

FIR No. 676/2014
PS Ranhola
U/s 302/308/325/34 IPC
State Vs. Rajesh Mehto

24.07.2020

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh.Sumant Manchanda, Ld. Counsel for the
applicant/accused through VC.

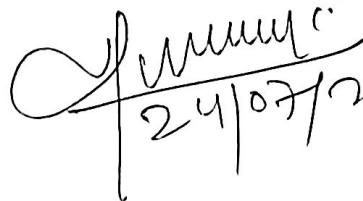
This application u/s 439 Cr.P.C. as filed on behalf of the applicant/accused for grant of interim bail for a period of 45 days, is listed today for consideration.

Ld. Counsel for the applicant/accused submits that this application has been filed on behalf of the applicant/accused for grant of interim bail for a period of 45 days in terms of criteria/guidelines of HPC dt. 18.05.2020.

Reply to the above application has been received from SI Sedhu Ram Yadav, PS Ranhola alongwith previous involvement report and as per which, the applicant/accused is shown to be involved in the present case only.

In the reply of SI Sedhu Ram, it is also mentioned that as per record of PS Ranhola and SCRB data, only present case FIR no. 676/2014 PS Ranhola is registered against the applicant/accused.

Report has also received from the Dy. Supdt., Central Jail no.4, Tihar, Delhi regarding conduct of the applicant/accused and

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as per which, the accused Rajesh Mehto S/o Faguni Mehto is lodged in Jail and his custody period in the present case is from 06.09.2014 to till date. Further, it is reported in the conduct report as issued by Dy.Suptd., Central Jail no.4, Tihar, Delhi that overall, conduct of the accused Rajesh Mehto in the jail is Good/satisfactory.

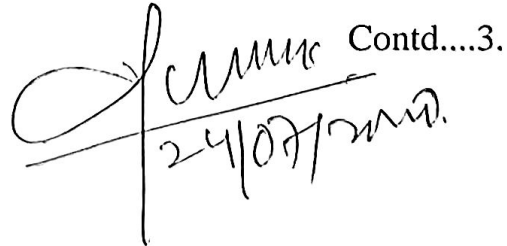
At this stage, Ld. Counsel for the applicant/accused submits that the applicant/accused Rajesh Mehto is not involved in any other case except the present case.

Therefore, in view of the above facts & circumstances as well as reports of the SI Sedhu Ram and Dy. Supdt., Central Jail no.4, Tihar, Delhi, the present application of the applicant/accused falls under the criteria/guidelines of HPC dt. 18.05.2020.

As such, the present application of the applicant/accused for grant of interim bail for a period of 45 days deserves to be allowed.

Accordingly, the applicant/accused Rajesh Mehto is admitted to interim bail for a period of 45 days from the date of his release subject to furnishing Personal bail bond for a sum of Rs. 50,000/- (Rupees fifty thousand only) to the satisfaction of concerned Jail Supdt.

The applicant/accused shall not make any attempt to

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24/07/2020

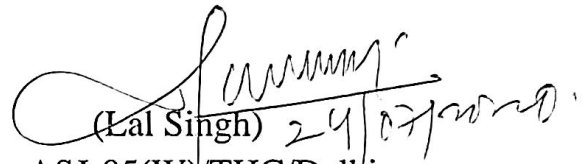
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influence or pressurize the witnesses and shall also not come into contact with any of the witnesses during the period of interim bail.

The applicant/accused shall surrender before the concerned Jail Supdt. after expiry of period of interim bail.

Copy of this order be sent to the concerned Jail Supdt.

The application u/s 439 Cr.P.C. for grant of interim bail is accordingly disposed of.


(Lal Singh) 24/07/2020
ASJ-05(W)/THC/Delhi
24.07.2020(P)

FIR No. 233/2018
PS Kirti Nagar
U/s 498A/304B/306 IPC
State Vs. Sheel Priya Gautam

24.07.2020

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh. Radhey Shyam, Ld. Counsel for the applicant/accused
through VC.

