

FIR No.455/14
PS:Kotwali
U/s 302/394/398/34 IPC
State Vs. Amit Kumar Singh

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
None for the applicant/ accused despite calls.

The matter is listed before the Court today. In view of report of concerned Dy. Superintendent of Central Jail no.4 Tihar, Delhi, wherein it is mentioned that on custody warrant of applicant/ accused, the relevant offences are mentioned as 394/398/302/34 IPC and 25/27/29 Arms Act. However, in the release warrant, the relevant offences are mentioned as 302/394/398/34 IPC.

The original proceedings including the order dated 23.05.2020 whereby the applicant/ accused is shown to have been granted interim bail for a period of 45 days by the Court of Id. ASJ, Central, THC Delhi, have been placed before the Court.

Having gone through the bail order dated 23.05.2020 and in view of the report received from Jail Authority, concerned Jail Superintendent is directed to consider the release warrant in respect of the relevant offences as mentioned in custody warrant of applicant/ accused, as per rules and to release the applicant/ accused subject to compliance of the relevant terms and condition of bail as already mentioned in order dated 23.05.2020. No further direction is called for.

Copy of this order be sent concerned Jail Superintendent for necessary compliance.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Ujjwal Puri, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 440 (2) Cr.PC for release of applicant/ accused on personal bond.

The proceedings in the present application have been conducted through video conferencing.

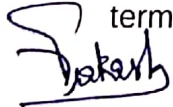
Heard on the application. Perused.

At the outset, Id. Addl. PP has pointed out that State is not a party in this case, it being proceedings u/s 138 NI Act.

I have heard submissions of counsel of applicant/ accused on the maintainability of the present application before Sessions Court.

It is argued that applicant/ accused has already been granted interim bail by Sessions Court, PHC, New Delhi in case FIR No. 151/2017 of PS Connaught Place, New Delhi. It is further argued that applicant/ accused has also been granted bail in this case by Id. Duty MM, Central, THC, Delhi on 21.05.2020 but he could not be released from date as he is not in a position to produce the surety. Ld. Counsel submits that since the Court of Ld. Magistrate has passed bail order thereby imposing condition to furnish surety of like amount, the present application is maintainable before the Sessions Court.

On specific query of the Court, counsel has fairly informed that he has not approached the Court of Ld. Magistrate for seeking modification in the terms and conditions of bail order dated 21.05.2020.



Contd.....2

Having heard the aforesaid submissions of Id. Counsel of applicant/ accused and keeping in view the provision contained in section 440(2) Cr. P.C, Court is of considered opinion that the applicant/ accused cannot directly approach Sessions Court seeking modification of terms and conditions of the bail and that too by way of simple application like the present one. The legal remedy lies elsewhere. Hence, the present application is dismissed as not maintainable under the law. However, it is hereby made clear that dismissal of present application shall not prevent the applicant to approach the concerned Court of competent jurisdiction, in accordance with law.

Copy of this order be given dasti.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Ujjwal Puri, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 440 (2) Cr.PC for release of applicant/ accused on personal bond.

The proceedings in the present application have been conducted through video conferencing.

Heard on the application. Perused.

At the outset, Id. Addl. PP has pointed out that State is not a party in this case, it being proceedings u/s 138 NI Act.

I have heard submissions of counsel of applicant/ accused on the maintainability of the present application before Sessions Court.

It is argued that applicant/ accused has already been granted interim bail by Sessions Court, PHC, New Delhi in case FIR No. 151/2017 of PS Connaught Place, New Delhi. It is further argued that applicant/ accused has also been granted bail in this case by Id. Duty MM, Central, THC, Delhi on 21.05.2020 but he could not be released from date as he is not in a position to produce the surety. Ld. Counsel submits that since the Court of Ld. Magistrate has passed bail order thereby imposing condition to furnish surety of like amount, the present application is maintainable before the Sessions Court.

On specific query of the Court, counsel has fairly informed that he has not approached the Court of Ld. Magistrate for seeking modification in the terms and conditions of bail order dated 21.05.2020.

