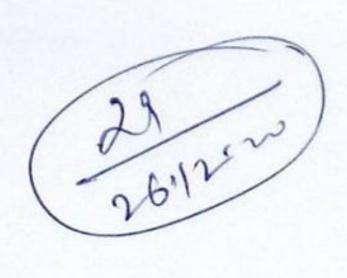
Application disposed of accordingly.

Copy of this order be sent to the jail superintendent concerned. Copy of this order be given dasti to Ld. Counsel for accused, as prayed for.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020

2

FIR No.617-20 PS Punjabi Bagh U/s 25 Arms Act.



26.12.2020.

Present:

Ld. APP for State through VC.

Sh. Nitin Gupta for accused.

Report has been received from the Jail superintendent and the same has been supplied to the ld. Counsel through email.

Report perused.

It is observed that in the reply of the superintendent the accused is still required in the FIR NO.000173/2020 u/s 379/411/34 IPC under PS DBG Road and accordingly has not been released despite being admitted on bail in FIR No.617/2020.

Accordingly, the application is disposed of.

(CHARAN SALWAN)
Duty MM-02 /WEST/DELHI
26.12.2020

FIR NO.939/20 PS Punjabi Bagh U/s 379/411 IPC State Vs. Mohit Sharma





26.12.2020.

Application for grant bail filed on behalf of accused/applicant.

Present:

SH. M. D. Nabeel Ld. APP for State through VC.

Ld. Counsel for accused.

This is application for grant of bail of accused Mohit Sharma S/o Sh. Hari Om filed on behalf of accused u/s 437 Cr.P.C.

Reply by IO filed.

It is submitted by the ld. Counsel for accused that the accused has been falsely implicated in the present case and he has been juducial custody since 03.12.2020. Ld. Counsel submits that nothing incriminating has been recovered from the possession of the accused. The ld. Counsel further submits that the prosecution story is fabricated. No fruitful purpose will be served keeping him behind the bars.

Ld. APP for State has argued that the accused is a habitual offender and allegations in the present case serious in nature. It is further submitted that accused should not be enlaged on bail as there is the possibility of accused fleeing from justice. It is also submitted that the accused is involved in many cases, report of his previous involvement is annexed with the report of IO.

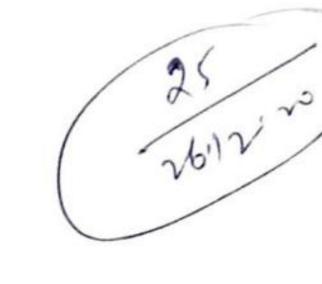
Heard. Record persued.

In the present case, the accused has been involed in several cases of similar nature and also the case is at the hand is serious in nature. Accordingly, this court does not deem it proper to admit the accused on bail at this stage. Further more, he may commit similar officences, if released on bail.

Accordingly, the bail application of accused Mohit Sharma is dismissed.

Copy of this order be given dasti to Ld. Counsel for accused, as prayed for.

(CHARAN SALWAN)
Duty MM-II WEST/DELHI
26.12.2020





FIR NO.PB000930-20 U/s 379/411 IPC State Vs. Rohit Alias Sahil

26.12.2020.

An bail application has been filed on behalf of application/accused Rohit Alias Sahil

Present: SH. M. D. Nabeel Ld. APP for State through VC.

SH. Deepak Kumar Id. Counsel for accused.

This is application for grant of bail of accused **Rohit Alias Sahil S/o Sh. Roop Kishor R/o A-4/93, Sec.20 Rohini Delhi-110086** filed on behalf of accused u/s 437 Cr.P.C.

Reply by IO filed.

It is submitted by the Id. Counsel for accused that the accused in law abiding and peace loving citizen of India and permanent resident of above mentioned address. It is further submitted that the accused was arrested by the police officials of PS Punjabi Bagh Delhi on 04.12.2020 and since then he has been languishing in judicial custody. It is further submitted that the accused has been falsely implicated in the present case. Investigation of the present case is completed and custodial interrogation is not required. No fruitful purpose will be served by keeping him behind the bars.

Ld. APP for State has argued that he is habitual offender and allegations in the present complaint are serious in nature. It is further submitted that accused should not be enlaged on bail as there is the possibility of accused fleeing from justice. It is also submitted that the accused is involved in many cases, report of his previous involvement is annexed with the report of IO. It is further submitted that the co-accused is yet to be arrested.

Heard. Record persued.



the present case, the accused has been involed in several cases of milar nature and also the case at hand is serious in nature. Accordingly, this court does not deem it proper to admit the accused on bail at this stage. Further more, he may commit similar officences, if released on bail.