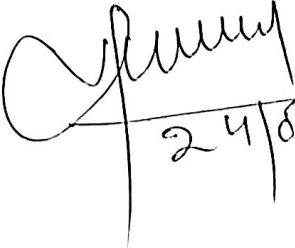
This application u/s 439 Cr.P.C. as filed on behalf of the applicant/accused for grant of interim bail, is listed today for consideration.

Ld. Counsel for the applicant/accused submits that the present application has been filed in terms of HPC guidelines. Ld. Counsel for the applicant/accused further submits that the applicant/accused is not involved in any other case except the present case. He further submits that the applicant/accused is in custody since the date of his arrest to till date. He further submits that the applicant/accused has also not been released on interim bail till date from the date of his arrest.

Reply has already been filed by Insp. Kuldeep Singh, PS Kirti Nagar alongwith previous involvement report.

In the previous involvement report, no other case is shown against the applicant/accused.

Report has also been received from the Supdt. Central

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jail no.1, Tihar, wherein it is mentioned that as per jail record, accused/UTP Sheel Priya Gautam S/o Raj Kumar was admitted in jail on 27.06.2018 in case FIR no. 233/2018, PS Kirti Nagar, u/s 498A/304B/306 IPC and accused is lodged in jail till date. It is further reported by the Supdt. Central Jail no.1 that as per jail record, the conduct of the accused is Good as no punishment is recorded against him till date.

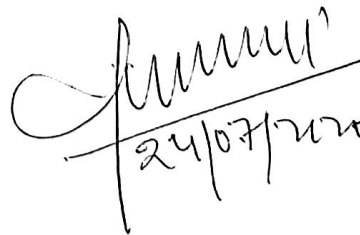
I have considered the above submission and perused the record.

The charge has been framed against the applicant/accused in this case on 19.08.2019 for the offence punishable u/s 498A/304B IPC. Perusal of copy of Charge as framed on 19.08.2019 shows that no charge u/s 306 IPC has been framed against the applicant/accused.

In view of above reports of Insp. Kuldeep Singh and Supdt. Central Jail no.1, Tihar, Delhi, the present case falls under the criteria/guidelines of HPC dt. 20.06.2020.

Thus, the present application of the applicant/accused for grant of interim bail for a period of 45 days deserves to be allowed.

Accordingly, the applicant/accused Sheel Priya Gautam is admitted to interim bail for a period of 45 days from the date of his release subject to furnishing the Personal bail bond for a sum of Rs. 50,000/- (Rupees fifty thousand only) to the satisfaction of the concerned Jail Supdt.


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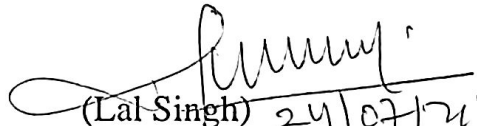
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It is directed that the applicant/accused shall not make any attempt to influence or pressurize the witnesses and shall also not come into contact with any of the witnesses during the period of interim bail.

The applicant/accused shall surrender before the concerned Jail Supdt. on expiry of period of interim bail.

Copy of this order be sent to the concerned Jail Supdt.

The application u/s 439 Cr.P.C. for grant of interim bail is accordingly disposed of.


(Lal Singh) 24/07/2020
ASJ-05(W)/THC/Delhi
24.07.2020(P)

FIR No.636/2019
PS Nihal Vihar
U/s 307/34 IPC & 25/27 Arms Act
State Vs. Narender @ Akhtar

24.07.2020

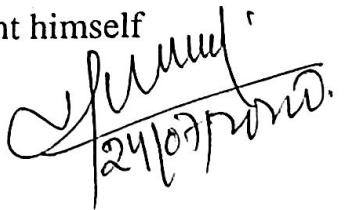
Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh.Nitin Vashisht, Ld. Counsel for the applicant/accused
through VC.

This application u/s 439 Cr.P.C. as filed on behalf of the applicant/accused for grant of interim bail on the medical ground of father of the applicant/accused, is listed today for consideration.

Fresh reply has been received on behalf of SI Amit ~~Naga~~
812
PS Nihal Vihar.

