

ANTICIPATORY Bail Application No.: 1197/2020

State v. Jaspreet Singh Sethi

FIR no. 110/2020

PS: Pahar Ganj

U/S: 406,498A, IPC

22.09.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Sh. H.R. Jha, Learned counsel for applicant / accused through VC.
IO with complainant in person through VC.

1. Vide this order, present bail application u/s 438 Cr.PC filed on 11.09.2020 for anticipatory bail by accused / applicant Jaspreet Singh S/o Late Mohinderjit Singh Sethi is disposed of.

2. In nut shell, it is stated by the accused side that marriage of the applicant was solemnized with complainant on 11.06.2017 at Delhi. That family of the complainant wants monetary help from the applicant, but he is not in a position to help them. That a divorce petition is already filed. Further, a complaint under DV Act is also filed by complainant against the applicant which is also pending. That elder sister of the complainant is provoking the complainant. As such, the present false complaint is also filed. That ASI Kharag Singh is calling the applicant and his mother to police station on 30.07.2020. But he never gave them copy of notice nor copy of alleged complaint. That such ASI is harassing them time and again stating that they will be taken into custody if do not compromise with the complainant. That a FIR do not mention the articles of dowry. That they never demanded any dowry. That the applicant apprehends that he would be illegally and unnecessarily arrested in the present case. It is further stated that the complainant want to marry again and even giving advertisement through public platform like facebook in this regard. Further, it is claimed during arguments that complainant is not giving detail. But otherwise, they are ready to given back clothes etc. It is further claimed that there is no other article particularly jewellery lie with the applicant or his mother belonging to the

complainant. As such, it is prayed that applicant be granted anticipatory bail.

3. On the other hand, it is stated by the complainant who is present through VC. That she wanted to live with the complainant. But they are torturing her. As a result she is forced to live with her parents. It is further claimed that despite request made, none of the dowry articles were returned so far. As such, present anticipatory bail application is opposed vehemently.

4. Further, it is submitted on behalf of the state that present FIR is already registered on 22.05.2020. That a sum of Rs. 20 lacs was spent on the marriage of complainant with the applicant including on gold, silver jewellery and electronic item apart from cash and expensive clothes. It is stated that already notice u/s 160 Cr.P.C. and thereafter u/s 41A Cr.P.C. is already given to the applicant.

5. I have heard both the sides and gone through the record.

6. At this stage it may be noted that in the case of **Bhadresh Bipinbhai Sheth Vs. State Of Gujarat & Another**(Criminal Appeal Nos. 1134-1135 Of 2015, Arising Out Of Special Leave Petition (Crl.) Nos. 6028-6029 Of 2014), Hon'ble SC discussed and reviews the law relating to section 438 Cr.P.C.

7. A judgment which needs to be pointed out is a Constitution Bench Judgment of this Court in the case Gurbaksh Singh Sibbia and Other vs. State of Punjab(1980 AIR 1632 ; 1980 SCR(3) 383), The Constitution Bench in this case emphasized that provision of anticipatory bail enshrined in [Section 438](#) of the Code is conceptualised under [Article 21](#) of the Constitution which relates to personal liberty. Therefore, such a provision calls for liberal interpretation of [Section 438](#) of the Code in light of [Article 21](#) of the Constitution. The Code explains that an anticipatory bail is a pre- arrest legal process which directs that if the person in whose favour it is issued is thereafter arrested on the accusation in respect of which the direction is issued, he shall be released on bail. The distinction between an ordinary order of bail and an order of anticipatory bail is that whereas the former is granted after arrest and therefore means release from the custody of the police, the latter is granted in anticipation of arrest and is therefore, effective at the very moment of arrest. A direction under [Section 438](#) is therefore intended to confer conditional immunity from the 'touch' or confinement

contemplated by [Section 46](#) of the Code. The essence of this provision is brought out in the following manner:

“26. We find a great deal of substance in Mr Tarkunde’s submission that since denial of bail amounts to deprivation of personal liberty, the court should lean against the imposition of unnecessary restrictions on the scope of [Section 438](#), especially when no such restrictions have been imposed by the legislature in the terms of that section. [Section 438](#) is a procedural provision which is concerned with the personal liberty of the individual, who is entitled to the benefit of the presumption of innocence since he is not, on the date of his application for anticipatory bail, convicted of the offence in respect of which he seeks bail. An over-generous infusion of constraints and conditions which are not to be found in [Section 438](#) can make its provisions constitutionally vulnerable since the right to personal freedom cannot be made to depend on compliance with unreasonable restrictions. The beneficent provision contained in [Section 438](#) must be saved, not jettisoned. No doubt can linger after the decision in [Maneka Gandhi v. Union of India](#), (1978) 1 SCC 248, that in order to meet the challenge of [Article 21](#) of the Constitution, the procedure established by law for depriving a person of his liberty must be fair, just and reasonable. [Section 438](#), in the form in which it is conceived by the legislature, is open to no exception on the ground that it prescribes a procedure which is unjust or unfair. We ought, at all costs, to avoid throwing it open to a Constitutional challenge by reading words in it which are not to be found therein.”

