

**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

**State Vs Krishan Mohan**  
FIR No. : 288/18  
PS. : Nihal Vihar  
U/s : 376/313 IPC

**THROUGH CISCO WEB EX**

22.07.2020

*Application taken up for hearing in terms of Circular No. 24-DHC/2020 dated 13.07.2020 of Hon'ble High Court of Delhi and No. 485/111099-11153/Misc./Gaz/DJWest/2020 dated 15.07.2020..*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State  
Sh. Kamalkant Jha, Ld. Counsel for the accused along  
with accused Krishan Mohan.  
Ms. Aarti Pandey Ld. Counsel from DCW.

**I.A. NO. : 01/20**

This is an application seeking cancellation of NBW as ordered vide dated 24.02.2020.

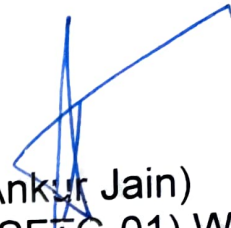
The Honble Supreme Court has stayed the order dated 14.02.2020, passed by the Hon'ble Delhi High Court, wherein the bail of the accused/applicant was cancelled.



Issue notice to the complainant through IO in terms of the practice directions of the Hon'ble High Court of Delhi for the Next Date. Till the next date of hearing IO shall not execute the old NBWs.

Copy of the order be sent through electronic mode to counsel for accused.

Put up on 06.08.2020.



(Ankur Jain)  
ASJ (SFIC-01) West  
Delhi: 22.07.2020

**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

State Vs Diwakar Sharma  
FIR No. : 155/18  
PS. : Hari Nagar  
U/s : 376/506 IPC

**THROUGH CISCO WEB EX**

22.07.2020

*Application taken up for hearing in terms of Circular No. 24-DHC/2020 dated 13.07.2020 of Hon'ble High Court of Delhi and No. 485/111099-11153/Misc./Gaz/DJWest/2020 dated 15.07.2020..*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State  
Sh. Vipin Mishra, Ld. Counsel for the accused/applicant.  
Ms. Aarti Pandey Ld. Counsel from DCW.

**I.A. No. : 06/20**

This is an application seeking Regular bail. Report of IO filed. Copy is stated to have been sent to the counsel for the accused/applicant.

Issue notice of the application to the State. Ld. Addl. PP for the State accepts the notice on behalf of the state.

Issue notice of the bail application to the complainant in term of the practice directions of the Hon'ble High Court of Delhi.

Put up on **28.07.2020** for arguments on bail application.

(Ankur Jain) 22/07/2020  
ASJ (SFTC-01) West  
Delhi: 22/07.2020

**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

**State Vs Deepak Kumar**  
FIR No. : 334/19  
PS. : Nangloi  
U/s : 376(d)/328/384/506/34 IPC

**THROUGH CISCO WEB EX**

22.07.2020

*Application taken up for hearing in terms of Circular No. 24-DHC/2020 dated 13.07.2020 of Hon'ble High Court of Delhi and No. 485/111099-11153/Misc./Gaz/DJWest/2020 dated 15.07.2020.*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State  
Sh. Kuldeep Mansukhani, Ld. Counsel for the  
accused/applicant. Ms. Aarti Pandey Ld. Counsel from  
DCW.

**I.A. No. 06/20**

This is an application seeking extension of Interim Bail.  
Issue notice of the application to the State. Ld. Addl. PP for  
the State accepts the notice on behalf of the state. Reply be  
filed by the IO.

Issue notice of the bail application to the complainant in term  
of the practice directions of the Hon'ble High Court of Delhi.

Put up on **27.07.2020** for arguments on bail application.

(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 22.07.2020  
*22/07/2020*

**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

**State Vs Ish Kumar.**  
**SC No. : 119/16**  
**FIR No. : 1492/14**  
**PS. : Tilak Nagar**  
**U/s : 376/506 IPC**

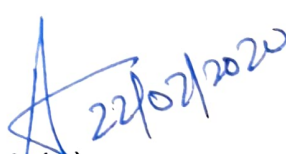
***THROUGH CISCO WEB EX***

22.07.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State  
Sh. Rakesh Kumar, Ld. Counsel for the  
accused/applicant along with accused Ish Kumar.  
Ms. Aarti Pandey Ld. Counsel from DCW.  
Sh. Manish Sharma, Ld. Counsel for the complainant.

The case was fixed for 2:00p.m., however each and every party was present and submitted that they have no objection if the case is argued at 11:00 am.

With the consent of the counsel's final arguments heard. Put up for orders on **31.07.2020.**

  
(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 22.07.2020

**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

**State**

**Vs.**

**Manoj Paswan  
Son of Wazir Paswan  
R/o RZ-37 Deep Enclave,  
Part-I, Vikas Nagar, Delhi**

**SC No. : 199/20  
FIR No. : 24/20  
PS. : Ranhola  
U/s: 376 IPC**

**ORDER:-**

- 01.** By this order I shall decide the first bail application filed on behalf of the accused Manoj Paswan.
- 02.** The brief facts of the case are that prosecutrix "BJ" gave a written complaint to DCP, dated 24.12.2019 which is to the effect that for the last 6 to 7 years she was living in a tenanted accommodation and 6 years prior to the date of complaint, she had approached the accused for taking the house on rent. The accused gave a house on rent in Dabari. One day accused mixed



some intoxicated material in Pepsi and raped her, after she regained conscious, she questioned the accused. Accused asked her to keep quiet and assured that he would give a plot admeasuring 25 sq. yards and Rs. 5,00,000/- to her. Since then accused is continuously raping her. When the complainant asked for the amount and the house the accused started evading the said questions. The complainant then told the accused that she would not reside in the said house, the accused threatened her with circulation of obscene video involving her and the accused. For this reasons the complainant remained silent and accused used to rape her. It is further stated that around 2 months back accused used to threaten her and rape her. On these allegations the present FIR was registered.

