

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**Bail Application No.  
State Vs Deepu Singh @ Kada  
FIR No. 667/2019  
PS Nihal Vihar  
U/s. 304/341IPC**

20.07.2020

**This is an application moved for grant of regular bail under Section 439 Cr.PC on behalf of applicant / accused Deepu Singh @ Kada.**

Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.  
Sh. Sanjay Kumar, Ld. Counsel for applicant/accused.

Police reply to the bail application already received from ASI Shankar Singh.

Arguments heard on the bail application from both sides.

It is submitted by Ld. Counsel for applicant/accused that the applicant/accused has been falsely implicated in the present case as the deceased was discharged on the same day after treatment from

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**Bail Application No.  
State Vs Deepu Singh @ Kadam  
FIR No. 667/2019  
PS Nihal Vihar  
U/s. 304/341IPC**


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the hospital and was expired after two months from the date of incident.

Perusal of the record shows that the earlier bail application of the applicant/accused was dismissed on merit vide detailed order dated 29.06.2020 wherein the grounds taken, have already been discussed.

There is no change of facts and circumstances from the date of dismissal of earlier bail application. Hence, the present bail application of applicant/accused is dismissed.

Copy of the order be given dasti to the Ld. Counsel for applicant/accused, as prayed for.

  
**(VISHAL SINGH)  
ASJ-03, WEST/DELHI  
20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Bunty Singh  
FIR No. 675/2019  
PS Nihal Vihar  
U/s. 498A/306/325 IPC

20.07.2020

**This is an application filed U/s. 439 CrPC on behalf of applicant/accused Bunty Singh for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. S.K. Srivastava, Ld. Counsel for applicant/accused has appeared through video conferencing, through video call at his mobile no. 9811024447 called through mobile no. 9958227234 of Court Reader Sh. Rajesh Kumar. **(e-mail address not furnished in the application).**

The video call conference has been conducted on speaker mode so that the submissions made by Ld. Counsel for applicant/accused is visible and audible to all the persons present in the court room.

As per report, the applicant/accused Bunty Singh has been in J/c since 27/09/2019 i.e. for the period lesser than one year for

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*State Vs. Bunty Singh*  
*FIR No. 675/2019*  
*PS Nihal Vihar*


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the offence U/s. 498A/306/325 IPC, that is not lesser in gravity than the offence of culpable homicide not amounting to murder, punishable U/s. 304 IPC. Upon this consideration, the present application is not found covered by criteria laid down by Hon'ble High Powered Committee of Delhi High Court.

The present application for grant of interim bail is, therefore, dismissed as not maintainable.

The present application is disposed of accordingly.

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

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**Bail Application No.  
FIR No. 146/2013  
PS Anand Parbat  
U/s. 302/307/323/324/34/IPC  
State Vs Gaurav**

20.07.2020

**This is an application moved for grant of interim bail under Section 439 Cr.PC on behalf of applicant / accused Gaurav in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court.**

Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.  
Sh. Rajender Prasad, Ld. Counsel for applicant/accused.

Police report already received from Inspector Mukesh Kumar, PS Anand Parbat.

On request, put up for consideration on 27.07.2020.

  
**(VISHAL SINGH)  
ASJ-03, WEST/DELHI  
20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Ajay  
FIR No. 96/2010  
PS Maya Puri  
U/s. 395/397/412/120B/356/379/34 IPC

20.07.2020

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.

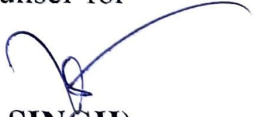
Sh. R.R. Jha, Ld. Legal Aid Counsel for applicant/accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Ajay for grant of regular bail.

Perusal of record shows that the earlier bail application of this accused has already been dismissed vide order dated 06/07/2020 of this court on the ground of involvement in commission of 18 heinous offences, out of which he had been convicted in three cases and violating of jail rules during his custody in jail.

There is no change in facts and circumstances from the dismissal of earlier bail application. The present bail application is, therefore, dismissed.

Copy of this order be given dasti to Ld. DLSA counsel for applicant/accused, as prayed for.