8. Though the Court observed that the principles which govern the grant of ordinary bail may not furnish an exact parallel to the right to anticipatory bail, still such principles have to be kept in mind, namely, the object of bail which is to secure the attendance of the accused at the trial, and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is

probable that the party will appear to take his trial. Otherwise, bail is not to be withheld as a punishment. The Court has also to consider whether there is any possibility of the accused tampering with evidence or influencing witnesses etc. Once these tests are satisfied, bail should be granted to an undertrial which is also important as viewed from another angle, namely, an accused person who enjoys freedom is in a much better position to look after his case and to properly defend himself than if he were in custody. Thus, grant or non-grant of bail depends upon a variety of circumstances and the cumulative effect thereof enters into judicial verdict. The Court stresses that any single circumstance cannot be treated as of universal validity or as necessarily justifying the grant or refusal of bail. After clarifying this position, the Court discussed the inferences of anticipatory bail in the following manner:

“31. In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant’s presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and “the larger interests of the public or the State” are some of the

considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in [The State v. Captain Jagjit Singh](#), AIR 1962 SC 253 : (1962) 3 SCR 622 : (1962) 1 Cri LJ 216, which, though, was a case under the old [Section 498](#) which corresponds to the present [Section 439](#) of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.”

9. It is pertinent to note that while interpreting the expression “may, if it thinks fit” occurring in [Section 438\(1\)](#) of the Code, the Court pointed out that it gives discretion to the Court to exercise the power in a particular case or not, and once such a discretion is there merely because the accused is charged with a serious offence may not by itself be the reason to refuse the grant of anticipatory bail if the circumstances are otherwise justified. At the same time, it is also the obligation of the applicant to make out a case for grant of anticipatory bail. But that would not mean that he has to make out a “special case”. The Court also remarked that a wise exercise of judicial power inevitably takes care of the evil consequences which are likely to flow out of its intemperate use.

10. Another case to which can be referred to is the judgment of a Division Bench of this Court in the case of [Siddharam Satlingappa Mhetre v. State of Maharashtra and Others](#)(SLP(CRL.) 7615/2009 DATED 02-12-2021).This case lays down an exhaustive commentary of [Section 438](#) of the Code covering, in an erudite fashion, almost all the aspects and in the process relies upon the aforesaid Constitution Bench judgment in Gurbaksh Singh's case. In the very first para, the Court highlighted the conflicting interests which are to be balanced while taking a decision as to whether

bail is to be granted or not, as is clear from the following observations:

“1.This appeal involves issues of great public importance pertaining to the importance of individual's personal liberty and the society's interest. Society has a vital interest in grant or refusal of bail because every criminal offence is the offence against the State. The order granting or refusing bail must reflect perfect balance between the conflicting interests, namely, sanctity of individual liberty and the interest of the society. The law of bails dovetails two conflicting interests, namely, on the one hand, the requirements of shielding society from the hazards of those committing crimes and potentiality of repeating the same crime while on bail and on the other hand, absolute adherence to the fundamental principle of criminal jurisprudence regarding presumption of innocence of an accused until he is found guilty and the sanctity of individual liberty.....”

11. The principles which can be culled out can be stated as under:

(i) The complaint filed against the accused needs to be thoroughly examined, including the aspect whether the complainant has filed a false or frivolous complaint on earlier occasion. If the connivance between the complainant and the investigating officer is established then action be taken against the investigating officer in accordance with law.

(ii) The gravity of charge and the exact role of the accused must be properly comprehended. Before arrest, the arresting officer must record the valid reasons which have led to the arrest of the accused in the case diary. In exceptional cases, the reasons could be recorded immediately after the arrest, so that while dealing with the bail application, the remarks and observations of the arresting officer can also be properly evaluated by the court.

(iii) It is imperative for the courts to carefully and with meticulous precision evaluate

the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.

(iv) There is no justification for reading into [Section 438 CrPC](#) the limitations mentioned in [Section 437 CrPC](#). The plenitude of [Section 438](#) must be given its full play. There is no requirement that the accused must make out a “special case” for the exercise of the power to grant anticipatory bail. This virtually, reduces the salutary power conferred by [Section 438 CrPC](#) to a dead letter. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints and conditions on his freedom, by the acceptance of conditions which the court may deem fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.