Contd.....2

Having heard the aforesaid submissions of Id. Counsel of applicant/ accused and keeping in view the provision contained in section 440(2) Cr. P.C, Court is of considered opinion that the applicant/ accused cannot directly approach Sessions Court seeking modification of terms and conditions of the bail and that too by way of simple application like the present one. The legal remedy lies elsewhere. Hence, the present application is dismissed as not maintainable under the law. However, it is hereby made clear that dismissal of present application shall not prevent the applicant to approach the concerned Court of competent jurisdiction, in accordance with law.

Copy of this order be given dasti.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Ujjwal Puri, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 440 (2) Cr.PC for release of applicant/ accused on personal bond.

The proceedings in the present application have been conducted through video conferencing.

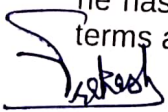
Heard on the application. Perused.

At the outset, Id. Addl. PP has pointed out that State is not a party in this case, it being proceedings u/s 138 NI Act.

I have heard submissions of counsel of applicant/ accused on the maintainability of the present application before Sessions Court.

It is argued that applicant/ accused has already been granted interim bail by Sessions Court, PHC, New Delhi in case FIR No. 151/2017 of PS Connaught Place, New Delhi. It is further argued that applicant/ accused has also been granted bail in this case by Id. Duty MM, Central, THC, Delhi on 21.05.2020 but he could not be released from date as he is not in a position to produce the surety. Ld. Counsel submits that since the Court of Ld. Magistrate has passed bail order thereby imposing condition to furnish surety of like amount, the present application is maintainable before the Sessions Court.

On specific query of the Court, counsel has fairly informed that he has not approached the Court of Ld. Magistrate for seeking modification in the terms and conditions of bail order dated 21.05.2020.



Contd.....2

Having heard the aforesaid submissions of Id. Counsel of applicant/ accused and keeping in view the provision contained in section 440(2) Cr. P.C, Court is of considered opinion that the applicant/ accused cannot directly approach Sessions Court seeking modification of terms and conditions of the bail and that too by way of simple application like the present one. The legal remedy lies elsewhere. Hence, the present application is dismissed as not maintainable under the law. However, it is hereby made clear that dismissal of present application shall not prevent the applicant to approach the concerned Court of competent jurisdiction, in accordance with law.

Copy of this order be given dasti.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Ujjwal Puri, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 440 (2) Cr.PC for release of applicant/ accused on personal bond.

The proceedings in the present application have been conducted through video conferencing.

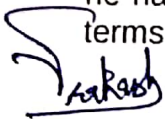
Heard on the application. Perused.

At the outset, Id. Addl. PP has pointed out that State is not a party in this case, it being proceedings u/s 138 NI Act.

I have heard submissions of counsel of applicant/ accused on the maintainability of the present application before Sessions Court.

It is argued that applicant/ accused has already been granted interim bail by Sessions Court, PHC, New Delhi in case FIR No. 151/2017 of PS Connaught Place, New Delhi. It is further argued that applicant/ accused has also been granted bail in this case by Id. Duty MM, Central, THC, Delhi on 21.05.2020 but he could not be released from date as he is not in a position to produce the surety. Ld. Counsel submits that since the Court of Ld. Magistrate has passed bail order thereby imposing condition to furnish surety of like amount, the present application is maintainable before the Sessions Court.

On specific query of the Court, counsel has fairly informed that he has not approached the Court of Ld. Magistrate for seeking modification in the terms and conditions of bail order dated 21.05.2020.



Contd.....2

Having heard the aforesaid submissions of Id. Counsel of applicant/ accused and keeping in view the provision contained in section 440(2) Cr. P.C, Court is of considered opinion that the applicant/ accused cannot directly approach Sessions Court seeking modification of terms and conditions of the bail and that too by way of simple application like the present one. The legal remedy lies elsewhere. Hence, the present application is dismissed as not maintainable under the law. However, it is hereby made clear that dismissal of present application shall not prevent the applicant to approach the concerned Court of competent jurisdiction, in accordance with law.

Copy of this order be given dasti.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.84/20
PS:Nabi Karim
U/s 376/328 IPC
State Vs. Anuj Kumar

26.05.2020


Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Rajat Sang Sharma, Ld. Counsel for the applicant/ accused.