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**Bail Application No. 373/2020  
State Vs Kuldeep  
FIR No. 382/2015  
PS Nihal Vihar  
U/s. 302/397/411/34 IPC**

20.07.2020

**This is an application moved under Section 440  
Cr.PC on behalf of applicant/accused Kuldeep for reduction of  
surety amount.**

Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.

Sh. Archit Kaushik, Ld. Counsel for applicant/accused  
has appeared through video conferencing through video call at his  
mobile no. 8126059802 called through mobile no. 9958227234 of  
Reader Sh. Rajesh Kumar.

The video call conference has been conducted on speaker  
mode so that the submissions made by Ld. Counsel for applicant/  
accused is visible and audible to all the persons present in the court  
room.

It is submitted that the applicant/accused was granted  
bail vide order dated 13.07.2020 but due to poor financial condition,  
he could not arrange the surety of Rs. 25,000/-.

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**Bail Application No. 373/2020**  
**State Vs Kuldeep**  
**FIR No. 382/2015**  
**PS Nihal Vihar**  
**U/s. 302/397/411/34 IPC**

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Applicant/accused Kuldeep has been granted interim bail vide order 13.07.2020 but till date no bail bond has been furnished which shows the financial incapacity of the applicant/ accused to furnish bail bond of Rs.25,000/- with one surety in the like amount.

Considering the overall facts and circumstances of the case, the application is allowed and the personal bond and surety bond amount is reduced from Rs.25,000/- to Rs.10,000/-. Accused Kuldeep is admitted to interim bail of 15 days subject to furnishing of personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of Ld. Duty MM.

The other conditions imposed vide order dated 13.07.2020 shall remain same.

The bail application is disposed of accordingly.

Copy of the order be given dasti to Ld. Counsel for applicant/accused, as prayed for.

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**20.07.2020**



**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**Bail Application No.  
State Vs Mritunjay Jha  
FIR No. 559/2016  
PS Ranhola  
U/s. 302/498A/304B/201 IPC**

20.07.2020

**This is an application moved for grant of regular bail  
under Section 439 Cr.PC on behalf of applicant / accused Mritunjay  
Jha.**

**Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.  
Sh. Mukesh Singh, Ld. Counsel for applicant/accused.**

Report received from the concerned Superintendent, Central  
Jail No. 07, Tihar Jail, regarding satisfactory conduct of the accused during  
his custody in jail.

Arguments heard on the bail application from both sides.  
However, at this stage, Ld. Counsel for applicant/accused  
submits that he wishes to withdraw the present application. His statement  
to that effect recorded separately on the application itself.

In view of the statement recorded, present bail application is  
dismissed as withdrawn.



**(VISHAL SINGH)  
ASJ-03, WEST/DELHI  
20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**State Vs Mritunjay Jha  
FIR No. 559/2016  
PS Ranhola  
U/s. 302/498A/304B/201 IPC**

20.07.2020

Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.

Sh. Mukesh Singh, Ld. Counsel for applicant/accused.

**This is an application moved on behalf of  
accused/applicant Mritunjay Jha for extension of interim bail in  
view of COVID19 pandemic.**

This applicant/accused has remained in JC around 04  
years.

Further, in view of recommendations of the Hon'ble High  
Power Committee (HPC) constituted by Hon'ble High Court of Delhi  
dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and  
18.05.2020, and on the basis of orders in WP(C) No. 2945/2020,  
titled as **“Shobha Gupta & Ors. Vs. Union of India & Ors.”**,  
Hon'ble High Court vide order dated 22.06.2020 in WP(C) No.

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**State Vs Mritunjay Jha**

**FIR No. 559/2016**

**PS Ranhola**

**U/s. 302/498A/304B/201 IPC**

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**3080/2020**, has already ordered for extension of interim bails for a period of 45 days, granted to UTPs from the date of their respective expiry of interim bail. Hence, in view of recommendations of Hon'ble High Powered Committee (HPC), and old age of applicant/accused the present application is allowed. The interim bail of applicant/accused is extended till **17.08.2020**.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on **17.08.2020**.

