

**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

State Vs. Tabrez Mohammad  
FIR No : 552/19  
PS: Hari Nagar  
U/s : 457/380/34 IPC

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Mohd. Azhar, Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Reply on behalf of the IO filed. Copy supplied to the Ld. Counsel. Application seeks extension of interim bail on the ground that the son of the accused is not well. Latest medical documents has not been filed.

I do not find any ground to extend the interim bail. Application stands dismissed. Accused is directed to surrender immediately. Copy of the order be sent to the Jail Superintendent for information.

(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16/09.2020

**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 2073

**State Vs. Amit**  
FIR No.: 404/20  
P.S. : Mundka  
U/s : 33/38/58 D.E.Act

**THROUGH CISCO WEB EX.**

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Satinder Singh, Pal Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Arguments on the bail application heard. Put up for orders.

**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

**ORDER :-**

By this order I shall decide the bail application filed on behalf of accused Amit. The brief facts of the case are that during routine search at Tikri Boarder accused was found driving a Tempo bearing no. DL-1LAB 1589 and on checking around 70 boxes containing 3500 quarters of Crazy Romeo Whisky for sale in Haryana, was recovered.



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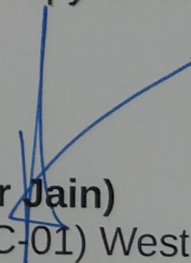
Ld. counsel for the accused has argued that accused has been falsely implicated in the present case and recovery was effected by some other person who was let off by police officials.

On the other hand Ld. Addl. PP for the State has opposed the bail application.

I have heard Ld. Addl. PP for the State and Ld. Counsel for the accused.

There is a huge recovery of illicit liquor from the possession of the accused. It is not only a social evil but it also causes revenue loss to the ex-chequer. The accused is also found involved in one other case of similar nature which has also been registered in the year 2020.

Considering the facts of the case, I find no ground to allow the present bail application, the same stands dismissed. Copy of the order be given dasti.

  
(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 2074

**State Vs. Shahrukh**

FIR No.: 541/20

P.S. : Hari Nagar

U/s: 376/506 IPC

**THROUGH CISCO WEB EX.**

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Sumit Gaba, Ld. Counsel for the accused, present in court.  
Sh. Rajput, Ld. Counsel for the complainant along with complainant.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Ld. counsel for the accused submits that complainant had lodged a complaint at PS Mohan Garden which was subsequently transferred to PS Ranhola in which no allegations have been leveled by the complainant. He seeks some time to produce the said complaint.

At the request of Ld. counsel for the accused, present application is adjourned for **17.09.2020** to be taken through CISCO Web Ex.

  
(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16.09.2020



**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 1807

**State Vs. Mohd. Sakib**

FIR No.: 690/20

P.S. : Nihal Vihar

u/s 498-A/304B/34 IPC

**16.09.2020**

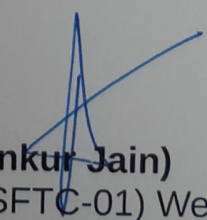
*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Nagender Singh, Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Ld. counsel for the accused submits that he may be allowed to withdraw the present bail application. Statement of Ld. Counsel for the accused has been recorded in this regard.

In view of the statement of the Ld. Counsel for the accused, present bail application is dismissed as withdrawn with liberty as prayed for.

Copy of the order be given dasti.

  
(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

Bail application no. 1807

FIR No.: 690/20  
P.S. : Nihal Vihar  
u/s 498-A/304B/34 IPC

Statement of Sh. Nagender Singh, Ld. Counsel for the accused,  
Enroll No. D2511B/1996.

At Bar

I may be permitted to withdraw the present bail application  
with liberty to file the same after filing of the charge-sheet.

R.O. & A.C.

*NR*  
*Adurte*  
*16/9/2020*

*(Ankur Jain)*  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 2075

**State Vs. Mayank Singh**

FIR No.: Not known

P.S. : Ranhola

u/s Not known

**THROUGH CISCO WEB EX.**

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Naveen Gaur Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Reply has not been filed by the IO. Let the same be filed by the IO on or before **19.09.2020**. Copy of the order be sent to the concerned SHO through Whats-app for compliance.

