

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

147

FIR No. 217/2019

PS: EOW

U/s: 420/467/468/471/120B IPC

State Vs. Tabrez Kamal

03.06.2020

At 02.00pm

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State,
Applicant/accused Tabrez Kamal with Ld.Counsel,
Sh. Azhar Alam.

This an application moved on behalf of accused Tabrez Kamal seeking extension of interim bail as well as for regular bail under section 439 & 440 of Code of Criminal Procedure. Ld. Counsel for applicant/accused has stated that the charge sheet against the co accused has already been filed. The matter is kept under investigation only for the present applicant. It is further argued that as per the allegations of the prosecution, the applicant has made fake salary slips, however, during investigation, no evidence has been collected against the applicant/accused. It is further stated that the applicant has been falsely implicated in the present case and has been languishing in the custody. It is further argued that the applicant has no previous involvement.

A written reply is filed by the IO. Arguments are also addressed on anticipatory bail. Ld. APP for the State has vehemently opposed the application stating that the applicant is actively involved in the alleged crime. The fake salary slips were prepared by the applicant/accused to procure loan from the different banks.

I have heard and considered the rival contentions and have perused the record.

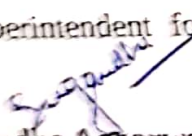
Sugandha

File No- 297/2020
D.O. 03.06.20
CIVIL CRIMINAL/144/07/2000/198
STATE OF DELHI/Karnal

2

Initially, the bail application of the applicant was dismissed by Ld. CMM, Karnal. The present application has been moved before this court. In the present application, the applicant has sought extension of interim bail on the recommendations made by the committee of District Magistrate and also for regular bail and to set aside order passed by Ld. CMM, Karnal of the present dates that in order dated 16.06.2020, Ld. ASJ on duty has found the present case to be a fit case for grant of interim bail. However, in the present application, the applicant has sought regular bail and has also challenged the order dated 03.06.2020, passed by Ld. CMM for dismissal of the regular of bail. Hence, in these circumstances, the application is taken up on merits for consideration on the regular bail. As per the reply filed by (A), the fake salary slips were prepared by the accused/applicant. All the salary slips found attached with the bank account are found to be fake and are of similar nature. Considering the grave allegations against the accused and that there is all possibility that the applicant/accused may try to tamper with the evidence, if released on bail. Hence, in these circumstances, the prayer seeking regular bail is dismissed. The interim bail period granted to the applicant shall expire on 16.06.2020. However, vide this order, the regular bail application of the accused/applicant is dismissed. Therefore, he is required to surrender before the concerned Jail Superintendent. Time is given to the applicant to surrender before the concerned Jail Superintendent. The applicant/accused shall surrender before the concerned Jail Superintendent within two days from today. Concerned Jail Superintendent shall follow all the precautions which are to be followed in case of fresh inmates in view of covid 19 situation.

A copy of the order be sent to the concerned Jail Superintendent for information and compliance.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

147

FIR No. 217/2019

PS: EOW

U/s: 420/467/468/471/120B IPC

State Vs. Tabrez Kamal

03.06.2020


The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Applicant/accused Tabrez Kamal with Ld.Counsel,
Sh. Azhar Alam.

Reply to the application filed by IO received in the court.

Arguments heard on the prayer of extension of interim bail as well as regular bail.

Put up for orders at 2.00pm.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

**FIR No. 108/2020
PS: Moti Nagar
U/s: 376 IPC
State Vs. Vikas Khanna**

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Bhachawat, Ld. Counsel for applicant/accused.

As per the application, the charge sheet was filed in the present case on 26.04.2020 but no cognizance was taken by this court. It is further stated that accused is languishing in custody since 25.02.2020. It is pertinent to mention that on 26.04.2020, the work was suspended due to spread of pandemic and this court was not functional. As per the report of Ahlmad, no charge sheet has been received in this court till date. In the absence of charge sheet, the present prayer cannot be considered. Hence, the application is dismissed.

A copy of the order be given dasti.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West
Special Court Under the POCSO Act
THC, Delhi.03.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 62/2018
PS: Rajouri Garden
U/s: 302/120B/147/149/174A IPC
State Vs. Kamal @ Nitin

03.06.2020
At 2.00pm

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. A.D. Malik, Ld. Counsel for Applicant/accused.
IO SI Ajay Kumar in person.

It is stated that the present application has been moved on the ground of bail mentioned by the Hon'ble High Court in the meeting dated 18.05.2020. It is stated that the accused is running in custody for two and half years. Though conduct report is received from the concerned Jail Superintendent, however, IO seeks time to file the previous involvement report of the accused.

Heard. Request allowed. Same be filed on or before NDOH.
Be listed on 11.06.2020.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

B-11

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 10/2020

PS: Patel Nagar

U/s: 354/376/506 IPC r/w Section 6/8 POCSO Act

State Vs. Vinod

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.


Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Rajiv Sharma, Ld. Counsel for the applicant/
accused.