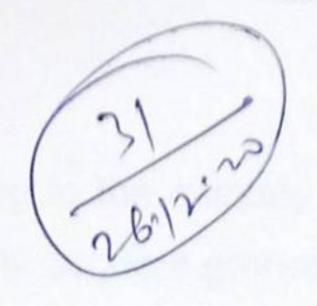
Accordingly, the bail application of accused Mohit Sharma is dismissed.

Copy of this order be given dasti to Ld. Counsel for accused, as prayed for.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020

2

FIR No.27405-20 PS Tilak Nagar U/s 379/411 IPC State Vs. Ajay @ Golu S/o Krishan



26.12.2020.

An bail application has been filed on behalf of application/accused Ajay @ Golu S/o Krishan.

Present: SH. M. D. Nabeel Ld. APP for State through VC.

Ms. Meenakshi Sharma appointed as Legal Aid counsel for accused.

This is application for grant of bail of accused Ajay @ Golu S/o Krishan filed on behalf of accused u/s 437 Cr.P.C.

Reply by IO filed.

It is submitted by the ld. Counsel for accused has been wrongly and falsely implicated in the present case and the accused has nothing to do in the present case. It is further submitted that accused is no more required for the purpose of investigation. The ld. Counsel also relies on the judgement of the Hon'ble Supreme court in the case of Sanjay Chandra Vs. CBI. It is further submitted that the accused has been languishing in judicial custody since 25.11.2020. No fruitful purpose will be served keeping him behind the bars.

Ld. APP for State opposed the bail application vehementaly.

This court is mindful of the proposition that bail is a rule and jail is an exception. As held by Hon'ble Supreme Court of India in the judgment titled State of Rajasthan, Jaipur Vs. Balchand @ Baliay 1978 SCR (1) 538, "The basic rule is bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offence or intimidating witness and the like by the petitioner who seeks enhlargment on bail from the court".

ccused is languishing in the custody since 25.11.2020 and if the IO is not showing any cognent ground for showing custodial on of the accused.

In view of the submissions made by both the parties and considering the fact that accused is ready to cooperate in investigation and he has been already in jail since 25.11.2020, no fruitful purpose would be served by keeping the accused in judicial custody. The accused Ajay @ Golu S/o Sh. Krishan is hereby admitted to bail subject to furnishing of personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following conditions:-

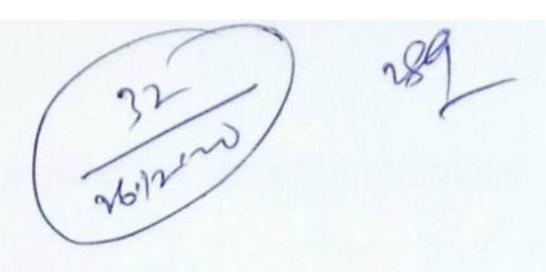
- 1. That he shall not indulge into similar offence or any other offence in the even of release on bail.
- 2. That he shall not tamper with the evidence in any manner.
- 3. That in case of change of his residential address, he shall intimate the court about the same.
- 4. That he shall regularly appear before this court on each and every date of hearing.

Application disposed of accordingly.

Copy of this order be given dasti to Ld. Counsel for accused, as prayed for.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020

FIR No.27407-20 PS Tilak Nagar U/s 379/411 IPC State Vs. Akash S/o Vijay Bahadur



26.12.2020.

An bail application has been filed on behalf of application/accused Akash S/o Vijay Bahadur

Present: SH. M. D. Nabeel Ld. APP for State through VC.

Ms. Meenakshi Sharma, Legal Aid counsel for accused.

This is application for grant of bail of accused Akash Slo Vijay Bahadur filed on behalf of accused u/s 437 Cr.P.C.

Reply by IO filed.

It is submitted by the ld. Counsel for accused has been wrongly and falsely implicated in the present case and the accused has nothing to do in the present case. It is further submitted that accused is no more required for the purpose of investigation. The ld. Counsel also relies on the judgement of the Hon'ble Supreme court in the case of **Sanjay Chandra Vs. CBI**. It is further submitted that the accused has been languishing in judicial custody since 06.11.2020. No fruitful purpose will be served keeping him behind the bars.

Ld. APP for State opposed the bail application vehementaly.

This court is mindful of the proposition that bail is a rule and jail is an exception. As held by Hon'ble Supreme Court of India in the judgment titled State of Rajasthan, Jaipur Vs. Balchand @ Baliay 1978 SCR (1) 538, "The basic rule is bail, not jail, except where there are circumstances suggestive of fleeing from justice or thwarting the course of justice or creating other troubles in the shape of repeating offence or intimidating witness and the like by the petitioner who seeks enhlargment on bail from the court".

The accused is languishing in the custody since 25.11.2020 and

ad by the IO is not showing any cognent ground for showing custodial antion of the accused.