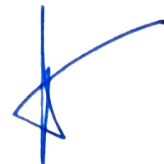
**03.** Ld. Counsel for the accused/applicant has argued that there is a delay in registration of FIR. In the statement u/s 164 Cr.P.C. there are no allegations of rape. He submits that due to enmity with one Meghnath he has been falsely implicated in the present case. He submits that on 17.08.2019 he had made a complaint to the DCP wherein he had categorically stated that



complainant would implicate her in a false rape case. In support of his arguments Ld. Counsel for the accused/applicant has relied upon the judgments of **Mohit Yadav Vs. State 2016 (1) JCC 81; Bhushan Malik Vs. State, 2018 (3) JCC 1680; Luv Kumar @ Bitto Vs. State of Delhi 2015 (2) JCC 1348; State Vs. Anwar Hussain 2012 (2) JCC 874; Mohd. Noiz Vs. State, 2016 (4) JCC 2721.**

**04.** On the other hand Ld. Addl. PP for the State has submitted that charges are yet to be framed. Prima-facie from the FIR and the statement of the witnesses it is clear that the offence punishable u/s 376 IPC is made out. Accused has been involved in previous cases. There is every possibility that he may threaten the witnesses if he is enlarged on bail.

**05.** Ld. Counsel for the complainant has argued that accused is an influential person which is clearly reflected as there was a delay in registration of the FIR. He submits that accused is involved in similar offence and is continuously threatening the victim and her family members. It is also argued that the





complaint made by the accused clearly shows that accused is threatening and in order to cover his misdeeds the complaint was made to the DCP concerned.

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

**07.** In *Mohit Yadav (Supra), Bhushan Malik (Supra) and Love Kumar @ Bitto (Supra)* the Hon'ble Delhi High Court granted bail on the ground that there was a delay in lodging the FIR.

**08.** In the present case the prosecutrix is of mature age, has a son, daughter in law. From the last incident admittedly there is a delay of about 2 months in filing of the complaint. The allegations that accused is threatening the victim is without any basis as till date no complaint has been made by the victim and his family members against the alleged threats extended by the accused or by anybody on his behalf. In so far as previous involvements are concerned, as per the report of the IO, the accused is shown to be involved in two cases. One is FIR No. 25/10 u/s. 420/468/471/380/448/120B IPC and another is FIR



No. 269/18 u/s 363/377/506 and 4 POCSO Act. In so far as FIR No. 269/18 is concerned accused was admitted to anticipatory bail and the court while granting anticipatory bail had categorically noted that:-

***“Considering the complaint of the complainant, his statement recorded u/s 164 Cr.P.C., the medical record of the victim boy and of the accused, the previous enmity of the applicant/accused with the employer of the victim boy and the written letters attached to the complaint made to the Commissioner of police containing an averment of the victim boy that the accused was implicated at the instance of one Balram and Prem and in the given facts and circumstances, particularly the mobile location.....”***

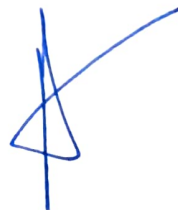
09. The anticipatory bail order, prima-facie reflect that infact accused in the case FIR no. 269/18 was falsely implicated. Thus pendency of the said case would be of no bearing. The second case was registered 10 years prior to the present case and is not connected with the present case. Accused is in custody since 09.03.2020. Investigation is complete,



chargesheet has been filed. There is no definitive period by when the FSL report would be filed. There is admittedly a delay of 2 months in filing the complaint, from the date of last incident.

**10.** Considering the facts and circumstances of the case, the accused is admitted to bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of this court on the following terms and conditions:-


- a. That accused shall not contact the complainant/victim or any other witnesses through any mode. He shall not leave the city without permission of this court.
- b. He shall inform this court of any change in his address.
- c. The accused shall provide his latest mobile number to the SHO/IO concerned and shall mark his presence once in the month on first Saturday of the month. The mode and manner of marking his presence is at the discretion of the SHO/IO concerned.



:7:

Application is disposed off accordingly. Copy of the order be sent to the Ld. Counsel for the accused and complainant through electronic mode.

**Announced through CISCO Web Ex.  
On 22<sup>nd</sup> July, 2020**

  
**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi

22/07/2020.

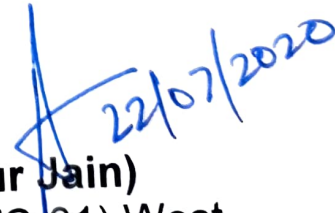
**IN THE COURT OF ANKUR JAIN**  
**ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI**

**SC No. : 199/20**  
**FIR No. : 24/20**  
**PS. : Ranhola**  
**U/s: 376 IPC**

Present : None

Vide Separate order accused has been granted bail.  
I.A. No. 1/2020 stands disposed off. Copy of the order  
be sent to the Ld. Counsel for the accused and  
complainant through electronic mode.

Put for arguments on charge on 12.10.2020

  
**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi