

FIR No. 44/20
PS: Darya Ganj
U/s: 376/506 IPC
Rashid Vs. State

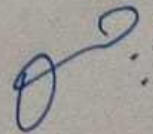
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Prosecutrix in person.
Sh. Pradeep Kumar, Ld. Counsel for applicant/accused Rashid.

1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Rashid, seeking interim bail. Reply filed by the IO. Copy supplied.
2. Prosecutrix is not represented by any counsel. She is asked whether she requires counsel from legal aid to which she submits that she neither require private nor legal aid counsel and whatever she wants to submit, she will submit herself.
3. Counsel for applicant submits that both the parties are relative as applicant is brother-in-law (Nandoi) of the prosecutrix, who has been falsely implicated in the present case. He submits that applicant belongs to poor strata of the society and is the sole bread earner in his family who has 3 minor children. He further submits that there was money dispute between both the parties due to which the prosecutrix falsely roped the applicant in the present case. He submits that investigation qua applicant is complete, therefore, no purpose shall be served by keeping the applicant behind bars. Applicant is stated to be in JC since 06.03.2020.
4. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant and she has supported the allegations even in her statement u/s 164 Cr.PC recorded by Ld. MM. Ld. APP further submits that matter is at the initial stages, only chargesheet has been filed in the court of concern Ld. MM.

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FIR No. 44/20
PS: Darya Ganj

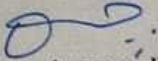
5. Prosecutrix present in the court does not refute the contention of counsel for applicant that there was money dispute between her and the applicant. She submits that she has no objection if the applicant is admitted on bail.

6. This court has interacted with the prosecutrix in vernacular language and apprise her of the consequences of the submissions made by her in the court but she still maintains her stand that applicant be admitted on bail.

7. Having regards to the submissions made by Ld. APP, prosecutrix and counsel for applicant, without commenting on merits of the case, the applicant is admitted on interim bail for 45 days, from the date of his release, subject to the following conditions:-

- (i) *Furnishing of personal bond to the tune of Rs. 25,000/- and surety bond of like amount to the satisfaction of concerned Ld. MM/Duty MM;*
- (ii) *Applicant will not leave the Delhi without permission of the court;*
- (iii) *Applicant will not influence the witnesses;*
- (iv) *Applicant will appear in the court on each and every date;*
- (v) *Applicant will provide his mobile number to the IO within two days from his release and mark his presence to the IO through Video or Audio mode on every Monday between 10:00 AM to 06:00 PM till the court resumes its normal functioning;*
- (vi) *Applicant is directed to surrender before the concerned Jail Superintendent immediately after expiry of period of his interim bail.*

The application is disposed off accordingly.


(Charu Aggarwal)
ASJ-02/Central Dist
THC/Delhi-08.07.202

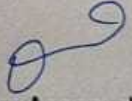
FIR No. 180/20
PS: Lahori Gate
U/s: 420/468/471/120-B IPC
Sidhant Pandey Vs. State

08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Rakshit Pandey, Ld. Counsel for applicant/accused Sidhant
Pandey. **(He is present in court).**

At request on behalf of counsel for applicant/accused, put up on
09.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

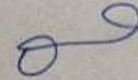
FIR No. 181/18
PS: Sadar Bazar
U/s: 302/392/394/364/120-B/34 IPC
Jitesh @ Kapil Vs. State

08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Ld. Counsel for applicant/accused Jitesh @ Kapil. **(Through V/C).**

At request on behalf of counsel for applicant/accused, put up on
10.07.2020.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 46/12
PS: Hauz Qazi
U/s: 302/404 IPC
Mohd. Wasim Vs. State

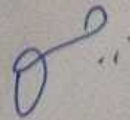
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Ld. Counsel for applicant/accused. **(Through V/C).**

1. Trial of the case is pending in the court of undersigned and is at the stage of final arguments.
2. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Mohd. Wasim, seeking interim bail for 45 days. Reply filed by the IO.
3. Applicant is seeking bail firstly on the ground that he is covered with the criteria dated 18.05.2020 of Hon'ble HPC and secondly on merits.
4. Ld. Counsel for applicant submits that applicant has been falsely implicated in this case. He is in JC since 2012. Evidence is complete and matter is at the stage of final arguments, therefore, no purpose shall be served by keeping the applicant behind bar. He also stress upon the Minutes dated 18.05.2020 of Hon'ble HPC that the case of the applicant is covered within the criteria of the meeting of Hon'ble HPC held on 18.05.2020.
5. Ld. APP submits that there are serious allegations against the applicant. He submits that all the prosecution witnesses have supported the case of the prosecution and if the applicant is admitted on bail, the case of the prosecution may get prejudiced which is at the final stage.