The application is disposed of accordingly.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

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



**(VISHAL SINGH)**

**ASJ-03, WEST/DELHI**

**20.07.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

Bail Application No. 531/2020

State Vs. Mustafa Tyagi

FIR No. 397/2019

PS Hari Nagar

U/s. 3 & 4 of MCCOC Act

20.07.2020

Present : Sh. Jiendra Sharma, Ld. Addl. PP for the State.

Sh. Mahesh Kumar Patel, Ld. Counsel for applicant /  
accused.

Applicant/accused Mustafa Tyagi in person.

IO ACP Ram Singh, Sub-Division Rajouri Garden is  
present with SI Amit Sehrawat and SI Pankaj Parashar,  
PS Hari Nagar.

1. Arguments heard on the application of applicant/accused Mustafa Tyagi through which he sought the reliefs including stay on proceedings initiated U/s. 82 CrPC, joining of investigation and grant of bail. Ld. Addl. PP has argued against the application in detail, assisted by the IO.



2. IO has reported that applicant/accused Mustafa Tyagi joined the investigation twice in the month of July 2020, as required of him.

3. Ld. Addl. PP has submitted that the IO has discovered one more bank account operated by applicant/accused Mustafa Tyagi in Axis Bank in the year 2013-2014, as per which he periodically deposited cash in his bank account, total amounting to Rs.4 lakh, for which he has not been able to sufficiently explain the source. The said bank account is in addition to the already disclosed one bank account operated by the accused, whereas his wife operated two other bank accounts.

4. Applicant/accused Mustafa Tyagi purchased a first floor flat (measuring 100 sqr. Yards) at WZ-19, Meenakshi Garden, for consideration of Rs.49.90 lakh, in the year 2014. Applicant/accused Mustafa Tyagi has one ancestral property at WZ-267 (measuring 60 sqr. yards), Tihar Village, New Delhi, purchased by his father in the year 2002. Applicant/accused Mustafa Tyagi maintained one Hyundai Creta Car, one Tata Nano Car and one Maruti Swift Car. IO reports that out of the above mentioned three cars, the accused had to return the Hyundai Creta Car to the original owner due to inability to pay the installments. Applicant/accused has already sold the Tata Nano Car,

whereas, Maruti Swift Car has been reportedly stolen. Apart from the above mentioned movable and immovable properties, the IO has not discovered any other property owned/possessed by applicant/accused Mustafa Tyagi.

5. IO seeks to arrest the accused for the offence U/s. 3 & 4 MCCOC Act, for being member of an organized crime syndicate, for deriving pecuniary benefits from it, purchasing property from funds derived from commission of organized crime and holding the same on behalf of organized crime syndicate.

6. Ld. Counsel for applicant/accused has submitted that accused Mustafa Tyagi has never been a member of an organized crime syndicate and has never obtained or derived property from commission of organized crime. He does not hold any property on behalf of organized crime syndicate. Further, the accused had not been evading arrest in this case. Rather, he had earlier approached the court for grant of anticipatory bail, which was not found maintainable as per law.

7. Ld. Counsel for applicant/accused has submitted that the applicant/accused has joined investigation to the satisfaction of IO since 08/06/2020. The IO has not discovered any evidence of his

involvement with an organized crime syndicate. All the submissions of IO are his conjectures and surmises, uncorroborated by any evidence.

8. The accused present in the Court has filed the details and documents related to income tax returns furnished by him since the financial year 2012-2013. He has also filed copies of his bank transactions with Punjab & Sind Bank, Jawala Heri, Punjabi Bagh, New Delhi, since the year 2014. The accused has explained that the bank account operated by him with Axis Bank was closed in the year 2014 because of which he had no details of transactions of the said bank account, to supply to the IO.

9. The accused has explained, which has been substantiated in inquiry by the IO, that he has purchased flat no. WZ-19 (supra) in the year 2014 for consideration of Rs. 49.90 lakh, for which he obtained bank home loan of Rs. 44.90 lakh. The said flat has been purchased by applicant/accused Mustafa Tyagi jointly with his wife Smt. Sameena Tyagi, who is also an income tax payee.