Reply to the application filed by the IO.

This is a case alleging offence under section 6 of POCSO Act. Hence, as per the direction of the Hon'ble High Court, it is essential to hear the complainant/victim also.

Notice be issued to the complainant/victim to appear in person on the next date of hearing through concerned IO/SHO.

Be listed for consideration on 09.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

C-2
IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 90/2017

PS: Punjabi Bagh

U/s: 186/353/307/34 IPC & 25/27/54/59 Arms Act

State Vs. Nasimudin @ Naseem

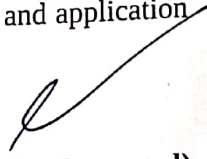
03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Farahim Khan, Ld. Counsel for Applicant/accused through video conferencing.

It is stated that the charge sheet is already filed and matter is pending trial. Under these circumstances, present bail application cannot be considered in the absence of judicial file.

Let the judicial file be called from the concerned court and application be listed for hearing before the court concerned on 08.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

c-2

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

FIR No. 271/2019
PS: Patel Nagar
U/s: 302/307/147/148/149/34 IPC
State Vs. Amar Soni

03.06.2020

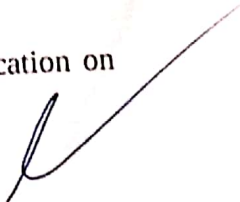
The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Diwanshu Sehgal, Ld. Counsel for Applicant/accused through video conferencing.

This is an application seeking interim bail moved on behalf of accused Amar Soni.

It is stated that the mother of the accused is unwell and on the same ground interim bail is sought for. Photocopy of the documents of the mother of the accused are annexed with the application. Let the same be verified by the concerned IO/SHO and report be filed on or before next date of hearing.

Be listed for consideration on the present interim bail application on 06.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

B-2

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 399/2019

PS: Moti Nagar

U/s: 376 DA/366A/354A IPC and 6&8 POCSO Act

State Vs. Ankit Chaudhary

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Prashant Yadav, Ld.Counsel for applicant/accused.

IO is not present, however, written reply is received. It is stated that IO is quarantined and has isolated himself due to his ill health, details of which is mentioned in his reply. It is further stated that victim is residing at Children Home at Hari Nagar. Ld.Counsel for applicant/accused states that earlier victim had shown her unwillingness to appear in person in the court. Considering the guidelines issued and the prevalent condition of the pandemic, this court cannot compel the victim to remain present in the court. As per the mandate of Hon'ble High Court, the present bail application cannot be considered without the presence of victim. In these circumstances, Ld.Counsel for applicant/accused submits that the present bail application be heard through video conferencing.

Heard. Request is allowed. Let the present application be listed for consideration on 05.06.2020 to be taken up through video conferencing. Necessary arrangement be made for joining the victim through video conferencing from children's home at Hari Nagar. Ld.Counsel for applicant/accused further submits that accused is suffering from mental ailment. Considering the submissions made in the application, let the report be called from the concerned Jail Superintendent regarding the medical condition of the accused. Report be filed for consideration on the present bail application on 05.06.2020.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

66
IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 13/2020
PS: Ranjeet Nagar
U/s: 7/8 POCSO Act
State Vs. Palvinder Singh


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Vinay Sharma, Ld. Counsel for
applicant/accused.

It is stated that the matter is pending trial before the court of the undersigned.

Be listed alongwith judicial file on 04.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

C-3

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 55/2020

PS: Nangloi

U/s: 342/376/506 IPC, 4/12/17 POCSO Act and 3/4/8 ITP Act

State Vs. Naveen Saini


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. N.K. Gupta, Ld. Counsel for
applicant/accused.
Victim in person with her mother.

It is stated that the matter is pending trial and hence the judicial file has to be summoned. Further, as observation made in the order dated 28.05.2020, IO be summoned for the next date.

Be listed for consideration on 09.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

mb
IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 122/2020
PS: Patel Nagar
U/s: 392/397/34 IPC
State Vs. Adi @ Raju

03.06.2020

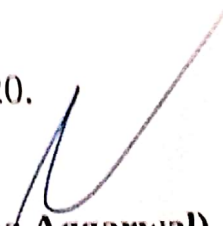
The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is first bail application moved under section 392/397/34 IPC for accused Adi @ Raju.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Anil Sharma, Ld. Counsel for the applicant/accused.

Let IO be called for the next date of hearing to file reply to the bail application.

Be listed for consideration on 05.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 358/2016

PS: Ranjit Nagar

U/s: 376/328/384/506 IPC


State Vs. Shoaib @ Naasir @ Guru Sidhi

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

Ahlmad has submitted that he has received a request telephonically for listing the matter tomorrow as counsel for the applicant/accused is not available. Hence, be listed for tomorrow i.e. 04.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

B-2

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 202/2018

PS: Tilak Nagar

U/s: 392/397/120B/411/34 IPC & 25/27 Arms Act

State Vs. Arif @ Shokin

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Ms. Archana Gera, Ld.Counsel for applicant/accused.
IO SI Vinod Kumar is present.