(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16/09.2020



**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 2076

**State Vs. Sushank Singh**

FIR No.: Not known

P.S. : Ranhola

u/s Not known

**THROUGH CISCO WEB EX.**

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Naveen Gaur Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Reply has not been filed by the IO. Let the same be filed by the IO on or before **19.09.2020**. Copy of the order be sent to the concerned SHO through Whats-app for compliance.

(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16.09.2020



**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

Bail application no. 2072

**State Vs. Sanjay**

FIR No.: 253/20

P.S. : Anand Parbat

U/s: 308/323/342/365/34 IPC

**THROUGH CISCO WEB EX.**

**16.09.2020**

*File is taken up for hearing in terms of Circular No. 546/13785-13810/Bail Power/Gaz./DJ West/2020 dated 31.08.2020 of Hon'ble District Judge (West).*

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through CISCO Web Ex).  
Sh. Deepak Sharma, Ld. Counsel for accused Sanjay.  
Ms. Aarti Pandey Ld. Counsel from DCW.

Reply on behalf of the IO filed. Copy be sent to the accused.

Ld. Counsel for the accused submits that bail application of co-accused is coming up on 17.09.2020. He, therefore, requests for adjournment.

At the request of Ld. counsel for the accused, present bail application is adjourned for **17.09.2020.**

(Ankur Jain)  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

**IN THE COURT OF ANKUR JAIN: ADDL. SESSIONS JUDGE:**  
**SFTC (WEST)-01: TIS HAZARI:DELHI**

**State Vs. Salman @ Rizwan**  
**FIR No : 774/19**  
**PS: Nangloi**  
**U/s : 326/307/506 IPC**

**16.09.2020**

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (Through  
CISCO Web Ex).  
Sh. Dhan Bahadur Yadav, Ld. Counsel for the accused.  
Ms. Aarti Pandey Ld. Counsel from DCW.

TCR has been received.

Arguments on the bail application heard. Put up for orders.

**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

**At 3:40 pm.**

**ORDER:-**

By this order I shall decide the bail application filed on behalf of the accused Salman @ Rizwan. The brief facts as necessary for the disposal of the present application are that an altercation took place wherein accused stabbed the complainant with a knife. FIR was registered u/s 326/506 IPC and later on after the receipt of opinion from the concerned doctor provisions of Section 307 IPC was added.

Ld. Counsel for accused has argued that the knife was sent to FSL which gave an opinion that the injuries as mentioned in



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the MLC is not possible with the weapon of offence. Ld. Counsel for the accused submits that on this ground accused should be admitted to bail.

On the other hand Ld. Addl. PP for the State has opposed the bail application on the ground that the statement of the complainant cannot be disregarded merely on the basis of FSL report.

I have heard the Ld. Counsels for the accused and perused the record.

The only argument advanced by the counsel for the accused is that the subsequent opinion given by the FSL does not show that such injuries could have been caused by the knife at the instance of the accused. I do not find any merit in the said submission as the statement of the complainant clearly reflects that he was stabbed by the accused. This fact is duly corroborated by the MLC of the complainant, in fact he underwent surgery for the same. There is one more eye witness to the incident. Under these circumstances I do not find any ground to enlarge the accused on bail.

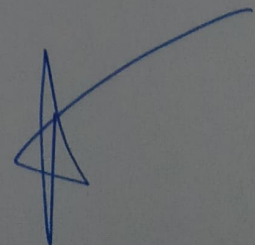
Before parting a very disturbing feature is noted by this court, successive bail applications have been filed on behalf of the accused. The accused has every right to file successive bail applications but the principle of fairness should be adopted in filing those successive bail applications and it should be clearly mentioned the number of bail applications earlier filed by the accused. The perusal of the file shows that number of bail applications have been filed which were dismissed. The number of bail applications and their fate is depicted in a tabular form:-

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Sr. No.	Date of filing	Bail Application No.	Date of Order	Order Passed	Nature of Bail application
1.	17.03.2020	509/2020	14.07.2020	Dismissed as withdrawn	Regular
2.	30.04.2020	1023/2020	04.05.2020	Dismissed as accused was not covered under the guidelines of HPC.	Interim
3.	22.05.2020	1113/2020	26.05.2020	Dismissed as withdrawn	Regular
4.	28.05.2020	1124/2020	29.05.2020	Dismissed	Interim
5.	28.05.2020	1303/2020	27.07.2020	Dismissed as withdrawn	Interim