10. The accused has explained that he had been obtaining sub-contracts to run parking lots at several market places in Delhi from the main contractor, since long. The earning from the parking

lots were in cash, which was periodically deposited in his bank account, which is the reason why the bank transactions in the year 2013-2014 were primarily in cash. The accused has pointed out in the bank statement record of Axis Bank for account no. 913020008706048, there were equal amount of deposit and withdrawal entries, that reflected expenditure of the applicant/accused for business purpose.

11. Ld. Counsel for applicant/accused has argued that if the earning of the accused in the year 2013-2014 was through illegal means i.e. as a member of or on behalf of an organized crime syndicate, he would not have been operating bank accounts and depositing his money in the same. Rather, his inclination would have been to avoid coming into eyes of government agencies and not to operate bank account and deposit cash in the same. Moreover, if applicant/accused had been holding cash on behalf of an organized crime syndicate, he would not have purchased the above mentioned flat by obtaining huge amount of home loan.

12. IO has verified that the applicant/accused has been residing at above mentioned flat no. WZ-19, Meenakshi Garden (supra) alongwith his family, since the year 2014 i.e. after purchasing the same. Ld. Counsel for applicant/accused has argued that above



mentioned property being the residential property of applicant/accused, purchased chiefly by obtaining home loan, militates against the submissions of the IO that it has been obtained from or having on behalf of an organized crime syndicate.

13. The IO has not reported *inter se* transfer of money between applicant/accused Mustafa Tyagi and other accused persons, who are in custody in this case. There has been no criminal case against applicant/accused Mustafa Tyagi since the year 2012 i.e. for around eight years. There are two cases in which applicant/accused Mustafa Tyagi is facing trial – 1. FIR No. 53/2012, U/s. 308/342/34 IPC, PS Hari Nagar, (pertaining to violence without pecuniary benefit) and 2. FIR No. 342/2012, U/s. 307/429/34 IPC & Section 25/27 Arms Act, PS Hari Nagar, (pertaining to violent offence amongst family members). The IO has not reported any criminal case against applicant/accused Mustafa Tyagi, pertaining to a gang activity.

IO has already explained the fate of vehicles of the accused.

14. After considering the rival contentions of Ld. Addl. PP assisted by the IO, and Ld. Counsel for the applicant/accused, the Court is of the opinion that there is no reasonable *prima facie* ground

to suspect the involvement of applicant/accused Mustafa Tyagi as presently being or earlier been a member of an organized crime syndicate or that he derived or obtained pecuniary benefit from an organized crime syndicate or holds any asset on its behalf. The applicant/accused has one ancestral property, purchased by his father long ago; he purchased one flat in the year 2014 jointly with his wife, primarily financed through home loan obtained from the bank; the accused and his wife have been furnishing income tax returns since the year 2012-2013. If there were deposits in the bank accounts of the accused, there were significant withdrawals too, that is indicative more towards business activity rather than a criminal gang activity.

15. It does not seem that any fruitful purpose will be served by custodial interrogation of the accused as he has already joined investigation as required by the IO for more than one month. It does not seem that the accused had been evading his arrest in this case as he attempted to avail of judicial remedy by way of application of anticipatory bail, that was not found maintainable.

16. Considering the absence of any evidence of involvement of applicant/accused Mustafa Tyagi in an activity related to organized crime syndicate or deriving or holding any asset on its behalf, the Court is, *prima facie*, satisfied that there are reasonable grounds for

believing that the applicant/accused is not guilty of any offence under MCOA Act, 1999 and is not likely to commit any offence if granted bail.

17. Accordingly, the process issued U/s. 82 CrPC against applicant/accused Mustafa Tyagi is revoked / vacated. Applicant/accused Mustafa Tyagi is present and has surrendered to the jurisdiction of the Court. The application of applicant/accused for grant of regular bail is allowed and he is admitted to bail subject to furnishing of personal bond and surety bond in the amount of Rs.50,000/-. The accused shall keep joining investigation as and when required by the IO.

The present application is disposed of accordingly.

Copy of this order be given to IO, as prayed for.



**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**20.07.2020**