This is an interim bail application moved on behalf of applicant/accused. It is stated that wife of accused is unwell and there is nobody in the family except accused who can look after her. It is prayed that interim bail of atleast one month may be given to the applicant/accused.

Written reply to the bail application filed by IO. Application is not supported by any medical document. During arguments, it is also stated that wife of the applicant/accused is unwell for the last one month. Ld.Counsel for applicant/accused seeks one week time to produce the medical documents.

05/6
Heard. Allowed. However, it is observed that despite the fact that wife of the accused is unwell for the last one month, the present bail application has been moved on 26.05.2020 without any supporting medical documents, which have not been even filed till date. Be listed for filing of supporting medical documents and for consideration on the present bail application on 05.06.2020 before the concerned court.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

A-7

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

1150
FIR No. 229/2020
PS: Rajouri Garden
U/s: 307/34 IPC
State Vs. Jameel Akhtar

03.06.2020

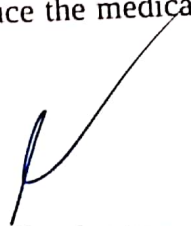
The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh.A.K.Sharma, Ld. Counsel for Applicant/accused.
IO SI Ajay Kumar in person.

Ld. Counsel for applicant/accused submits that IO be directed to produce the medical documents of the injured. IO seeks time to produce the medical documents of the injured.

46. Heard. Allowed.

Be listed on 10.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

wp
CR-1

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

Revision Petition
Karan Chandela vs. State

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh.P.K. Chaudhary, Ld. Counsel for revisionist.
Sh. Atul Srivastava, Ld. Addl. PP for the State/respondent.

16/6

It is stated by Ld. APP for the State that the present revision itself is not maintainable in view of judgment passed by the Hon'ble Supreme Court in the case of *Dinesh Dalmiya vs. CBI, Appeal(Criminal) 1249 of 2007*, decided on 18.09.2007.

However, trial court record was summoned by Ld. ASJ on duty on 28.05.2020, the same is not received. Be summoned for next date of hearing. Ld.Counsel for revisionist has prayed for date of 16.06.2020. Not opposed. Hence, be listed on 16.06.2020 before the concerned court. Trial court record be summoned for the next date of hearing.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

c-1

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

1049
FIR No. 192/2020
PS: Rajouri Garden
U/s: 420/167/471 IPC
State Vs. Khushid Ahmed

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Dinesh Rohila, Ld. Counsel for victim.
Sh. Rakesh Kumar, Ld. Proxy Counsel for Applicant/accused.
IO SI Sanjeet Singh in person.

It is stated that Ld. Main Counsel for applicant/accused is stuck up in UP due to sealing of borders and he is duly authorized by Ld. Main Counsel to argue on the present bail application on behalf of accused.

Application is taken up for hearing. Arguments heard on behalf of Ld. Additional Public Prosecutor for the State, Ld. Counsel for the victim and Ld. Proxy Counsel for the applicant/accused. Same are considered.

Perusal of the record shows that initially, the present application was moved on the ground of medical ailment of the accused and that he is 60 years old. Subsequently, Ld. Proxy Counsel for applicant/accused has prayed that he shall argue the present application on merit. Today, it is argued in the court that investigation is complete and the accused has no previous antecedents and therefore, he may be enlarged on bail. The present application has been vehemently opposed by Ld. Additional Public Prosecutor for the State as well as by Ld. Counsel for the victim. It

Sugandha

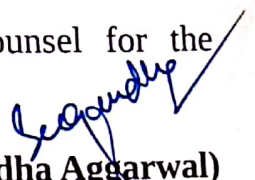
FIR No. 192/2020
PS: Rajouri Garden
U/s: 420/167/471 IPC
State Vs. Khushid Ahmed

is pointed out by Ld.Counsel for the victim that time was sought by the Ld. Counsel for the applicant/accused to compromise the matter but no efforts have been done so far. Ld. Proxy Counsel for the applicant/accused shows his inability to tell the reason for not making any effort for compromise.

In the present application, bail is sought on two grounds. Firstly, on the ground of medical status of the accused and secondly on the merit of the case. With respect to the medical status, a report has been received from the concerned Jail Superintendent. It is stated that as per medical examination conducted recently on 01.06.2020, vitals and blood sugar level of the accused/applicant were within normal range. Hence, there is no such medical condition of the accused which entitles him for grant of bail. With respect to the merit of the case, applicant/accused has cheated the victim by making forged GPA and has taken a sum of Rs.7 Lakh. If released on bail, he may try to influence the witnesses. Charge sheet is yet to be filed. In these circumstances, I do not find any reason to enlarge the accused on bail. The present application is **dismissed**.

Copy of this order be sent to the concerned Jail Superintendent, Tihar, Delhi for intimation.