This is 3rd application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.

Heard. Perused.

Issue notice of the application to State as well as to prosecutrix through IO and IO be called along with report for next date.

The present bail application is directed to be listed before Court concerned on 30.05.2020 for consideration.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.348/18
PS:Nabi Karim
U/s 307/336/34 IPC
State Vs. Amit Nayak

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Sunil Tiwari, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for extension of interim bail for a period of three months or 45 days moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Heard. Perused the bail order dated 27.04.2020 passed by Id. ASJ Central, THC Delhi whereby the applicant/ accused was granted interim bail for a period of days from the date of his release.

It is submitted by Id. Counsel for applicant/ accused that the Jail Authority may be asking for producing the order passed by the Court of Sessions for extension of his interim bail despite the specific directions issued by two Judges Bench of Hon'ble High Court of Delhi in the matter of "COURT ON ITS OWN MOTION Vs. GOVT. OF NCT OF DELHI & ANR." passed in WP (C) No. 3080/2020 on 09.05.2020.

It is pertinent to observe that vide order dated 09.05.2020 passed by Division Bench of Hon'ble Delhi High Court in WP(C) No. 3080/2020 (supra), it has been ordered that the interim bail granted to UTPs, in view of the recommendations of High Powered Committee dated 28.03.2020, 07.04.2020 and 18.04.2020 and on the basis of orders in WP (C) No.2945/2020 titled as "Shobhna Gupta and Ors. Vs. UOI and Ors.", stand extended by another period of 45 days from the date of their respective expiry of interim bails on the same terms and conditions.

A bare perusal of bail order dated 27.04.2020 (supra), thereby granted interim bail to present applicant/ accused, would show that his case was considered as fit for grant of interim bail in terms of directions containing Minutes dated 28.03.2020, 05.04.2020, 07.04.2020 and 18.04.2020 passed by High Powered Committee of Hon'ble Delhi High Court.

Contd.....2

-2-

In view of aforesaid facts and circumstances, the interim bail of applicant/ accused stand extended by another period of 45 days from the date of expiry of his interim bail on the same terms and conditions, in terms of directions contained in order dated issued by Division Bench of Hon'ble High Court of Delhi in the matter of "COURT ON ITS OWN MOTION Vs. GOVT. OF NCT OF DELHI & ANR." passed in WP (C) No. 3080/2020 on 09.05.2020.

Application stands disposed off.

Copy of this order be sent to Jail Superintendent for necessary compliance.

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



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. K. Singhal, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Heard. Perused.

Having heard the submissions made by Id. Counsel of applicant/ accused, issue notice of application to State for next date.

The present application is moved by relying upon the recommendations made by High Powered Committee in Minutes dated 18.05.2020.

In view of the latest guidelines issued by High Powered Committee of Hon'ble Delhi High Court in Minutes dated 18.05.2020 and the fact that applicant/ accused is stated to be in JC since 04.09.2015 i.e. for a period of more than two years, let the report of IO/ SHO be called on the following points:-

1. Report regarding previous Conviction, if any of applicant/ accused;
2. Whether the applicant/ accused is previously involved in any other case or not; and
3. Report as to whether the applicant/ accused is in custody for a period of more than two years or not in this case.

Let, the report of concerned Jail Superintendent be also called on the following points:-

1. Copy of custody warrant of applicant/ accused; and
2. A certificate regarding good conduct of applicant/ accused in this case during his custody period so far.

28.05.2020.

Put up for report on the aforesaid points as well as for arguments on



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.60/20
PS:Nabi Karim
U/s 380/457/411/34 IPC
State Vs. Jai Prakash

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. K.P. Singh, Ld. Counsel for the applicant/ accused.

This is an application for issuance of release warrant of applicant /accused in terms of order dated 19.05.2020 passed by Id. ASJ, Central, THC, Delhi.

Heard. Perused.

Ld. Counsel for applicant/ accused has filed copies of three pages on record. He states at Bar that as per his instructions, applicant/ accused has now been released by Jail Authority during night hours of 23.05.2020. He therefore, seeks permission to withdraw the present application without prejudice to the right, if any of applicant/ accused to avail appropriate remedy before appropriate forum as per law. His statement in this regard has been obtained on the application itself.