In the reply as filed on behalf of SI Amit ~~Naga~~
812, it is mentioned that the medical documents submitted by the applicant/accused have been got verified and during inquiry, Dr. Abhishek was contacted and Dr. Abhishek stated that the applicant's father is suffering from disc problem and after the surgery, he will require 1-2 days hospitalization after the surgery and thereafter, bed rest in his house and Dr.Abhishek also further stated that there is no insistence for male member of the family to take care the patient. Further, in the report of SI Amit ^{Wana} Rana, it is mentioned that Dr. Abhishek also told him that the present surgery is minor one and is not critical and can be scheduled later and further, the patient himself

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24/07/2020

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is not appearing on the date of surgery on the pretext of none availability of attendant.

In the report of SI Amit ^{Naha} ~~Rana~~ _{STV}, it is also mentioned that inquiry regarding family members of the applicant/accused is also made and as per which, there are other members of the family i.e. mother and sister of the applicant and the sister of the applicant/accused is an educated and responsible adult member of the family.

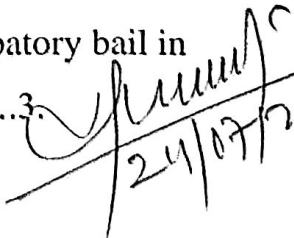
As per previous involvement report, the applicant/accused is shown to be involved in 08 cases including the present case.

The copy of report given by Dr. Abhishek is also annexed alongwith the report filed by SI Amit Rana.

Perusal of copy of report dt. 23.07.2020 as given by Dr. Abhishek Mehta shows that as per the report, the patient requires admission one day prior to surgery and can be discharged on the next day of surgery and also the patient can resume his/her routine activities in two days after the surgery. Further in the report of Dr. Abhishek, it is also mentioned that there is no requirement of male attendant in particular to take care of the patient during his stay in the hospital or at home.

It is also mentioned in the report of SI Amit Rana that the applicant/accused was earlier granted interim/anticipatory bail in

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FIR no. 579/2018, PS Nihal Vihar during which accused Narender made another attempt to kill the complainant regarding which, the present case i.e. FIR no. 636/2019, PS Nihal Vihar was registered and thereafter instead of surrendering, he ran away and PO proceedings were initiated against him but before completion of the same, he was arrested by Spl. Staff, outer district. It is further reported that if the interim bail is granted to the applicant/accused, he can jump the bail and therefore, his presence before the Court cannot be ensured.

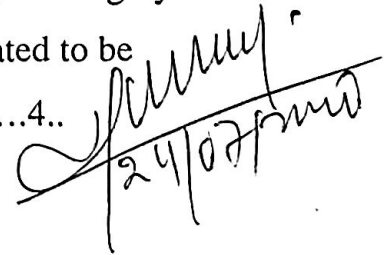
Ld. Counsel for the applicant/accused submits that surgery of father of the applicant/accused is scheduled on 28.07.2020 and the applicant/accused is required as no male member is there in the family of the applicant/accused except the applicant/accused.

Ld.Addl.P.P. for the State has also strongly opposed the interim bail application of the accused.

I have considered the above submissions and perused the report of SI Amit ^{Nana} ~~Rana~~ _{SM}.

As per report of SI Amit ^{Nana} ~~Rana~~ _{SM}, mother and sister of the applicant/accused are also there in the family. Thus, this court is of the view that they can take care of the father of the applicant/accused particularly in the circumstances that the concerned doctor has also reported that there is no requirement of male member for taking care of patient/father of the applicant/accused. Moreover, the surgery of the father of the applicant/accused to be conducted is stated to be

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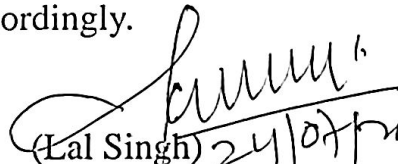
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minor surgery and it is also reported that after surgery within two days, the patient can resume his routine activities.

Thus, keeping in view all the above facts and circumstances and considering the above reports, no ground for grant of interim bail is made out. Accordingly, the application for grant of interim bail of the applicant/accused is dismissed.

The application is disposed of accordingly.