A copy of the order be given dasti to the Ld.Counsel for the applicant/accused.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

B-6

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 541/2018

PS: Tilak Nagar

U/s: 377/363/506/34 IPC and section 6 POCSO Act

State Vs. Abhishek Saxena @ Anshul

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
IO SI Rahul.
Victim is present in person with his father.
Sh. Anil Kumar, Ld. Counsel for
applicant/accused.

Reply from the IO received. However, it is stated that the matter is pending trial in the court of Dr. Archana Sinha, Ld. ASJ, West, THC, Delhi.

As the matter is pending trial, the present application cannot be considered in the absence of judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

In the present case, the victim is of tender age of about 12 years. Considering the pandemic situation, this court does not deem it fit to call the victim again and again in the court. Father of the victim submits that presence of victim be protected by his presence. He has further submitted that the presence of the victim be dispensed with and he shall represent the victim on the next date of hearing.

Heard. Allowed.

Contd....2/-


issues.

196.

On the next date of hearing, the victim shall be represented by his father. The personal appearance of the victim is not mandatory.

Be listed on 10.06.2020.

IO to remain present on the next date.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

6-10
IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 318/2018
PS: Patel Nagar
U/s: 307/353/186/34 IPC
State Vs. Lakhwinder @ Suresh

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Prashant Yadav, Ld. Counsel for
applicant/accused.
IO/SI Satyaveer Singh.

This is an application seeking extension of interim bail of accused Lakhwinder @ Suresh.

Accused was released on interim bail vide order dated 15.05.2020. It is stated that period of interim bail is expiring today. However, neither accused has surrendered before the concerned Jail Superintendent nor he is present in the court.

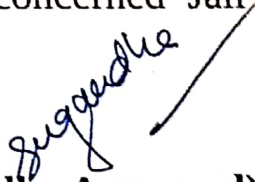
It is submitted that accused is suffering from high fever for the last two days and therefore, he could not surrender before the concerned Jail Superintendent. Original OPD receipt of Acharya Shri Bhikshu Govt. Hospital has been produced before the court. As per the OPD receipt, he is suffering from high grade fever, dry cough and body ache. It is surprising that in the prevalent pandemic situation, despite diagnosed for high fever, cough etc., the accused has not undergone test for COVID19. It is stated by the Ld. Counsel for the accused that Government hospitals are not doing the test and the accused cannot afford the test of COVID19 from private lab.

05/6
Sugandha

Be that as it may be, in view of the order of the Hon'ble High Court of Delhi in the matter of **Vijay Singh v. State (Govt. of NCT of Delhi), Bail Application no.28/2017, decided on 18.01.2017**, in case of consideration for extension of interim bail, the accused is required to surrender first. Further, there are sufficient facilities available in Tihar Jail for getting the person tested and for isolation of the person. Hence, let the accused surrender before the concerned Jail Superintendent today, who shall take all necessary precaution and get all the necessary tests of the accused done. The concerned Jail Superintendent shall file report of the medical ailments of the accused on the next date and on the basis of the same, the application of the accused for extension of interim bail shall be considered.

Be listed for consideration on 05.06.2020.

Copy of the order be sent to the concerned Jail Superintendent for compliance.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

OS

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 303/2018

PS: Punjabi Bagh

U/s: 376 (2) IPC and 6 POCSO Act

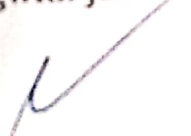
State Vs. Babloo

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Ishwar Singh, Ld. Counsel for applicant/accused.

As charge-sheet has been filed in the present case and is pending trial before the court of the undersigned, let the application be listed for tomorrow i.e. 04.06.2020 alongwith judicial file through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

C-6
IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 13/2020
PS: Ranjeet Nagar
U/s: 7/B POCSO Act
State Vs. Palvinder Singh


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State,
Sh. Vinay Sharma, Ld. Counsel for
applicant/accused.

It is stated that the matter is pending trial before the court of the undersigned.

Be listed alongwith judicial file on 04.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 358/2016

PS: Ranjit Nagar

U/s: 376/328/384/506 IPC


State Vs. Shoaib @ Naasir @ Guru Sidhi

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

Ahlmad has submitted that he has received a request telephonically for listing the matter tomorrow as counsel for the applicant/accused is not available. Hence, be listed for tomorrow i.e. 04.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

B-1

B-3

MS. SUGANDHA AGGARWAL

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 6/2015

PS: Vikas Puri

U/s: 452/323/354/354B/34 IPC and 8 POCSO Act
State Vs. Fakhruddin @ Fakku

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for the applicant/accused.

Reply from the IO received.

It is observed in the last order sheet that accused was taken into custody on NBWs.

issued.

The summoned judicial record has not been received. Let the same be summoned again for the next date of hearing.

08/6-

Be listed for consideration on 08.06.2020.