In view of above, the present application is dismissed as withdrawn.

Copy of this order be dasti to both sides, as prayed.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.65/18
PS:Kotwali
U/s 307/34 IPC
State Vs. Arman Waris

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
SI Vipin Kumar is present on behalf of IO and has filed reply.
None for the applicant/ accused despite repeated calls.

It is already 02.25 pm now.

This is an application for grant of interim bail moved on
behalf of applicant /accused.

Considering the fact that none has appeared on behalf of
applicant/ accused, the present application is dismissed in default.

Be consigned to record room as per rules.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.118/16
PS:Crime Branch
U/s 21 NDPS Act
State Vs. Okapala James

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Gaurav Chandok, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Heard. Perused.

The present application is shown to be addressed to the Court of Special Judge on Duty Covid-19, **PHC, Delhi**, thereby giving and impression as if the present matter pertains to New Delhi District.

On specific query of the Court, Counsel for the applicant/ accused states at Bar that he is not fully aware about the concerned jurisdictional Court for want of relevant documents including copy of FIR but the matter pertain to designated Court of NDPS either in West District or in Central District, THC Delhi. He seeks time to take instructions in this regard and to inform the Court on the next date. He may do so as per law.

In the meantime, let report of IO be also called for next date.

The present bail application is directed to be listed before Court concerned on 28.05.2020 for consideration.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.36/18
PS:Crime Branch
U/s 20/25/29 NDPS Act
State Vs. Kuwar Singh

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh.V.K. Singh, Ld. Counsel for the applicant/ accused.

This is an application for grant of interim bail for a period of 30 days moved on behalf of applicant /accused.

Heard. Perused.

Issue notice of the application to State and IO be called along with report for next date.

The present bail application is directed to be listed before Court concerned on 30.05.2020 for consideration.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.59/20
PS:Nabi Karim
U/s 376/506 IPC
State Vs. Kamal

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Vichitra Kumar, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for grant of bail
moved on behalf of applicant /accused.

The proceedings in the present application have been
conducted through video conferencing.

Heard. Perused.

**Issue notice of the application to State as well as to
prosecutrix through IO and IO be called along with report for next date.**

The present bail application is directed to be listed before
Court concerned on 30.05.2020 for consideration.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.335/19
PS: Nabi Karim
U/s 308/34 IPC
State Vs. Prem @ Manohar

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. S.P. Sharma, Ld. Counsel for the applicant/ accused.
(through VC).

This is an application u/s 439 Cr.PC for grant of bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Part arguments heard.

Ld. Addl. PP states at Bar that he has not received any report of IO through whatsapp on his mobile phone.

Issue notice to concerned IO/ SHO with directions to file the reply through prescribed mode in terms of relevant circular/ guidelines issued by Ld. District & Sessions Judge (HQ) for next date.

Put up for consideration on 29.05.2020.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.48/15
PS:Nabi Karim
U/s186/353/333/307/201/75/34 IPC
& 25/27/54/59 Arms Act
State Vs. Ajay @ Nathu

26.05.2020


Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh.Deepak Sharma, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Heard. Perused.

Issue notice of the application to State and IO be called along with report for next date.

The present bail application is directed to be listed before Court concerned on 27.05.2020 for consideration.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.118/2010
PS:Ranjeet Nagar
U/s 392/397/34 IPC
State Vs. Rajesh @ Prem

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh.Nitin Bansal, Ld. Counsel for the applicant/ accused.

This is an application seeking directions to Jail Authority for furnishing bail status of applicant /accused in this case.

Counsel for applicant/ accused states at Bar that he is one of the Associate Counsel of Sh. Kundan Kumar-Advocate, who has signed the present application and also that he has instructions to appear and make submissions before the Court. He has also filed true copy of order dated 23.05.2020 passed by the Court of Ld. ASJ, Central, THC, Delhi.

One report under the signature of SI Gaurav of PS Ranjeet Nagar has been filed, which is totally silent as regards the actual and correct name of applicant/ accused as per their record.