In neither of the applications it was disclosed that earlier bail application was dismissed either on merits or have been withdrawn. In all the applications as shown above the same ground have been taken. The sole motive was to obtain bail without any regard to the process of law. If these facts could have been disclosed by the accused the time of the court should have been saved and it prevents abuse of the process. It seems accused was indulging in forum hunting. He has filed the successive bail applications without there being any change in the circumstances. Fortunately and unfortunately each and every presiding officer who deals with the bail application either dismissed it or permitted the accused to withdraw.

The copy of the order be sent to the concerned DCP who shall sensitize the SHO/IO and if deem it proper shall also issue a

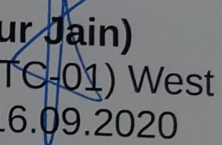




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circular/office order for the benefit of the SHO/IO who shall henceforth in their reply state the number of bail applications already dismissed by the courts either interim or regular. The copy of the order be send through Whats-app to SHO for compliance. The compliance report be filed by the concerned DCP before the MM concerned. Application stands dismissed.

TCR be sent back. Copy of the order be sent to the counsel and Jail Superintendent through Whats-App and to the concerned court for placing on record.

  
**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi: 16.09.2020

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

Bail Application no. : 2078  
State Vs. Sagar Maurya @ Judi & Ors.  
P.S.: Anand Parbat  
FIR No : 289/19  
U/s. : 392/397/411/34 IPC

**16.09.2020.**

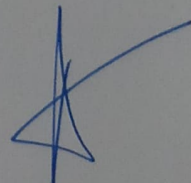
Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State.  
Ms. Aarti Pandey Ld. Counsel from DCW.  
None for the accused.  
HC Ankit Dahiya Naib Court.

Despite waiting till 1:30 pm none has appeared on behalf of the accused.

Reply on behalf of the IO has been filed. Accused seeks regular bail. The brief facts of the case are that on the complaint of one Sanjay Kumar the present FIR was registered in which he stated that on 05.12.2019 while he was going to his room 3 boys came from behind out of which one of the boys put a knife and the other snatched his phone. He made a hue and cry as a result two police officials came and apprehended the boys. The mobile phone was recovered. Complainant identified the accused as the person who have put the knife on his back.

The accused was arrested from the spot. The complainant identified the accused as the person who had used the knife. The weapon of offence was recovered from the accused, as per the report filed by the IO.

Considering the facts of the case, I do not deem it to be a fit case for grant of bail.

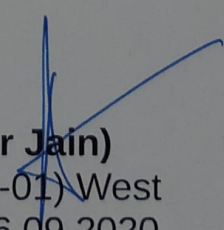




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The application states that this is the 1<sup>st</sup> bail application filed on behalf of the accused, however, perusal of the file of the IO shows that on 27.08.2020 this court had dismissed the bail application of the accused by a speaking order. The said application was argued by Ms. Sunita Singh, Advocate and apparently the present application is also moved by the same counsel. It appears that for this reason the counsel has chosen not to appear in the court. The record of the IO further reveals that the 1<sup>st</sup> bail application of Sagar Maurya was dismissed on 07.03.2020 the second was dismissed on 27.08.2020. Both these facts were not disclosed by the IO in his reply, filed by him today.

The copy of the order be sent to the concerned DCP who shall sensitize the SHO/IO and if deem it proper shall also issue a circular/office order for the benefit of the SHO/IO who shall henceforth, in their reply to the bail application shall specifically state the number of bail applications already dismissed by the courts either interim or regular. Report be filed by the concerned DCP within 2 weeks. The copy of the order be send through Whats-app to SHO for compliance. Copy of the order be sent on whats-app to the concerned SHO for compliance. The 3<sup>rd</sup> bail application filed by the accused stands dismissed. Copy of the order be sent through electronic mode.

  
**(Ankur Jain)**  
ASJ (SFTC-01) West  
Delhi: 16.09.2020