(v) The proper course of action on an application for anticipatory bail ought to be that after evaluating the averments and accusations available on the record if the court is inclined to grant anticipatory bail then an interim bail be granted and notice be issued to the Public Prosecutor. After hearing the Public Prosecutor the court may either reject the anticipatory bail application or confirm the initial order of granting bail. The court would certainly be entitled to impose conditions for the grant of anticipatory bail. The Public Prosecutor or the complainant would be at liberty to move the same court for cancellation or modifying the conditions of anticipatory bail at any time if liberty granted by the court is misused. The anticipatory bail granted by the court should ordinarily be continued till the trial of the case.

(vi) It is a settled legal position that the court which grants the bail also has the power

to cancel it. The discretion of grant or cancellation of bail can be exercised either at the instance of the accused, the Public Prosecutor or the complainant, on finding new material or circumstances at any point of time.

(vii) In pursuance of the order of the Court of Session or the High Court, once the accused is released on anticipatory bail by the trial court, then it would be unreasonable to compel the accused to surrender before the trial court and again apply for regular bail.

(viii) Discretion vested in the court in all matters should be exercised with care and circumspection depending upon the facts and circumstances justifying its exercise. Similarly, the discretion vested with the court under [Section 438 CrPC](#) should also be exercised with caution and prudence. It is unnecessary to travel beyond it and subject the wide power and discretion conferred by the legislature to a rigorous code of self-imposed limitations.

(ix) No inflexible guidelines or straitjacket formula can be provided for grant or refusal of anticipatory bail because all circumstances and situations of future cannot be clearly visualised for the grant or refusal of anticipatory bail. In consonance with legislative intention, the grant or refusal of anticipatory bail should necessarily depend on the facts and circumstances of each case.

(x) The following factors and parameters that need to be taken into consideration while dealing with anticipatory bail:

(a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(c) The possibility of the applicant to flee from justice;

(d) The possibility of the accused's likelihood to repeat similar or other offences;

(e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of [Sections 34 and 149](#) of the Penal Code, 1860 the court should consider with even greater care and caution, because overimplication in the cases is a matter of common knowledge and concern;

(h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

12. Now in this background of law we come back to present case . Prima facie it is clear that none of the dowry articles is returned back by the applicant to the complainant so far despite this case referred to CAW Cell earlier. As such, the concerned police officials must get fair opportunity to investigate and interrogate if

needs arise, the applicant, as per law. Further, it may be noted from the reply of the IO that a notice u/s 160 Cr.P.C. was issued to applicant and thereafter a notice u/s 41 A Cr.P.C. is also issued. Further, there are certain directions by Hon'ble Supreme Court regarding arresting/non-arresting of accused person particularly a case of present nature. In this background, in the considered opinion of this court, there does not appear to be reasons to believe that the applicant may be arrested. Even otherwise, in any case having regard to the conduct of the applicant and nature of accusation against him, this court is not inclined to grant the relief sought in the present case. **With these observations present application is dismissed.**

13. Copy of this order be given to applicant, complainant as well as a copy be sent to IO/SHO concerned through electronic mode.

NAVEEN KUMAR
KASHYAP

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KUMAR KASHYAP
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(NAVEEN KUMAR KASHYAP)
Additional Sessions Judge-04/Central
Central Distt/Delhi
22.09.2020

ANTICIPATORY Bail Application No.: 1302/2020

State v. Ashwani Kumar S/o Kishan Kumar

FIR no. : 45/2020

PS: Kashmere Gate

U/S: 420 IPC

22.09.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.

Sh. B.B. Sharma, Learned counsel for applicant / accused through VC.

IO Sandeep in person through VC.

1. Vide this order, present bail application dated 18.09.2020 u/s 438 Cr.PC filed for anticipatory bail by accused / applicant Ashwani Kumar S/o Kishan Lal is disposed of.

2. In nut shell, it is stated in such application by the accused/applicant that by a notice under Section 41A Cr.P.C. dated 10.09.2020 pasted at the premises of the applicant by the IO of the present case, applicant to know that he is wanted in the present case. That present case is relating to a car loan of Rs. 15.5 lacs taken by the present accused. It is further stated that police is wrongly claiming that applicant has changed his address. Further, it is wrongly claimed by the police that he is not repaying loan. It is further claimed by the applicant that he is very much residing at the same address and he has even placed on record copy of his Aadhar card showing his address as T-488, Mandir Shri Dargah, Peer Rattan Nath Ji, Jhandewalan, Swami Ram Tirath Nagar, Delhi-110055. It is further stated that due to sealing by MCD, applicant suffered huge business losses and place was sealed. It is further stated that loan was granted after due diligence by the concerned bank officials. That he has already filed a insolvency case, which is pending trial. Further, a case before DRT already filed by the complainant bank/SBI. That at most, transaction between the party was civil in nature. That there is no need of custodial investigation. As such, it is prayed that directions be issued to concerned IO/SHO to release the accused/applicant on bail in case of his arrest.