Let, report be called from concerned Jail Superintendent with regard to bail status of applicant/ accused Rajesh @ Prem in case FIR No.118/2010, PS:Ranjeet Nagar, U/s 392/397/34 IPC for next date. In the meantime, report be called from concerned SHO/ IO as regards the total number of accused persons alongwith their relevant details including name of their respective fathers and addresses as per the charge-sheet filed in this case for tomorrow.

Put up on 27.05.2020 for consideration.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.122/19
PS:Crime Branch
U/s 20/25/29 NDPS Act
State Vs. Bijay Majhi

26.05.2020


Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
None for the applicant/ accused despite calls.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

On the last date of 25.04.2020, it was observed by the Court that there is no urgency as such shown in the present application and it was directed to be listed for 26.05.2020 i.e. today. Report of IO was also not received on the said date. Same has not been received even for today.

Let, IO be called through notice along with report for next date.

The present bail application is directed to be listed before Court concerned on 10.06.2020 for consideration.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.327/19
PS:Crime Branch
U/s 21/29 NDPS Act
State Vs. Inder Singh

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
None for the applicant/ accused despite calls.

This is an application u/s 439 Cr.PC for grant of bail moved on behalf of applicant /accused.

Although, the present bail application is shown to be listed for hearing before the Court today through Video Conferencing, however, Id. Counsel for applicant /accused has telephonically shown his dis-inclination to make submissions through video conferencing. The designated coordinator has informed the Asst. Ahlmad through telephone that counsel of applicant/ accused telephonically informed him that he is out of station and has sought adjournment for a period of one week.

In view of the above facts and circumstances, the present bail application is adjourned to 05.06.2020 for consideration/ hearing through video conferencing. Counsel for applicant/ accused be informed accordingly, as per rules today itself.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.35/20
PS:Wazirabad
U/s 376/366/328/506 IPC
State Vs. Rahul

26.05.2020

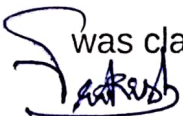
Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
IO/W-SI Renu is present and has filed reply of bail application
alongwith annexures.
Prosecutrix namely 'P' (identity withheld) along with her father.
Sh. M.S. Khan, Ld. Counsel for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of regular bail
moved on behalf of applicant/ accused.

Arguments on the bail application heard. Reply perused.

At the outset, it may be noted that this is the 2nd regular
bail application moved on behalf of applicant/ accused and his first bail
application was dismissed by Sessions Court on 26.02.2020.

After referring to the allegations appearing in the FIR in
question, copy of which is filed with bail application, it is argued on behalf of
applicant that he is totally innocent and is falsely implicated in this case by
the prosecutrix. It is further argued that the prosecutrix herself made
statement before Councillor that she wanted to live with the applicant/
accused and there was not sexual assault with her. He also refer to copy of
statement in writing purportedly given by prosecutrix before SHO of PS
Wazirabad, wherein she herself stated that nothing wrong had been
committed against her and she did not want to undergo her medical
examination. Ld. Counsel while pointing out that FIR in question was
registered in pursuance of directions issued u/s 156 (3) Cr.PC, referred to
the status report filed by police before the Court of Id. Magistrate wherein it
was claimed that no offence was made out in this case.



Contd....2

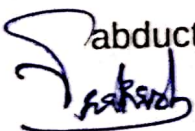
-2-

He also referred to the statement dated 21.01.2020 of prosecutrix recorded by Id. Magistrate before issuing directions to register the FIR in question, in order to bring home his point that prosecutrix claimed therein that she had given statement before CWC Councillor under duress as she was threatened by the accused for not giving any statement against him. He further argued that false accusations have been made by prosecutrix at later stage out of malafide intention. It is further argued that applicant/ accused is already in custody for the last more than three months and he is no more required for investigation as charge-sheet has already been filed in this case. It is therefore, urged that applicant has a good case on merit and he deserves to be enlarged on regular bail on such terms and condition as may be imposed upon him by this Court.

Per contra, the bail application is strongly opposed by Ld. Addl. PP for the State on the ground that the present bail application does not fall within the purview of "category of prisoners" falling in criteria laid down in the Minutes of Meetings of High Powered Committee and the directions issued by Hon'ble Delhi High Court in case titled "Shobha Gupta and Ors. Vs. Union of India and Ors." bearing WP(C) NO. 2945/2020 decided on 23.03.2020.