--Page 1 of 2--




FIR No. 48/12
PS: Hauz Qazi

6. I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. Applicant is involved for the offence u/s 302/404 IPC. He is in JC since 2012. As per the reply of the IO, the applicant is not involved in any other case, however, as per the report of the Jail Superintendent, the conduct of the applicant is not satisfactory in the jail as once he was issued ticket in the jail on the allegation that tobacco was found from his possession. In view of report of the Jail Superintendent, the applicant is not covered within the criteria dated 18.05.2020 laid down by Hon'ble HPC.

7. On merits, there are serious allegations of murder against the applicant. Matter is at the stage of final arguments and the counsel Sh. Amit Dhalla, appearing for the applicant/accused in the trial has sought 15 days time to address the final arguments and on his request the matter is listed for final arguments on 20.07.2020. Hence, at this stage, no ground for bail is made out. Accordingly, the present bail application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

CC No. 427/19
PS: Crime Branch
U/s: 18 a (i)/18 (c)/27 b (ii)/27 (c)/27 (d) Drug & Cosmetics Act &
468/471/420 IPC
Ashok Kumar Vs. State

08.07.2020

Matter taken up through Video Conferencing.

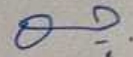
Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Naresh Kumar, Ld. Counsel for applicant/accused Ashok
Kumar. **(Through V/C).**

Counsel for applicant submits that the Covid test of the applicant has been conducted, however, his report is still awaited and is expected to come on 10.07.2020.

Considering the submission made by counsel for applicant, the interim bail of the applicant is extended till 13.07.2020.

The relevant medical documents be filed on record a day before next date of hearing. IO is directed to verify the same by next date.

Put up on 13.07.2020.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 74/18
PS: Crime Branch
U/s: 420/468/471 IPC & 48 (a)/27 (b) (ii)/27 (c) Drug & Cosmetics Act
Ashok Kumar Vs. State

08.07.2020

Matter taken up through Video Conferencing.

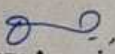
Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Naresh Kumar, Ld. Counsel for applicant/accused Ashok
Kumar. **(Through V/C).**

Counsel for applicant submits that the Covid test of the applicant has been conducted, however, his report is still awaited and is expected to come on 10.07.2020.

Considering the submission made by counsel for applicant, the interim bail of the applicant is extended till 13.07.2020.

The relevant medical documents be filed on record a day before next date of hearing. IO is directed to verify the same by next date.

Put up on 13.07.2020.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 210/20
PS: Sarai Rohilla
U/s: 186/353/307/34 IPC
Salman Vs. State

08.07.2020

Matter taken up through Video Conferencing.


Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. Anil Sharma, Ld. Counsel for applicant/accused Salman.
(Through V/C).

1. This is an application moved on behalf of applicant/accused Salman for protection to surrender in the jail. Reply filed by the IO. Copy supplied.
2. Counsel for applicant/accused submits that applicant has to move this application under the compelling circumstances since the complainant party in this case is police officials of PS Sarai Rohilla itself, where this FIR was also registered, who had roped the entire family of the applicant in the present FIR. The police officials of PS Sarai Rohilla have even falsely implicated the applicant in one more FIR no. 211/20, PS Sarai Rohilla, therefore, the applicant has all the apprehensions that if he will go to Jail to surrender, they may lift him from outside the jail and may plant some false recovery upon him in order to implicate him in another matter also. Ld. Counsel further submits that earlier also the applicant moved an application to surrender before Ld. Duty MM working at Tihar Jail, however, at that time counsel for the applicant was not allowed to enter inside the jail and due to apprehension in the mind of applicant of his false implication, he (applicant) ^{does} ^{alone} ~~did~~ not want to go in the jail to surrender before the concerned Duty MM, ^{therefore} ~~he~~ ^{be} allowed to go with his cl. to surrender. 
3. It is trite law that in criminal cases every accused has a fundamental right to be represented by a counsel of his choice at all stages of the criminal proceedings taken against him.

FIR No. 210/20
PS: Sarai Rohilla

4. Having due regard to the above submissions made on behalf of the applicant and without going into the knitty-gritty of the same, the request of the applicant to surrender in presence of his counsel is allowed and consequently the Jail Authorities are directed to ensure surrender of the applicant in the above noted case in the presence of his counsel before the M.M. concerned presently functioning from the Jail Premises at Tihar Jail, New Delhi. The applicant shall move application for his surrender within 2 days from today.