3. On the other hand, it is submitted on behalf of the state that a car loan was sanctioned to the present accused/applicant, for purchase of Mahindra XUV 500 FWD W8 and in this regard, applicant submitted various documents. That later on he did not pay the installment. Later on when bank officials visited the address given by such applicant, it is found that he has already left such address. Further, the documents submitted by him are found to be forged. It is further claimed that during investigation, it was found that passport of the accused is forged and custodial investigation is required in this regard. It is further claimed that the vehicle in question is yet to be recovered. It is further claimed that despite

opportunity given, accused/applicant failed to join investigation. As such, present bail application is strongly opposed.

4. I have heard both the sides and gone through the record.

5. At this stage it may be noted that in the case of **Bhadresh Bipinbhai Sheth Vs. State Of Gujarat & Another**(Criminal Appeal Nos. 1134-1135 Of 2015, Arising Out Of Special Leave Petition (Crl.) Nos. 6028-6029 Of 2014), Hon'ble SC discussed and reviews the law relating to section 438 Cr.P.C.

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“26. We find a great deal of substance in Mr Tarkunde's submission that since denial of bail amounts to deprivation of personal liberty, the court should lean against the imposition of unnecessary restrictions on the scope of [Section 438](#), especially when no such restrictions have been imposed by the legislature in the terms of that section. [Section 438](#) is a procedural provision which is concerned with the personal liberty of the individual, who is entitled to the benefit of the presumption of innocence since he is not, on the date of his application for anticipatory bail, convicted of the offence in respect of which he seeks bail. An over-generous infusion of constraints and conditions which are not to be found in [Section 438](#) can make its provisions constitutionally vulnerable since the right to personal freedom cannot be made to depend on compliance with unreasonable

restrictions. The beneficent provision contained in [Section 438](#) must be saved, not jettisoned. No doubt can linger after the decision in [Maneka Gandhi v. Union of India](#), (1978) 1 SCC 248, that in order to meet the challenge of [Article 21](#) of the Constitution, the procedure established by law for depriving a person of his liberty must be fair, just and reasonable. [Section 438](#), in the form in which it is conceived by the legislature, is open to no exception on the ground that it prescribes a procedure which is unjust or unfair. We ought, at all costs, to avoid throwing it open to a Constitutional challenge by reading words in it which are not to be found therein.”

7. Though the Court observed that the principles which govern the grant of ordinary bail may not furnish an exact parallel to the right to anticipatory bail, still such principles have to be kept in mind, namely, the object of bail which is to secure the attendance of the accused at the trial, and the proper test to be applied in the solution of the question whether bail should be granted or refused is whether it is probable that the party will appear to take his trial. Otherwise, bail is not to be withheld as a punishment. The Court has also to consider whether there is any possibility of the accused tampering with evidence or influencing witnesses etc. Once these tests are satisfied, bail should be granted to an undertrial which is also important as viewed from another angle, namely, an accused person who enjoys freedom is in a much better position to look after his case and to properly defend himself than if he were in custody. Thus, grant or non-grant of bail depends upon a variety of circumstances and the cumulative effect thereof enters into judicial verdict. The Court stresses that any single circumstance cannot be treated as of universal validity or as necessarily justifying the grant or refusal of bail. After clarifying this position, the Court discussed the inferences of anticipatory bail in the following manner:

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an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the State" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in [The State v. Captain Jagjit Singh](#), AIR 1962 SC 253 : (1962) 3 SCR 622 : (1962) 1 Cri LJ 216, which, though, was a case under the old [Section 498](#) which corresponds to the present [Section 439](#) of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail."

8. It is pertinent to note that while interpreting the expression "may, if it thinks fit" occurring in [Section 438\(1\)](#) of the Code, the Court pointed out that it gives discretion to the Court to exercise the power in a particular case or not, and once such a discretion is there merely because the accused is charged with a serious offence may not by itself be the reason to refuse the grant of anticipatory bail if the circumstances are otherwise justified. At the same time, it is also the obligation of the applicant to make out a case for grant of anticipatory bail. But that would not mean that he has to make out a "special case". The Court also remarked that a wise exercise of judicial power inevitably takes care of the evil consequences which are likely to flow out of its intemperate use.