On merits, Ld. Addl. PP has opposed the bail application on the ground that there are serious allegations appearing against applicant that he abducted the prosecutrix and made her to consume some stupefying drug and made forceful physical relationship with her. He also submitted that as per investigation of this case, applicant was already married and he still

abducted the prosecutrix and committed rape upon her.

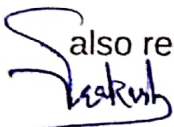


Contd.....3

He also argued that the prosecutrix has corroborated the allegations of FIR even in her statement u/s 164 Cr.PC recorded before Id. Magistrate and she is yet to be examined during trial. He has further argued that the applicant may influence the prosecutrix and he may further intimidate her in the event of grant of bail to him. Therefore, the bail application should not be allowed.

It is an undisputed position on record that the present bail application is not covered by the category of cases as per criteria laid down by High Powered Committee in Meetings conducted from time to time. Moreover, the applicant accused is seeking regular bail and not interim bail by way of present bail application.

It may be noted that missing report was lodged vide DD No.60A on the basis of complaint dated 11.09.2019 filed by father of prosecutrix. Subsequently, father of prosecutrix name present applicant/ accused as suspect. As per reply filed by IO, the prosecutrix along with one of her friends and neighbourer were recovered from Gujarat and were brought to Delhi. She denied for her internal examination. It is pertinent to note that applicant/ accused was also found missing from his house since 11.09.2019 and missing report in this regard is stated to have been lodged at PS Model Town. The prosecutrix had taken mobile phone having two sim cards bearing no.9873803117 & 9711803184. It is informed by the IO that during investigation, CDRs of both the said sim numbers were obtained and they revealed the presence of missing girl in Gujarat, on which raid was conducted and she was recovered with the applicant/ accused. Another girl, in whose regard missing report was lodged by DD No.61A at same PS, was also recovered at the same time.




Contd.....4

-4-

In her statement u/s 164 Cr.PC, the prosecutrix is shown to have made allegations against the applicant/ accused regarding inducement and sexual assault. She has categorically stated therein that the applicant/ accused continuously gave intoxicating substance and made physical relationship with her against her Will and was forced to marry him at a local temple. As already noted above, the applicant/ accused is stated to be already married having two children.

After considering the overall facts and circumstances of the present case including the nature of allegations and gravity of offence and in view of the discussion made herein above, no ground is made out at this stage for grant of bail to the present applicant. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both the sides.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.330/15
PS:Pahar Ganj
U/s 302 IPC
State Vs. Umesh Kumar Patel

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Shadman Ali, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Heard. Perused.


Report of Jail Authority along with copy of custody warrant of applicant/ accused received in terms of order dated 20.05.2020.

Despite directions issued vide order dated 20.05.2020, report of IO regarding previous involvement of applicant/ accused, as also the period of custody in this case, has not been received for today.

Ld. Addl. PP states at Bar that he has not received any report of IO even through whatsapp on his mobile phone.

Issue notice to concerned IO/ SHO with directions to file the reply in terms of order dated 20.05.2020, through prescribed mode in terms of relevant circular/ guidelines issued by Ld. District & Sessions Judge (HQ) for next date.

Put up for consideration on 28.05.2020.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.311/19
PS:Crime Branch
U/s 20 & 29 NDPS Act
State Vs. Suraj @ Charang & Anr.

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Sumit Sharma, Ld. Counsel for the applicant/ accused
(through VC).

This is an application u/s 439 Cr.PC for grant of bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Heard. Perused.

At the outset, counsel for applicant/ accused states at Bar that he had filed written submissions in PDF form yesterday evening. However, same is not placed before the Court today. The designated coordinator has informed that no such written submission is available with him.

In view of above, concerned designated AO (J) is directed to verify the aforesaid fact and to place the written submission, if any filed by the Counsel, on next date.

Despite directions issued vide order dated 20.05.2020, report of IO has not been received for today. Ld. Addl. PP states at Bar that he has not received any report of IO even through whatsapp on his mobile phone.