(Lal Singh) 24/07/2020
ASJ-05(W)/THC/Delhi
24.07.2020(P)

FIR No. 473/2019
PS Paschim Vihar
U/s 307/34 IPC and 25/27/54/59 Arms Act
State Vs. Deepak

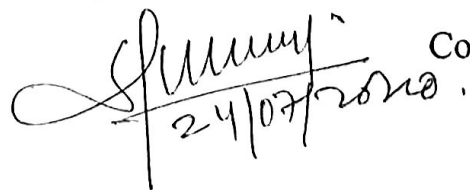
24.07.2020

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh.Devender Rana, Ld. Counsel for the applicant/accused
through VC.
IO/ASI Anil Kumar through VC.

This application u/s 439 Cr.P.C. as filed on behalf of the applicant/accused for grant of interim bail, is listed today for consideration.

IO/ASI Anil PS Paschim Vihar West has filed fresh report regarding previous involvement of the applicant/accused and as per which, accused Deepak was also arrested in case FIR no. 124/12, PS Mianwali Nagar, u/s 302/34 IPC and he was acquitted in the said case vide Judgment dt. 28.02.2018 passed by Sh. Jagdish Kumar, Id.ASJ, Tis Hazari Court, Delhi. It is further reported that acquittal report appeal with police file was sent to Law & Justice Department, Delhi Govt. vide No.862 dt. 26.03.2018, DOP, Tis Hazari Court and file was returned with the remarks that case is not fit for Appeal and file has been sent to the CP/West vide no. 1326/ DOP, Tis Hazari Court, Delhi dt. 28.04.2018.

Alongwith the report filed by ASI Anil Kumar, copies of three relevant pages of judgment dt. 28.02.2018 has also been annexed.


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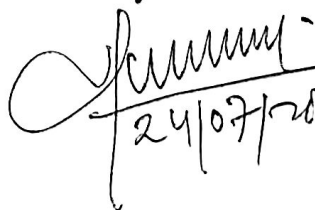
Ld. Counsel for the applicant/accused submits that in FIR no. 124/2012, PS Mianwali Nagar, u/s 302/34 IPC, no Appeal is pending in any court of law against the Judgment of acquittal dt. 28.02.2018.

Ld. Counsel for the applicant/accused further submits that in the present case i.e. FIR no. 473/2019, the applicant/accused was granted interim bail for about one week in the month of January and thereafter, he has surrendered before the concerned Jail Supdt.

Report has already been received on behalf of Dy. Supdt., Central Jail no.3, Tihar, Delhi regarding conduct of the applicant/accused Deepak and as per which, it is reported that as per jail record, accused Deepak was admitted in Jail on 06.10.2019 in FIR no. 473/2019, PS Paschim Vihar West, u/s 307/34 IPC and 27/54/59 Arms Act. It is further reported by the Dy.Supdt., Central Jail no.3, Tihar, Delhi that as per jail record, no punishment is recorded against the applicant/accused during his custody period and the conduct/behaviour of the accused is Good/satisfactory.

Therefore, in view of the above facts & circumstances as well as reports of the IO/ASI Anil Kumar and Dy. Supdt., Central Jail no.3, Tihar, Delhi, the present application of the applicant/accused falls under the criteria/guidelines of HPC dt. 18.05.2020.

As such, the present application of the applicant/accused for grant of interim bail for a period of 45 days deserves to be allowed.

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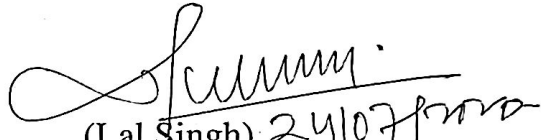
Accordingly, the applicant/accused is admitted to interim bail for a period of 45 days from the date of his release subject to furnishing Personal bail bond for a sum of Rs. 50,000/- (Rupees fifty thousand only) to the satisfaction of concerned Jail Supdt.

The applicant/accused shall not make any attempt to influence or pressurize the witnesses and shall also not come into contact with any of the witnesses during his interim bail.

The applicant/accused shall surrender before the concerned Jail Supdt. on expiry of period of interim bail.

Copy of this order be sent to the concerned Jail Supdt.

The application u/s 439 Cr.P.C. for grant of interim bail is accordingly disposed of.


(Lal Singh) 24/07/2020
ASJ-05(W)/THC/Delhi
24.07.2020(P)