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438 of the Code covering, in an erudite fashion, almost all the aspects and in the process relies upon the aforesaid Constitution Bench judgment in Gurbaksh Singh's case. In the very first para, the Court highlighted the conflicting interests which are to be balanced while taking a decision as to whether bail is to be granted or not, as is clear from the following observations:

“1.This appeal involves issues of great public importance pertaining to the importance of individual's personal liberty and the society's interest. Society has a vital interest in grant or refusal of bail because every criminal offence is the offence against the State. The order granting or refusing bail must reflect perfect balance between the conflicting interests, namely, sanctity of individual liberty and the interest of the society. The law of bails dovetails two conflicting interests, namely, on the one hand, the requirements of shielding society from the hazards of those committing crimes and potentiality of repeating the same crime while on bail and on the other hand, absolute adherence to the fundamental principle of criminal jurisprudence regarding presumption of innocence of an accused until he is found guilty and the sanctity of individual liberty.....”

10. The principles which can be culled out can be stated as under:

(i) The complaint filed against the accused needs to be thoroughly examined, including the aspect whether the complainant has filed a false or frivolous complaint on earlier occasion. If the connivance between the complainant and the investigating officer is established then action be taken against the investigating officer in accordance with law.

(ii) The gravity of charge and the exact role of the accused must be properly comprehended. Before arrest, the arresting officer must record the valid reasons which have led to the arrest of the accused in the case diary. In exceptional cases, the reasons could be recorded immediately after the arrest, so that while dealing with the bail application, the remarks and observations of the arresting officer can also be properly evaluated by the court.

(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A

great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.

(iv) There is no justification for reading into [Section 438 CrPC](#) the limitations mentioned in [Section 437 CrPC](#). The plenitude of [Section 438](#) must be given its full play. There is no requirement that the accused must make out a “special case” for the exercise of the power to grant anticipatory bail. This virtually, reduces the salutary power conferred by [Section 438 CrPC](#) to a dead letter. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints and conditions on his freedom, by the acceptance of conditions which the court may deem fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail.

(v) The proper course of action on an application for anticipatory bail ought to be that after evaluating the averments and accusations available on the record if the court is inclined to grant anticipatory bail then an interim bail be granted and notice be issued to the Public Prosecutor. After hearing the Public Prosecutor the court may either reject the anticipatory bail application or confirm the initial order of granting bail. The court would certainly be entitled to impose conditions for the grant of anticipatory bail. The Public Prosecutor or the complainant would be at liberty to move the same court for cancellation or modifying the conditions of anticipatory bail at any time if liberty granted by the court is misused. The anticipatory bail granted by the court should ordinarily be continued till the trial of the case.

(vi) It is a settled legal position that the court which grants the bail also has the power to cancel it. The discretion of grant or cancellation of bail can be exercised either at the instance of the accused, the Public Prosecutor or the complainant, on finding new material or circumstances at any point of time.

(vii) In pursuance of the order of the Court of Session or the High Court, once the accused is released on anticipatory bail by the trial court, then it would be unreasonable to compel the accused to surrender before the trial court and again apply for regular bail.

(viii) Discretion vested in the court in all matters should be exercised with care and circumspection depending upon the facts and circumstances justifying its exercise. Similarly,

the discretion vested with the court under [Section 438 CrPC](#) should also be exercised with caution and prudence. It is unnecessary to travel beyond it and subject the wide power and discretion conferred by the legislature to a rigorous code of self-imposed limitations.

(ix) No inflexible guidelines or straitjacket formula can be provided for grant or refusal of anticipatory bail because all circumstances and situations of future cannot be clearly visualised for the grant or refusal of anticipatory bail. In consonance with legislative intention, the grant or refusal of anticipatory bail should necessarily depend on the facts and circumstances of each case.

(x) The following factors and parameters that need to be taken into consideration while dealing with anticipatory bail:

(a) The nature and gravity of the accusation and the exact role of the accused must be properly comprehended before arrest is made;

(b) The antecedents of the applicant including the fact as to whether the accused has previously undergone imprisonment on conviction by a court in respect of any cognizable offence;

(c) The possibility of the applicant to flee from justice;

(d) The possibility of the accused's likelihood to repeat similar or other offences;

(e) Where the accusations have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of [Sections 34 and 149](#) of the Penal Code, 1860 the court should consider with even greater care and caution, because overimplication in the cases is a matter of common knowledge and concern;

(h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The Court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the event of there being some doubt as to the genuineness of the prosecution, in the normal course of events, the accused is entitled to an order of bail.