(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

B-1

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 293/2018
PS: Patel Nagar
U/S: 394/398/511/34 IPC
State Vs. Dhiraj Puri

03.06.2020


The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is third bail application moved under section 394/398/511/34 IPC for accused Dhiraj Puri.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Applicant/accused Dhiraj Puri in person with proxy counsel Sh. Ashish.

Ld. Proxy counsel seeks passover to call the main counsel.

At request, put up at 11.30 AM.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

At 11.30 AM

Atul
Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Applicant/accused Dhiraj Puri in person.
Shri M.S. Bammi, Ld. Counsel for applicant/
accused.

08/6
Ld. Counsel submits that accused was released on interim bail. As per the order, he was to surrender before the concerned Jail Superintendent on 01.06.2020, who extended his interim bail for the next 45 days from 01.06.2020 as per the mandate of the Hon'ble High Court.

Contd...2/-


Delhi.
Present:


Sh A

00.05.20

- 2 -

It is stated that in the present case charge-sheet has already been filed. Hence, the application cannot be considered without judicial file. Let the judicial file be summoned for the next date of hearing.

Be listed for consideration on the application on 08.06.2020.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

B3

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 612/2018

PS: Tilak Nagar

U/s: 21/25 NDPS Act & 471 & sec 14 of PG Foreigners Act

State Vs. Emeka Emmanuel

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Ravinder, Ld. Counsel for Applicant/accused.

It is stated that the charge sheet is already filed and matter is pending trial. Under these circumstances, present bail application cannot be considered in the absence of judicial file. Ld.Counsel for applicant/accused further seeks time for filing copy of order of second bail application.

Heard. Request is allowed. Same be filed on or before next date of hearing. In the meantime, judicial file be called from the concerned court for consideration of the present bail application for 08.06.2020.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

A-3

1

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 397/2020
PS: Patel Nagar
U/s: 420 IPC
State Vs. Mayur Hindfuroo Salunkhe

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is the first bail application.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for the applicant/accused nor IO is present.

On the last date of hearing it was observed by the Ld. Duty ASJ that IO of the present case is under quarantine. It is also observed vide order dated 19.05.2020 that the charge-sheet in the present case has already been filed.

As the charge-sheet has already been filed, the application cannot be considered without judicial file. Let the judicial file be summoned from the court concerned for the next date of hearing.

Further, on 19.05.2020, Ld. Counsel for applicant/accused sought time to file copy of the orders vide which the co-accused have been granted bail. Let the same be filed on the next date of hearing.

Be listed for consideration on 06.06.2020.

(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

FIR No. 62/2018
PS: Rajouri Garden
U/s: 302/120B/147/149 IPC
State Vs. Naveen @ Prince

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. C.S. Dahiya, Ld. Counsel for applicant/accused.
IO SI Ajay Kumar in person.

As per the averments, charge sheet is already filed and matter is pending trial. Under these circumstances, present bail application cannot be considered in the absence of judicial file.

Let the judicial file be called from the concerned court for consideration of the present bail application for 06.06.2020.

(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

Bail Application No. 4666
FIR No. 531/2019
PS: Moti Naagar
U/s: 498A/406/34 IPC
State Vs. Kanishk Singh


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

This is the first bail application.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.


Matter is passed over for 2.00 PM.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

At 2.00 PM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

Be awaited.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

At 4.00 PM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

(A)

- 2 -

None has appeared for the applicant/accused since morning despite repeated calls.

Accordingly, the bail application is dismissed for non appearance.

Sugandha
(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 562/2018

PS: Punjabi Bagh

U/s: 367/376 IPC r/w section 4 and 6 POCSO Act


State Vs. Manju

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for the applicant/accused.


Matter is passed over for 2.00 PM.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

At 2.00 PM.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

Be awaited.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

At 4.00 PM.

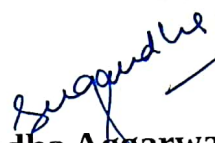
Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
None for applicant/accused.

None has appeared for the applicant/accused since morning despite repeated calls.


Contd...2/-

- 2 -

Accordingly, the bail application is dismissed for non appearance.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

SIGN
4.06.20
A
C

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 236/2016

PS: Khyala

U/s: 302/452/341/120B IPC

State Vs. Raju Kumar


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Puneet Jaiswal, Ld. Counsel for
applicant/accused.

Arguments on the bail application heard.

Put up for orders at 4.00 PM.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020**

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 236/2016
PS: Khyala
U/s: 302/452/341/120B IPC
State Vs. Raju Kumar

03.06.2020 (4.00 PM)

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

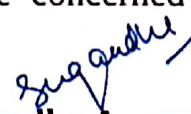
This is an application for interim bail for accused Raju Kumar under section 439 Cr.P.C. The application is taken up through video conferencing.

The present application has been moved on the basis of criteria laid down by the Committee of the Hon'ble High Court of Delhi. The present case is for the offence u/s 302 IPC. It is stated that accused is in custody since 26.05.2016. As per report received earlier, there is no previous involvement of the accused. Report has also been received from the concerned Jail Superintendent wherein it is stated that overall conduct of the accused is satisfied.