In view of the submissions made by both the parties and considering the fact that accused is ready to cooperate in investigation and he has been already in jail since 06.11.2020, no fruitful purpose would be served by keeping the accused in judicial custody. The accused **Akash S/o Vijay Bahadur** is hereby admitted to bail subject to furnishing of personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following conditions:-

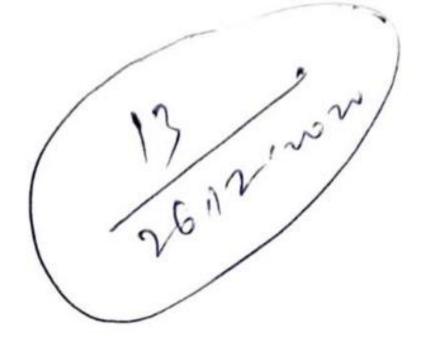
- 1. That he shall not indulge into similar offence or any other offence in the even of release on bail.
- 2. That he shall not tamper with the evidence in any manner.
- 3. That in case of change of his residential address, he shall intimate the court about the same.
- 4. That he shall regularly appear before this court on each and every date of hearing.

Application disposed of accordingly.

Copy of this order be given dasti to Ld. Counsel for accused, as prayed for.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI
26.12.2020

FIR No. 673-20 PS Moti Nagar State Vs. Amit Kumar



26.12.2020.

## An application for surrender has been moved today

Present: Sh. Vikas Sharma & Sh. S.L. Sharma, Id. Counsel for accused.

Ld. Counsel has moved an application for surrender of accused u/s 302/34 IPC. Ld. Counsel submits that the accused is not available as he is at the Boarder of Delhi.

Issue notice to IO to appear in person before the court.

Be awaited.

(CHARAN SALWAN)
Duty MM-H/WEST/DELHI
26.12.2020

At 3:15pm

At this stage, the accused has appeared.

10, has been informed telephonically.

At request, put up on 29.12.2020.

RIMAN Lapp

(CHARAN SALWAN)
Duty MM-H/WEST/DELHI
26.12.2020

FIR NO.154-20
PS Ranhola
U/s 379/411/34 IPC



268

26.12.2020.

An application of jail petition has been moved for release the accused on personal bond.

Present:

None for State.

Ms. Meenakshi Sharma appointed as LAC for the accused.

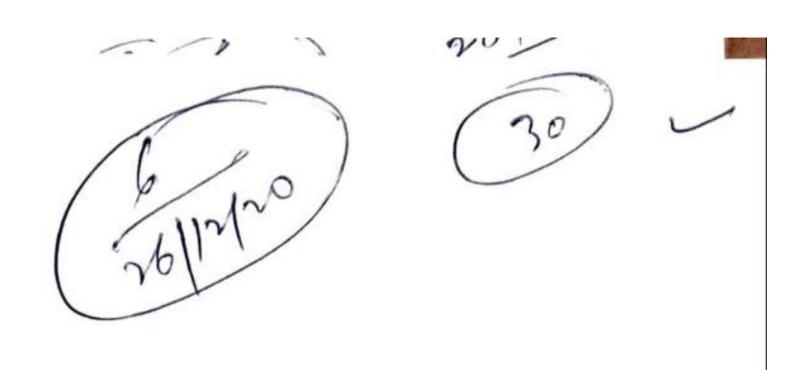
Ld. Counsel has moved an application for jail petition for release the accused namely Sonu @ Inderjeet S/o Sh. Azad Singh on personal bond, lodged in jail no.1, Tihar Jail Delhi in case FIR NO.154-20 u/s 379/411/34 IPC PS Ranhola.

At request, put up on 04.01.2021 before concerned court.

Copy of this order be given dasti as prayed for.

(CHARAN SALWAN)
Duty MM-02 /WEST/DELHI
26,12.2020





26.12.2020.

An application for Superdari has been moved bearing Vehicle no. DL-2FFN-3000.

Present: Sh. Parkash Ahirwal ld. Counsel for applicant.

Put up for report of IO for 28.12.2020 for concerned Duty MM.

Copy of this order be given dasti as requested.

Rent of a south of a s

(CHARAN SALWAN)
Duty MM-02 /WEST/DELHI
26.12.2020

FIR NO.105-2020 U/s 380/411 IPC PS Moti Nagar 289

26.12.2020.

An application of jail petition has been moved for release the accused on regular bail.

Present: None for State.

Ms. Meenakshi Sharma appointed as LAC for the accused.

Ld. Counsel has moved an application for jail petition for release the accused on bail Sh. Mujabil @ Bablu, S/o Jamil lodged in jail no.8/9, Tihar Jail, New Delhi.

IO/SHO has not filed report.

IO/SHO is directed to file the report before the concerned court.