11. Now in this background of law we come back to present case . It appears during argument that although the vehicle in question was hypothecated with the complainant bank, but possession of the same is already parted with a third person. It is claimed by learned counsel for applicant that some other creditor took possession of such vehicle against the will of the applicant. But so far no complaint is filed by accused/applicant in his regard as per submissions made today. Thus, court finds force in the arguments of the State that custodial investigation is required of such accused to trace out such vehicle in question which was given in custody of the accused. Further, custodial investigation is required relating to forged documents submitted for the purpose of obtaining loan in question. Under these circumstances, this court do not find merit to grant the relief sought in the present application. **With these observations present application is dismissed.**

12. **Copy of this order be given to applicant as well as a copy be sent to IO/SHO concerned through electronic mode.**

NAVEEN KUMAR
KASHYAP

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KUMAR KASHYAP
Date: 2020.09.22 15:37:18
+05'30'

(NAVEEN KUMAR KASHYAP)
Additional Sessions Judge-04/Central
Central Distt/Delhi
22.09.2020

**Bail Application No:1295/2020
AND
Bail Application No.: 1300/2020**

**State v. Arun Kumar
FIR No. : 232/2020
PS: Paharganj
U/S: 308,34 IPC**

22.09.2020

Present: Mr. Pawan Kumar,Ld. Addl. PP for the State through VC.
Mr Suraj Yadav, learned Counsel from Applicant through VC.

It is clarified that by mistake, same case which is reflected at serial no. 13 also. As such, at request, the application mentioned at Item no. 13 is dismissed as withdrawn and application at Item no. 8 is proceeded further on merit.

Reply also filed. Copy supplied.

At request, put up with connected matter for arguments and appropriate order for 26.09.2020.

NAVEEN KUMAR KASHYAP
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Date: 2020.09.22 15:37:37
+05'30'

**(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
22.09.2020**

Bail Application No:1296/2020

State v. Harish Kumar
FIR No. : 232/2020
PS: Paharganj
U/S: 308,34 IPC

22.09.2020

Present: Mr. Pawan Kumar,Ld. Addl. PP for the State through VC.
Mr Suraj Yadav, learned Counsel from Applicant through VC.

Reply filed. Copy supplied.

At request, put up with connected matter on 26.09.2020.

NAVEEN KUMAR
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(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
22.09.2020

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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:37:54
+05'30'

Bail Application No:1298/2020

State v. Tarun
FIR No. : 232/2020
PS: Paharganj
U/S: 308,34 IPC

22.09.2020

Present: Mr. Pawan Kumar,Ld. Addl. PP for the State through VC.
Mr Suraj Yadav, learned Counsel from Applicant through VC.

Reply filed. Copy supplied.

At request, put up with connected matter on 26.09.2020.

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Date: 2020.09.22
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(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
22.09.2020

Bail Application No:1299/2020

State v. Deepender @ Deepu
FIR No. : 270/2020
PS: Nabi Karim
U/S: 376,506 IPC

22.09.2020

Present: Mr. Pawan Kumar,Ld. Addl. PP for the State through VC.
Mr Shubham Asri, learned Counsel from Applicant Deepender @ Deepu
through VC.
Reply filed by IO. Copy supplied.

Having regard to the nature of allegations, at request of counsel for accused,
matter be put up for physical hearing on 29.09.2020.

Further, issue notice to complainant through IO. Complainant is at liberty to
appear physically or through VC as per her liberty .In case she wants to appear through VC,
IO to make necessary arrangements in this regard.

Notice be issued to complainant within two working days.

Put up on 29.09.2020.

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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:38:26
+05'30'

(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
22.09.2020

Bail Application No: 1293/2020

**State v. MS Wajiha and Ors.
FIR No. : NA**

22.09.2020

Present: Mr. Pawan Kumar,Ld. Addl. PP for the State through VC.
Mr S.A. Khan, learned Counsel from Applicant through VC.
Mr. Kulbhushan, learned counsel for complainant through VC.

Reply filed. Copy supplied.

Due to some technical issue, file of this application is not opening in this VC hearing. As such, at request, put up for further appropriate proceedings/orders on **23.09.2020**.

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Date: 2020.09.22 15:38:43
+05'30'

**(Naveen Kumar Kashyap)
Additional Sessions Judge-04
Central/THC/Delhi
22.09.2020**

Bail Application No.: 1294/2020
State vs Jatish kumar Sharma
FIR No. 195/2020
P. S. Kashmere Gate
U/s: 147, 148, 149, 307, 427, 506, 440, 452, IPC & 25, 27, 54, 59 Arms Act

22.09.2020

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.