Hence, considering the criteria laid down by the Committee of the Hon'ble High Court in minutes dated 18.05.2020, the present application is allowed.

Applicant/accused Raju Kumar be released on interim bail for a period of 45 days from the date of his release on furnishing of personal bond for the sum of Rs.30,000/- to the satisfaction of the concerned Jail Superintendent.

Copy of the order be sent to the concerned Jail Superintendent for information.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 629/2018

PS: Punjabi Bagh

**U/s: 302/201/149/120B/34 IPC and 25/27 Arms Act
State Vs. Raju Bhiwari @ Langda**

03.06.2020


The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present:

Sh. Atul Srivastava, Ld. Addl. PP for the State.
Ms. Daljeet, Ld. Counsel for
applicant/accused.

Arguments on the application heard.

Put up for orders at 4.00 PM.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020**

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 629/2018

PS: Punjabi Bagh

U/s: 302/201/149/120B/34 IPC and 25/27 Arms Act

State Vs. Raju Bhiwari @ Langda

03.06.2020 (4.00 PM)

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

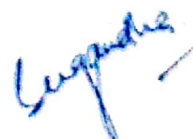
Applicant/accused Raju Bhiwari @ Langda has moved the present application under section 439 Cr.P.C. seeking interim bail. The application is taken up through video conferencing.

It is stated in the application that due to lock down there is no possibility of this case moving. It is further stated in the application that applicant is the sole bread earner of his family and he has to look after his old mother, who is suffering from lung and chest diseases. Therefore, applicant may be released on bail.

Reply/report was called from the IO. The same has been received.

As per reply, on enquiry it was found that the mother of the applicant is suffering from old age ailments. However, she was unable to produce any medical treatment documents when asked. Ld. Counsel for applicant was also asked about the specific ailments from which the mother of the accused is suffering and about treatment required. Ld. Counsel for the applicant is unable to answer to answer such queries.

In the facts and circumstances, I do not find any ground to release the applicant on interim bail. Accordingly, application is dismissed.



Contd...2/-

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 629/2018

PS: Punjabi Bagh

U/s: 302/201/149/120B/34 IPC and 25/27 Arms Act

State Vs. Raju Bhiwari @ Langda

03.06.2020 (4.00 PM)

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.

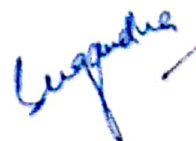
Applicant/accused Raju Bhiwari @ Langda has moved the present application under section 439 Cr.P.C. seeking interim bail. The application is taken up through video conferencing.

It is stated in the application that due to lock down there is no possibility of this case moving. It is further stated in the application that applicant is the sole bread earner of his family and he has to look after his old mother, who is suffering from lung and chest diseases. Therefore, applicant may be released on bail.

Reply/report was called from the IO. The same has been received.

As per reply, on enquiry it was found that the mother of the applicant is suffering from old age ailments. However, she was unable to produce any medical treatment documents when asked. Ld. Counsel for applicant was also asked about the specific ailments from which the mother of the accused is suffering and about treatment required. Ld. Counsel for the applicant is unable to answer to answer such queries.

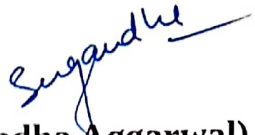
In the facts and circumstances, I do not find any ground to release the applicant on interim bail. Accordingly, application is dismissed.



Contd...2/-

- 2 -

Copy of the order be given dasti to the Ld. Counsel
for the applicant.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

SESSIONS No. 316/20

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 140/2017

PS: Khyala

U/s: 302/34 IPC

State vs. Deepak

State vs. Manish

State vs. Manoj

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

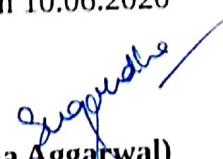
These are three separate interim bail applications for accused Deepak, Manish and Manoj. All are taken up through video conferencing.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Zia Afroz, Ld. Counsel for all the applicant/
accused.

The present applications have been moved seeking interim bail for 45 days on the basis of criterias laid down by the Committee of the Hon'ble High Court of Delhi.

Let previous involvement report from the IO and the conduct report from the concerned Jail Superintendent be called for the next date of hearing for all the three applicants.

At request, be listed for consideration on 10.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.

FIR No. 148/2017

PS: Khyala

U/s: 302/34 IPC

State vs. Deepak

State vs. Manish

State vs. Manoj

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

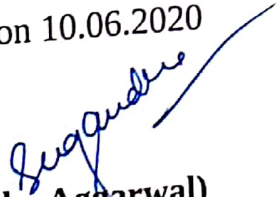
These are three separate interim bail applications for accused Deepak, Manish and Manoj. All are taken up through video conferencing.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Zia Afroz, Ld. Counsel for all the applicant/
accused.

The present applications have been moved seeking interim bail for 45 days on the basis of criterias laid down by the Committee of the Hon'ble High Court of Delhi.