5. A copy of this order be sent to the concerned M. M. as well as to the Jail Superintendent for compliance forthwith through Whatsapp and email or any other mode to ensure immediate service of this order upon them.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 265/20
PS: Karol Bagh
U/s: 25/54/59 Arms Act
Gagan @ Satender @ Mota Vs. State

08.07.2020

Fresh bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.


Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. (Through VIC).
Sh. Sunil Tiwari, Ld. Counsel for applicant/accused Gagan @
Satender @ Mota. (Through VIC).

This is the second bail application u/s 439 Cr.PC moved on behalf of applicant/accused Gagan @ Satender @ Mota, seeking **regular or interim bail for 45 days**. Reply filed by the IO.

Ld. Counsel for applicant submits that bail application of co-accused Ishant @ Mukesh in the present FIR is listed for 17.07.2020, therefore, the present application be also listed for 17.07.2020.

In view of submission of applicant's counsel, put up for arguments on the bail application, on 17.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 377/18
PS: Prasad Nagar
U/s: 406/420/468/471/120-B IPC
Dhirender Kumar Yadav @ Tinku Vs. State

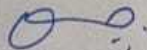
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through VIC).**
Applicant alongwith counsel Sh. Kuldeep Chaudhary. **(They are present in court).**

Applicant has filed the order dated 26.06.2020, passed by Ld. Duty MM, showing that in compliance of order dated 04.05.2020, he has filed the undertaking as well as bail bond before the Ld. Duty MM. Alongwith the copy of order dated 26.06.2020, applicant has filed the copy of robkar dated 28.06.2020, showing that his bail bond has been accepted by Ld. Duty MM. **Original robkar seen and returned.** In view of the judgment "**Court on its own motion Vs. State & Ors**", **W. P. (C) 3037/2020**, passed by Hon'ble Delhi High Court, **the interim bail of the applicant is extended till next date.**

Put up on 31.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 30/20
PS: Rajinder Nagar
U/s: 307/387/452/120-B/34 IPC & 25 Arms Act
Abhay Vs. State

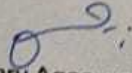
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Sh. R. R. Dua, Ld. Counsel for complainant.
None for applicant/accused.
IO SI Ali Akram.

This court has received the request for adjournment from the counsel for applicant/accused Abhay Arora on official e-mail ID i.e. readerasj02central@gmail.com.

At request on behalf of counsel for applicant/accused, matter is adjourned for arguments on bail application, on 16.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 30/20
PS: Rajinder Nagar
U/s: 307/452/387/120-B/34 IPC & 25/27 Arms Act
Sushil Kumar @ Sillu Vs. State

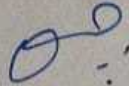
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C).**
Ld. Counsel for applicant/accused Sushil Kumar @ Sillu,
(Through V/C).
IO SI Ali Akram.

1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Sushil Kumar @ Sillu, seeking regular alternatively interim bail. Reply filed by the IO. Copy supplied.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case, who was arrested on the disclose statement of co-accused. He is not even named in the FIR. Investigation qua him is complete, therefore, no purpose shall be served by keeping him behind bar. Applicant is stated to be in JC since 06.03.2020. Counsel further submits that injuries sustained by the victim(s) were simple and they were discharged on the very same day of the alleged incident. He further submits that co-accused Lakhan Verma has already been granted interim bail for 45 days vide order dated 04.05.2020, passed by Ld. ASJ, whose interim bail was later on extended for further period of 45 days.
3. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant and he is one of the member

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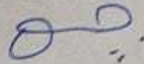
FIR No. 30/20
PS: Rajinder Nagar

of the criminal gang consisting of all the accused persons involved in this FIR. He further submits that applicant at the instance of main accused Abhay Arora (conspirator of the crime), has contacted all the accused persons in order to give colour to the conspiracy hatched by him and Abhay Arora. He also submits that the applicant is BC of PS Prahlad Pur involved in several other cases. Ld. APP has also drawn the attention of the court on the DD No. 4 A dated 24.06.2020, received at PS Rajinder Nagar, got recorded by complainant party regarding the threat received by them to withdraw the present case.

4. I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The applicant is seeking interim bail on the ground of parity that co-accused Lakhon Verma has been admitted on interim bail vide order dated 04.05.2020, passed by Ld. ASJ. To the mind of this court, the ground of parity is not available to the applicant firstly for the reason that case of the applicant is not covered with either of the criteria laid down by Hon'ble HPC and secondly for the reason that otherwise also the accused cannot claim bail as a matter of right even if falling in the criteria of Hon'ble HPC.