Mr. Deepak Arora, learned counsel for the applicant through VC.

Reply filed by the IO. Copy supplied through electronic mode to the counsel for the applicant / accused.

Arguments heard in detail. Before proceeding further, IO is directed to appear with case file regarding incriminating evidence collected against the present applicant / accused Jatin Kumar Sharma by the next date of hearing.

Put up for further arguments, if any, order / clarification, if any, for **24/09/2020** i.e. the date of physical hearing of this court. It is further stated by the counsel for the applicant that present application be considered under all the sections as mentioned in reply filed by the IO to avoid any confusion later on.

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Date: 2020.09.22 15:39:22
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

Bail Application No.: 1297/2020
State vs Lalu Yadav s/o Mahesh Yadav
FIR No. 195/2020
P. S. Kashmere Gate
U/s: 147, 148, 149, 307, 427, 506, 440, 452, IPC & 25, 27, 54, 59 Arms Act

22.09.2020

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.

Mr. Pradeep Kumar Anand, learned counsel for the applicant through VC.

Reply filed by the IO. Copy supplied through electronic mode to the counsel for the applicant / accused.

Arguments heard in detail. Before proceeding further, IO is directed to appear with case file regarding incriminating evidence collected against the present applicant / accused Lalu Yadav by the next date of hearing.

Put up for further arguments, if any, order / clarification, if any, for **24/09/2020** i.e. the date of physical hearing of this court.

NAVEEN KUMAR KASHYAP
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Date: 2020.09.22 15:39:50 +05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

Bail Application No.: 1301/2020
State vs Vikas Yadav @ Bona s/o Dashrath
FIR No. 195/2020
P. S. Kashmere Gate
U/s: 147, 148, 149, 307, 427, 506, 440, 452, IPC & 25, 27, 54, 59 Arms Act

22.09.2020

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.

Mr. Pradeep Kumar Anand, learned counsel for the applicant through VC.

Reply filed by the IO. Copy supplied through electronic mode to the counsel for the applicant / accused.

Arguments heard in detail. Before proceeding further, IO is directed to appear with case file regarding incriminating evidence collected against the present applicant / accused Vikas Yadav @ Bona by the next date of hearing.

Put up for further arguments, if any, order / clarification, if any, for **24/09/2020** i.e. the date of physical hearing of this court.

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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:40:07
+05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

INTERIM BAIL APPLICATION

**State v. Rahul Sharma
FIR No. : 339/2016
PS: Darya Ganj
U/S: 395,397,412,120B IPC**

22.09.2020

This is an application for interim bail on behalf of accused Rahul Sharma

Present: Mr. Pawan Kumar ,Ld. Addl. PP for the State through VC
Sh. S.N. Shukla, LAC for applicant.

Reply filed by IO.

Reply not received from Jail Superintendent concerned. Same be awaited.

NAVEEN KUMAR KASHYAP
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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:40:49
+05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

At 11 am.

As per court staff, no reply sent by Jail Superintendent concerned regarding medical condition of the accused. Still in the interest of justice, fresh notice be issued to Jail Superintendent to file such reply on or before next date.

Put up on 28.09.2020.

NAVEEN KUMAR KASHYAP
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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:41:05
+05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

At 12 noon.

At this stage, Medical Report received from Jail no. 4 . Same be taken on record. As such, there is no need to issue notice to Jail Superintendent concerned.

NAVEEN KUMAR KASHYAP
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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:41:16
+05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

Non-Surrender Report Received From Jail Of Lali @ Bablu

**State v. Sunil
FIR No. : 415/2015
PS: Kotwali
U/S: 365,397,412,120B IPC &
25,54,59 Arms Act**

22.09.2020

Present: Mr. Pawan Kumar ,Ld. Addl. PP for the State through VC

Report filed by police concerned regarding non-surrender of accused Sunil.

Put up for consideration /order on the same on 24.09.2020.

NAVEEN KUMAR KASHYAP
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Date: 2020.09.22 15:41:29 +05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

State v. Vinod @ Dada
(BAIL BOND OF DEEPAK @ GADDAD)
FIR No. : 39/2019
PS: Lahori Gate
U/S: 394,397,307,411 IPC

22.09.2020

Present: Mr. Pawan Kumar ,Ld. Addl. PP for the State through VC

Surety Bond furnished by surety Vikash Kumar for accused Deepak @
Gaddad.

IO to verify the address of the surety as well as security/RC furnished by said
surety.

Put up on 28.09.2020.

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Date: 2020.09.22 15:41:46
+05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

EXTENSION OF INTERIM BAIL OF KARAN BHARDWAJ

State v. Karan Bhardwaj
FIR No. : 112/2019
PS: Wazirabad
U/S: 392,397,411 IPC

22.09.2020

This is an application for extension of interim bail.

