

15.09.2020

This is a bail application moved on behalf of applicant / accused Sunil @ Nonu S/o Madan Lal.

Present: Sh. Arvind Dahiya, Ld. APP for the State
Ld. Counsel Sh. A.K. Sharma for accused Sunil @ Nonu.

Report of IO filed. As per report of the IO, 15 cartons of B.T. Speaker was recovered from accused and 20 lose pieces of B.T. Speakers were recovered from instance of accused Sunil and his co-accused. As per reply, accused is a budding criminal and his family has no control over him and bail was opposed on aforesaid grounds.

Submissions heard.

No reasonable ground / facts substantiating the fact regarding applicant being a budding criminal is mentioned in the reply nor any ground for believe that family member of applicant has no control over applicant is mentioned in the application. Moreover, control of family members over the applicant is not a constitutional or legal ground to deny bail to accused / applicant. Applicant / accused has an individual existence and as per constitution, fundamental right of liberty as well as fundamental right of right to live with dignity. Any previous involvement report qua applicant has not filed by the IO. In the case in hand, investigation has been completered. In the view of Court, no purpose would be served by curtailing liberty of accused, therefore, accused is admitted to bail on furnishing of Bail Bonds in the sum of Rs.10,000/- alongwith one surety in like amount.

Application stands disposed off.

Copy of order be given dasti to Ld. Counsel for applicant.

[RAKESH KUMAR-II]

MM-05(West)/THC/Delhi/15.09.2020

Copy of
order Received
A. J. Sharma

**FIR No. 256/2020
PS Anand Parbat
State Vs. Mithun Shah
U/s 381/411/34 IPC**

15.09.2020

This is an bail application on behalf of accused Mithun Shah.

Present: Sh. Arvind Dahiya, Ld. APP for the State
IO HC Shailesh in person.

On inquiry from Court, IO submits that there is no previous involvement of accused Mithun Shah. As per reply of IO, BT speakers have been recovered from accused. Ld. APP strongly opposed the bail application by submitting that allegations are serious in nature.

Submissions heard.

Keeping in view that, previous involvement report has not been filed by IO, investigation in this case has been completed qua accused Mithun Shah. Court is of the view that no purpose would be served by keeping accused in custody. Therefore, accused Mithun Shah is admitted to bail subject to furnishing bail bond in the sum of Rs. 15,000/- with one surety in the same amount.

Bail application is disposed of accordingly.

[RAKESH KUMAR-II]
MM-05(West)/THC/Delhi/15.09.2020

**FIR No. 251/2020
PS Anand Parbat
State Vs. Praveen
U/s 392/394/411/34 IPC**

15.09.2020

This is a bail application moved on behalf of accused Praveen.

Present: Sh. Arvind Dahiya, Ld. APP for the State

Ld. Counsel Sh. Anil Kumar for applicant / accused Praveen.

Reply of bail application filed. As per reply, accused persons if released on bail, they may threaten the witnesses and tamper the evidence and jump the bail. However, ground of aforesaid believe regarding tampering of evidence and jumping the bail not filed.

In the case in hand, interrogation is not required qua the accused. Liberty is a cherished principle and fundamental right and in the view of the Court, liberty cannot be curtailed on whimsical ground without any reasonable fact. Coming to case in hand and particularly reply of IO, Court is unable to appreciate ground of objection mentioned by IO as no reasonable fact has been mentioned by IO which could show that any interrogation or investigation remained to be done against accused. In the view of the Court, liberty of accused cannot be curtailed just on formal objections of Investigating Officer or State. As investigation qua accused has been completed, therefore, no purpose would be served by keeping accused in JC. Therefore, accused is admitted to bail subject to furnishing of Bail Bonds in sum of Rs.15,000/- alongwith one surety in like amount.

Copy of order be given dasti.

[RAKESH KUMAR-1]

MM-05(West)/THC/Delhi/15.09.2020

Praveen Kumar

**FIR No. 251/2020
PS Anand Parbat
State Vs. Deepak
U/s 392/394/411/34 IPC**

15.09.2020

This is a bail application moved on behalf of accused Deepak.

Present: Sh. Arvind Dahiya, Ld. APP for the State

Ld. Counsel Sh. Anil Kumar for applicant / accused Deepak.

Reply of bail application filed. As per reply, accused persons if released on bail, they may threaten the witnesses and tamper the evidence and jump the bail. However, ground of aforesaid believe regarding tampering of evidence and jumping the bail not filed.

In the case in hand, interrogation is not required qua the accused. Liberty is a cherished principle and fundamental right and in the view of the Court, liberty cannot be curtailed on whimsical ground without any reasonable fact. Coming to case in hand and particularly reply of IO, Court is unable to appreciate ground of objection mentioned by IO as no reasonable fact has been mentioned by IO which could show that any interrogation or investigation remained to be done against accused. In the view of the Court, liberty of accused cannot be curtailed just on formal objections of Investigating Officer or State. As investigation qua accused has been completed, therefore, no purpose would be served by keeping accused in JC. Therefore, accused is admitted to bail subject to furnishing of Bail Bonds in sum of Rs.15,000/- alongwith one surety in like amount.

Copy of order be given dasti.

[RAKESH KUMAR-II]
MM-05(West)/THC/Delhi/15.09.2020

Parveen Kumar