Issue notice to concerned IO/ Inspector Incharge, Crime Branch with directions to file the reply through prescribed mode in terms of order dated 20.05.2020 positively for next date.

Put up for consideration on 29.05.2020.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi

FIR No.86/20
PS:Nabi Karim
U/s 376 IPC & 6 POCSO Act
State Vs. Varun

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.

Fresh Chargesheet was filed by IO in this case on 20.05.2020.

Concerned IO be called for next date of hearing.

Put up for consideration/ appropriate orders on 04.06.2020
before concerned Court.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.32/19
PS:Crime Branch
U/s 402/399/379/471/411 IPC
r/w sec. 25/54/59 Arms Act
State Vs. Rahul Batra @ Vicky

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh.Mahesh Kumar, Ld. Counsel for the applicant/ accused.

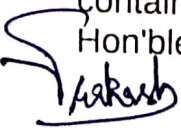
This is an application u/s 439 Cr.PC for extension of interim bail for a period of two months moved on behalf of applicant /accused.

Heard. Perused the bail order dated 14.04.2020 passed by Id. ASJ Central, THC Delhi whereby the applicant/ accused was granted interim bail for a period of one month, which stood extended vide subsequent order dated 21.05.2020.

It is submitted by Id. Counsel for applicant/ accused that the Jail Authority is insisting upon for producing the order passed by the Court of Sessions for extension of his interim bail despite the specific directions issued by two Judges Bench of Hon'ble High Court of Delhi in the matter of "COURT ON ITS OWN MOTION Vs. GOVT. OF NCT OF DELHI & ANR." passed in WP (C) No. 3080/2020 on 09.05.2020.

It is pertinent to observe that vide order dated 09.05.2020 passed by Division Bench of Hon'ble Delhi High Court in WP(C) No. 3080/2020 (supra), it has been ordered that the interim bail granted to UTPs, in view of the recommendations of High Powered Committee dated 28.03.2020, 07.04.2020 and 18.04.2020 and on the basis of orders in WP (C) No.2945/2020 titled as "Shobhna Gupta and Ors. Vs. UOI and Ors.", stand extended by another period of 45 days from the date of their respective expiry of interim bails on the same terms and conditions.

A bare perusal of bail order dated 14.04.2020 (supra), thereby granted interim bail to present applicant/ accused, would show that his case was considered as fit for grant of interim bail in terms of directions containing Minutes dated 07.04.2020 passed by High Powered Committee of Hon'ble Delhi High Court.



Contd.....2

-2-

In view of aforesaid facts and circumstances, the interim bail of applicant/ accused stand extended by another period of 45 days from the date of expiry of his interim bail on the same terms and conditions, in terms of directions contained in order dated issued by Division Bench of Hon'ble High Court of Delhi in the matter of "COURT ON ITS OWN MOTION Vs. GOVT. OF NCT OF DELHI & ANR." passed in WP (C) No. 3080/2020 on 09.05.2020.

Application stands disposed off.

Copy of this order be sent to Jail Superintendent for necessary compliance.

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



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.101/11
PS:Nabi Karim
U/s 420/468/471/474/120B/170/34 IPC
State Vs. Seema Malhotra

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh. Akshat Gupta, Ld. Counsel for the applicant/ accused
(through VC).


This is an application u/s 439 Cr.PC for grant of bail moved on behalf of applicant /accused.

The proceedings in the present application have been conducted through video conferencing.

Copy of medical status report of along with copy of report dated 20.05.2020 of Medical Officer, District Jail, Panipat (Haryana), has been received.

On request of Id. Counsel of applicant/ accused, let complete copy of aforesaid report be supplied to him through prescribed mode in terms of relevant circular/ guidelines issued by Ld. District & Sessions Judge (HQ) for next date.

Put up for consideration on 29.05.2020.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

-2-

Per contra, the bail application is strongly opposed by Id. Addl PP, duly attested by IO, on the ground that no sufficient ground is disclosed for grant of interim bail. He has informed that as per inquiry made by IO from Army Hospital, father of applicant is suffering from heart problem but he has not been given any procedure appointment from Army hospital. The report dated 23.05.2020 of concerned doctor of Army hospital is also annexed with the report filed by IO today. Id. Addl. PP has pointed that applicant/ accused was found in **possession of 110 kg of ganja, which falls in commercial category** and there is married sister of applicant/ accused, who along with her husband and mother, can always take care of his father. It is therefore urged that the bail application should not be allowed.