Present: Mr. Pawan Kumar ,Ld. Addl. PP for the State through VC
None is present on behalf of applicant since morning despite repeated calls.

Still in the interest of justice, put up for further appropriate proceedings/consideration on **25.09.2020**.

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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:42:08
+05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

CA: 147/2020

State v. Mohd. Sharif

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

Undersigned is also discharging work of Bail Roster duty.

Fresh Criminal Appeal filed. It be checked and registered.

Present: Mr. Pawan Kumar, learned Addl.PP for State/Appellant through VC.
Mr. Prince, Ld. Counsel for applicant through VC.

Network signal of the counsel of the applicant is weak. Therefore, matter could not be proceeded further.

As such ,put up for 26.09.2020 for hearing through VC.

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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

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Date: 2020.09.22
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SC: 27520/2016
FIR No: 200/2010
PS: Pahar Ganj
State v. Mukesh @ Lambu

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/W of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed/ arguments in terms of previous order for 20.01.2021.

NAVEEN
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

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Date: 2020.09.22 15:43:30
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Crl. Revision : 79/2020
Aman Mehta v. Rajender Kumar Goel

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 27.03.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: None for revisionist.
 None for respondent.

No adverse order is being passed in the interest of justice in the present situation.

**Put up for purpose fixed/ appropriate order in terms of previous order for
20.01.2021.**

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Date: 2020.09.22 15:43:51
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

CA: 47/2020
Mohd. Zafir v. State

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: None for Appellant.

No adverse order is being passed in the interest of justice in the present situation.

Put up for purpose fixed/ appropriate order in terms of previous order for 21.01.2021.

NAVEEN KUMAR KASHYAP
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Date: 2020.09.22 15:44:08 +05'30'
(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 157/2020
FIR No: 185/2018
PS: Subzi Mandi
State v. Shivam

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.03.2020,26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed in terms of previous order for 21.01.2021.

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Date: 2020.09.22 15:44:25
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 28525/2016
FIR No: 213/2011
PS: Burari
State v. Gautam Kaushik

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Ms. Shefali Sharma, Ld. Counsel for accused Mohit.
It is stated that such accused is on bail at present.
None for other accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed/ PE in terms of previous order for 20.01.2021.

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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

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Date: 2020.09.22
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SC: 28039/2016
FIR No: 334/2009
PS: Sarai Rohilla
State v. Rahul & Ors.

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Sh. Satbir Singh, Ld. Counsel for accused Ravinder @ Ravi alongwith accused in person through VC.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed/ PE in terms of previous order for 20.01.2021.

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Date: 2020.09.22 15:45:02
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 27214/2016
FIR No: 406/2014
PS: Kamla Market
State v. Mohd. Kasim

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 27.03.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed/ PE in terms of previous order for 20.01.2021.

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Date: 2020.09.22 15:45:18
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 27827/2016
FIR No: 513/2014
PS: Timarpur
State v. Bittoo

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
Both accused Bittoo and Dushyant Sharma are present through VC.

Put up for purpose fixed/ PE in terms of previous order for 21.01.2021.

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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:45:34
+05'30'

(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 761/2018
FIR No: 136/2018
PS: I.P. Estate
State v. Imran

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/w of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

Put up for purpose fixed/ PE in terms of previous order for 20.01.2021.

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Date: 2020.09.22
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(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020

SC: 73/2019
FIR No: 339/2018
PS: Nabi Karim
State v. Rajeev Jain @ Anurag

22.09.2020

File taken up today in terms of directions received vide letter No.:417/DHC/2020 of the Registrar General, Delhi High Court and Circular No.: 23456-23616/DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30/08/2020 of Learned District & Sessions Judge(HQs), Delhi.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 26.05.2020 and 22.07.2020.

On 22.07.2020, matter was adjourned for 22.09.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down. But in view of latest directions, matter is taken up today for hearing today through VC.

Undersigned is also discharging work of Bail Roster duty.

Present: Mr. Pawan Kumar, learned Addl.PP for State through VC.
None for accused.

No adverse order is being passed in the interest of justice in the present situation.

Issue P/W of the accused, if any in JC for next date through VC or otherwise as the situation may prevail on next date of hearing.

**Put up for purpose fixed/ arguments in terms of previous order for
21.01.2021.**

NAVEEN
KUMAR
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NAVEEN KUMAR KASHYAP
Date: 2020.09.22 15:46:11
+05'30'

**(Naveen Kumar Kashyap)
ASJ-04/Central/22.09.2020**