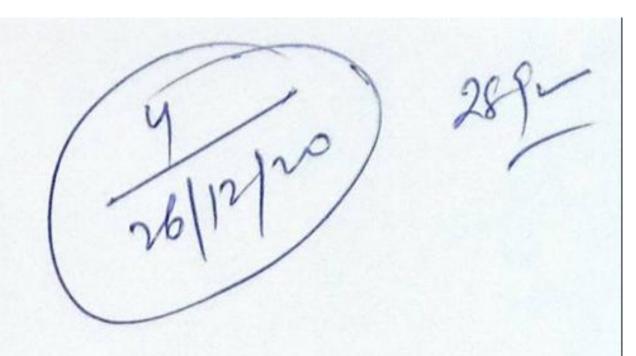
At request, put up on 04.01.2021 before concerned court.

Copy of this order be given dasti as prayed for.

Redication of Service Service when the s

(CHARAN SALWAN)
Duty MM-02 /WEST/DELHI
26.12.2020

FIR No.37-20
PS Tilak Nagar
U/s 356/379 IPC
State Vs. Ujjawal @ Lucky.



26.12.2020.

Application for bail u/s 437 Cr.P.C. filed on behalf of accused Ujjawal @ Lucky.

Present: SH. M. D. Nabeel Ld. APP for State through VC.

Sh. Mehkor Singh, Id. Counsel for accused Ujjawal @ Lucky.

The ld. Counsel submits that the accused/applicant was delcared as PO in FIR NO.196/19 and due to this the accused has been falsely implicated in this case.

At request, put up on date already fixed for concerned court for 05.01.2021.

Copy of this order be given dasti, as requested.

(CHARAN SALWAN)
Duty MM-H/WEST/DELHI
26.12.2020

3/1/20

289

FIR No.441-20

PS Tilak Nagar

U/s 356/379 IPC

State Vs. Ujjawal @ Lucky.

26.12.2020.

Application for bail u/s 437 Cr.P.C. filed on behalf of accused Ujjawal @ Lucky.

Present:

SH. M. D. Nabeel Ld. APP for State through VC.

Sh. Mehkor Singh, Id. Counsel for accused Ujjawal @ Lucky.

The ld. Counsel submits that the accused/applicant was delcared as PO in FIR NO.196/19 and due to this the accused has been falsely implicated in this case.

At request, put up on 05.01.2021.

Copy of this order be given dasti, as requested.

(CHARAN SALWAN)
Duty MM-II-/WEST/DELHI
26.12.2020

FIR No.745-20

PS Moti Nagar

State Vs. DL-4S-CU-9899

26/1/2

26.12.2020.

Present:

SH. M. D. Nabeel Ld. APP for State through VC.

None for applicant.

Report not filed.

Let the same be called from the concerned SHO/IO for

28.12.2020.

(CHARAN SALWAN)
Duty MM-II /WEST/DELHI

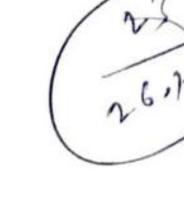
26.12.2020

Service Contraction of the Service o

FIR NO.59-2020

PS: Mundka

State Vs. Lokesh Sharma



26.12.2020.

Application for grant bail of accused filed on behalf of accused/applicant.

Present: SH. M. D. Nabeel Ld. APP for State through VC.

Sh. Pushpendu Shukla Id. Counsel for accused.

An application for grant of bail u/s 437 Cr.P.C. has been moved on behalf of accused/applicant.

Heard.

Reply be called from the concerned SHO/IO.

Put up for consideration on 29.12.2020.

(CHARAN SALWAN) Duty MM-II /WEST/DELHI 26.12.2020

Challan NO.DL-20275201224115835 Vehicle NO. DL-8BR-1620

26.12.2020.

Present: None.

Put up for consideration on 30.12.2020.

(CHARAM SALWAN)
Duty MM-II/WEST/THC/DELHI
26.12.2020

Challan NO.DL-20275201224124414 Vehicle NO. DL-8BR-7206

26.12.2020.

Present: None.

Put up for consideration on 30.12.2020.

(CHARAN SALWAN)
Duty MM-II/WEST/THC/DELHI
26.12.2020

Challan NO.DL-20275201225103840 Vehicle NO. DL-9CAG-2679

26.12.2020.

Present: None.

Put up for consideration on 30.12.2020.

(CHARAN SALWAN)
Duty MM-II/WEST/THC/DELHI
26.12.2020

FIR No.0199/2020

PS Tilak Nagar

U/s 380/457 IPC

26.12.2020.

Present: Ld. APP for State through VC.

None for the applicant/accused.

Put up for consideration on 30.12.2020.

(CHARAN SALWAN)
Duty MM-02 /WEST/DELHI
26.12.2020