As noted above, the applicant/ accused allegedly was found in possession of **110 kg of ganja, which falls in commercial category**, in this case. No doubt, the copies of medical papers annexed with the bail application, would show that father of applicant/ accused is suffering from heart problem but there is nothing material placed on record on his behalf showing that his father has been advised any kind of surgery either by concerned treating doctor of Army hospital or by any other hospital. There is nothing on record to show that male attendant is must for taking care of his father, as per any medical advise. Moreover, the applicant/ accused is stated to be having married sister and brother-in-law, apart from his mother and younger brother. Keeping in view of his facts and circumstances and discussion made herein above, the Court is of the opinion that the applicant/ accused has failed to make out any sufficient ground for grant of interim bail to him at this stage. Consequently, the present bail application is hereby dismissed.

Copy of this order be given dasti to both sides as prayed.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.183/18
PS:Crime Branch
U/s 20/25 NDPS Act
State Vs. Yogesh @ Goverdhan

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
ASI Sanjay Tyagi of Narcotics Cell-Crime Branch is present and has filed reply.
Sh. Girish Sharma and Ms. Sushma Sharma, Ld. Counsels for the applicant/ accused.

This is an application u/s 439 Cr.PC for grant of interim bail moved on behalf of applicant /accused.

Heard on the application. Reply perused.

At the outset, it may be noted that this is the 2nd interim bail application moved on behalf of applicant/ accused and his previous similar bail application was dismissed by Sessions Court, where after, he had moved two similar bail applications nos.809/2020 & 858/2020 before Hon'ble Delhi High Court but withdrew both the said applications on 28.04.2020 and 08.05.2020 respectively.

By way of this application, applicant/ accused is seeking interim bail of two months on the ground that his father, who is ex-serviceman and is aged about 60 years old, suffered severe chest pain on 09.03.2020 and was got admitted to Sarvodya Hospital on 10.03.2020 but was discharged on 11.03.2020 as he was not having any male attendant for proper care. It is argued by Id. Counsel of applicant/ accused that father of the applicant/ accused has been advised admission in Cardiac Care Unit (CCU) by Army Hospital, Delhi Cantt on 13.03.2020 but he is unable to get himself admitted in said hospital in the absence of any attendant. In support of such submissions, reference has been made to copies of relevant medical treatment record filed along with present bail application. It is further argued that applicant/ accused is having one brother, who is not on visiting terms and is residing separately and he is the only male member in his family to take care of his ailing father. It is therefore urged that he may released on interim bail for such period and on such terms and conditions as may be deemed fit by the Court.


Contd.....2

FIR No.231/16
PS:Kashmiri Gate
U/s 302/201/34 IPC
State Vs. Sunita Singh


26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
Sh.D.B. Yadav, Ld. Counsel for the applicant/ accused.

Neither requisite report has been received from concerned Jail Superintendent nor report of IO regarding previous involvement, if any of applicant/ accused, in terms of order dated 22.05.2020, has been received for today.

Let the directions containing in previous order dated 22.05.2020 be complied with positively for next date

At request of ld. Counsel for applicant/ accused, put up for arguments on 28.05.2020.


(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020

FIR No.367/15
PS:Kotwali
U/s 356/379/34 IPC
State Vs. Imran

26.05.2020

Present: Sh. Balbir Singh-Ld. Addl. PP for the State.
None for the applicant/ accused despite repeated calls.

It is already 02.30 pm now.

This is an application seeking direction to Jail Superintendent for releasing the applicant/ accused from jail.

Report dated 26.05.2020 of Jail Authority, has been received where it is mentioned that the applicant/ accused has not yet been granted bail in the present case.

Considering the fact that none has appeared on behalf of applicant/ accused, the present application is dismissed in default.

Be consigned to record room as per rules.



(Vidya Prakash)
Addl. Sessions Judge
Central District/ THC/Delhi
26.05.2020