5. Considering that there are serious allegations against the applicant, his previous involvement and the recent allegations that victim party is still receiving the threat call to withdraw the case, at this stage, no ground for bail is made out. Hence, the present bail application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020

FIR No. 30/20
PS: Rajinder Nagar
U/s: 452/307/34 IPC & 25 Arms Act
Ankit Vs. State
08.07.2020

Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Ld. Counsel for applicant/accused Ankit. **(Through V/C)**.
IO SI Ali Akram.

1. This is the first application u/s 439 Cr.PC moved on behalf of applicant/accused Ankit, seeking regular bail. Reply filed by the IO. Copy supplied.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case. No specific role has been attributed to him in the FIR and he has clean antecedent. Investigation qua him is complete, therefore, no purpose shall be served by keeping the applicant behind bar. Counsel further submits that injuries sustained by the victim(s) were simple and they were discharged on the very same day of the alleged incident. He further submits that co-accused Lakhan Verma has already been granted interim bail for 45 days vide order dated 04.05.2020, passed by Ld. ASJ, whose interim bail was later on extended for further period of 45 days. Applicant is stated to be in JC since 05.03.2020.
3. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He was actively involved in the execution of the crime as he is one of the accused who entered into the house of the complainant while carrying pistol and fired in their house due to which the victim(s) sustained injuries. He also pointed out that one of the victim was a boy of 12 years old. Ld. APP further submits that as per reply received today from the IO, victim party is still receiving threat to withdraw the present case. He also submits

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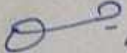
FIR No. 30/20
PS: Rajinder Nagar

that applicant is a member of the criminal gang consisting of all the accused persons involved in this FIR. Applicant alongwith co-accused Nilesh is stated to be involved in one more criminal case bearing FIR No. 237/19, PS Patel Nagar. The State has placed on record the photocopy of DD No. 4 A dated 24.06.2020 recorded at PS Rajinder Nagar, showing that complainant side is receiving threat to withdraw the case.

4. I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The applicant is seeking interim bail on the ground of parity that co-accused Lakhan Verma has been admitted on interim bail vide order dated 04.05.2020, passed by Ld. ASJ. To the mind of this court, the ground of parity is not available to the applicant firstly for the reason that case of the applicant is not covered with either of the criteria laid down by Hon'ble HPC and secondly for the reason that otherwise also the accused cannot claim bail as a matter of right even if falling in the criteria of Hon'ble HPC.

5. Considering the serious allegations against the applicant that his role is specific in the crime as one of the accused who entered and fired in the house of the complainant and also keeping in mind his previous antecedent and the recent allegations that victim party is still receiving the threat call to withdraw the case, at this stage, no ground for bail is made out. Accordingly, the present bail application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.


(Charu Aggarwal)
ASJ-02/Central Distt
THC/Delhi-08.07.2020

FIR No. 241/19
PS: Kamla Market
U/s: 302/34 IPC
Upender Yadav @ Upendra Pratap Vs. State

08.07.2020


Matter taken up through Video Conferencing.

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Ld. Counsel for applicant/accused Upender Yadav @ Upendra
Pratap. **(Through V/C)**.

Chargesheet received from the court of Ld. MM.

1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Upender Yadav @ Upendra Pratap, seeking regular or interim bail. Reply filed by the IO. Copy supplied.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case. Nothing was recovered from him. There is no direct evidence against the applicant to connect him with the alleged offence. Investigation qua him is complete, therefore, no purpose shall be served by keeping the applicant behind bar. Chargesheet has been filed in the concerned court of Ld. MM. Ld. Counsel submits that due to pandemic Covid-19, at present, there is no chance to further proceed with the matter and applicant is in jail since 17.01.2020 and there is chances that he may catch the infection of Covid-19 in jail, therefore, applicant be admitted on bail.
3. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. Matter is at the initial stages and only the chargesheet has been filed in the concerned court which is not

--Page 1 of 2--




FIR No. 241/19
PS: Kamla Market

even committed yet. He submits that the phone of the deceased was recovered from the possession of the applicant and weapon of offence was also recovered from him. He further submits that if the applicant is admitted on bail, there are all chances that he may influence the witnesses. Ld. APP submits that applicant has refused to participate in the TIP proceedings.

4. I have considered the rival contentions of Ld. APP & Ld. Counsel for applicant and perused the record.

5. Considering that there are serious allegations against the applicant and phone of the deceased as well as weapon of offence were recovered from his possession and matter is at initial stage, at this stage, no ground for bail is made out. Hence, the present bail application is hereby dismissed.

6. Copy of this order be given dasti to the counsel for applicant.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-08.07.2020