Let previous involvement report from the IO and the conduct report from the concerned Jail Superintendent be called for the next date of hearing for all the three applicants.

At request, be listed for consideration on 10.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

FIR No. 148/2017

PS: Khyala

U/s: 302/34 IPC

State vs. Deepak

State vs. Manish

State vs. Manoj

03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

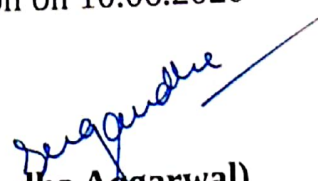
These are three separate interim bail applications for accused Deepak, Manish and Manoj. All are taken up through video conferencing.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Zia Afroz, Ld. Counsel for all the applicant/
accused.

The present applications have been moved seeking interim bail for 45 days on the basis of criterias laid down by the Committee of the Hon'ble High Court of Delhi.

Let previous involvement report from the IO and the conduct report from the concerned Jail Superintendent be called for the next date of hearing for all the three applicants.

At request, be listed for consideration on 10.06.2020 through video conferencing.


(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

**KLJ Developers P Ltd.
vs.
The State**


03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Vikas Sharma, Ld.Counsel for revisionist.
Sh. Atul Srivastava, Ld. Addl. PP for the State.

This is a criminal revision filed against the order dated 27.05.2020 wherein Ld. MM has allowed the application under section 156(3) Cr.PC and ordered for registration of FIR. Ld. Counsel for revisionist has sought stay of the order. It is stated that as per his information, till yesterday, no FIR was registered. However, it is not in the knowledge of the court whether as on today, any FIR has been registered in compliance of order dated 27.05.2020 or not. In the absence of said report, prayer of stay cannot be considered. Let the report be called from concerned police station whether any FIR has been registered or not. In the meantime, TCR be summoned for next date of hearing.

Be listed on 06.06.2020.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

1068

FIR No. 392/2020

PS: Moti Nagar

U/s: 195A/323/452/506(B)/34 IPC

State Vs. Dipti Singh

03.06.2020

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Abraham, Ld. Counsel for complainant.
Sh. Harender Kumar, Ld.Counsel for applicant/accused.

This order shall decide an anticipatory bail application moved on behalf of applicant/accused Dipti Singh under section 438 of Code of Criminal Procedure.

As per the submissions of the applicant/accused, he has been falsely implicated in the present case. It is further averred that the complainant along with employer of the applicant have hatched a conspiracy for implicating the applicant/accused in the present case so that he cannot support the case against Bhupender Singh @ Ginni and his associates. It is further stated that the applicant/accused has also demanded salary from Bhupender @ Ginni during lock down, which has also annoyed him. It is stated that the applicant has clean antecedents and is willing to join the investigation.

Per contra, the present application has been vehemently opposed by Ld.Counsel for complainant as well as on behalf of State. It is stated that there are grave allegations against the

Sugandha

1068
FIR No. 392/2020
PS: Moti Nagar
U/s: 195A/323/452/506(B)/34 IPC
State Vs. Dipti Singh

complainant. Applicant/accused has trespassed into the property of the complainant and has threatened to kill him. IO has also filed reply.

I have considered the rival contentions. Record is perused.

Vide order dated 18.05.2020, Ld. ASJ on duty has granted protection to the applicant/accused subject to the condition that applicant/accused shall join the investigation. In view of the same, reply has been filed by IO. It is stated in the reply that the applicant/accused joined the investigation on 20.05.2020 but he did not cooperate in the investigation. Applicant/accused did not give any clue regarding the weapon used in the offence. As per the allegations levelled against the applicant/accused, he has threatened the complainant with a knife after trespassing into the property of the applicant/accused. The allegations levelled against the applicant/accused are grave in nature.

Anticipatory bail is an extraordinary remedy and is to be granted only where the case is fabricated on the face of it. In the case of *Nikhil Parasar Vs. State of NCT of Delhi*, Bail Application No. 1745/2009, decided on 01.02.1010, the Hon'ble High Court of Delhi has held as follows:

*"As observed by the Hon'ble Supreme Court in
Pokar Ram vs. State of Rajasthan AIR 1985 SC*



1068

FIR No. 392/2020

PS: Moti Nagar

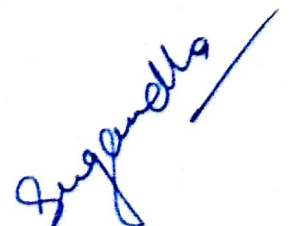
U/s: 195A/323/452/506(B)/34 IPC

State Vs. Dipti Singh

969, relevant considerations, governing the Court's decision in granting anticipatory bail under Section 438 of the Code of Criminal Procedure, are materially different from those which apply while considering application for bail by a person, who is arrested in the course of investigation or by a person who is convicted and who seeks bail during pendency of the appeal. The power of the Court under Section 438 of the Code of Criminal Procedure being somewhat extraordinary in character should normally be used only where it appears that the petitioner before the Court may have been implicated in a false case and there are reasonable grounds to believe that he is not likely to otherwise misuse the liberty of bail, if granted to him."

Granting bail to the persons who are accused of grave offences should be a balancing act between the personal liberty of an individual and larger interest of the society. In Neeru Yadav Vs. State of U.P. (2014) 16 SCC 508, the Hon'ble Supreme Court observed as follows:

"We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of



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the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society disapproves, the legal consequences are bound to follow. At that

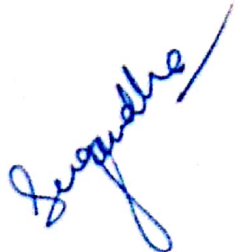
Sugandha

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stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law."

In the present case also, at this stage, it cannot be said that the charges against the applicant/accused are completely false. As per the allegations, applicant/accused was employed by employer Bhupender @ Ginni against whom an FIR no. 378/17 is registered. As per allegations, complainant was pressurized to withdraw his complaint with respect to FIR 378/17. Hence, it cannot be said that the allegations made are completely baseless. As per the reply filed by the IO, despite protection granted to the applicant/accused, he has not cooperated in the investigation. Therefore, in view of the above discussion and the fact that the anticipatory bail has to be granted in rare circumstances, I do not find any ground to grant anticipatory bail to the applicant/accused. The present application is dismissed.

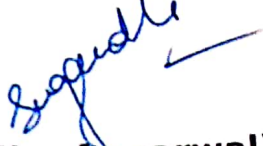
Copy of this order be given dasti to Ld.Counsel for the applicant/accused and the victim.



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Copy of this order be sent to the concerned Jail
Superintendent, Tihar, Delhi for intimation.


(Sugandha Aggarwal)
Duty Additional Sessions Judge-
01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

**IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.**

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FIR No. 217/2019

PS: EOW

U/s: 420/467/468/471/120B IPC

State Vs. Tabrez Kamal

03.06.2020

The undersigned has been appointed as Duty Additional Sessions Judge, vide order dated 30.05.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Applicant/accused Tabrez Kamal with Ld.Counsel,
Sh. Azhar Alam.

Reply to the application filed by IO received in the court.

Arguments heard on the prayer of extension of interim bail as well as regular bail.

Put up for orders at 2.00pm.



(Sugandha Aggarwal)
Duty Additional Sessions Judge-01, West,
Special Court Under the POCSO Act,
THC, Delhi.03.06.2020

IN THE COURT OF DR. SUGANDHA AGGARWAL,
DUTY ADDITIONAL SESSIONS JUDGE-01(WEST),
TIS HAZARI COURT, DELHI.

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FIR No. 217/2019

PS: EOW

U/s: 420/467/468/471/120B IPC

State Vs. Tabrez Kamal

03.06.2020

At 02.00pm

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Applicant/accused Tabrez Kamal with Ld.Counsel,
Sh. Azhar Alam.

This an application moved on behalf of accused Tabrez Kamal seeking extension of interim bail as well as for regular bail under section 439 & 440 of Code of Criminal Procedure. Ld. Counsel for applicant/accused has stated that the charge sheet against the co accused has already been filed. The matter is kept under investigation only for the present applicant. It is further argued that as per the allegations of the prosecution, the applicant has made fake salary slips, however, during investigation, no evidence has been collected against the applicant/accused. It is further stated that the applicant has been falsely implicated in the present case and has been languishing in the custody. It is further argued that the applicant has no previous involvement.

A written reply is filed by the IO. Arguments are also addressed on anticipatory bail. Ld. APP for the State has vehemently opposed the application stating that the applicant is actively involved in the alleged crime. The fake salary slips were prepared by the applicant/accused to procure loan from the different banks.

I have heard and considered the rival contentions and have perused the record.

Sugandha

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FIR No. 217/2019

PS: EOW

U/s: 420/467/468/471/120B IPC

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Initially, the bail application of the applicant was dismissed by Ld. CMM, hence, the present application has been moved before this court. In the present application, the applicant has sought extension of interim bail on the recommendations made by the committee of Hon'ble High Court and also for regular bail and to set aside order passed by Ld. CMM. Perusal of the record shows that in order dated 14.04.2020, Ld. ASJ on duty has found the present case to be a fit case for grant of interim bail. However, in the present application, the applicant has sought regular bail and has also challenged the order dated 31.01.2020, passed by Ld. CMM for dismissal of the regular of bail. Hence, in these circumstances, the application is taken up on merits for consideration on the regular bail. As per the reply filed by IO, the fake salary slips were prepared by the accused/applicant. All the salary slips found attached with the loan account are found to be fake and are of similar nature. Considering the grave allegations against the accused and that there is all possibility that the applicant/accused may try to tamper with the evidence, if released on bail. Hence, in these circumstances, the prayer seeking regular bail is dismissed. The interim bail period granted to the applicant shall expire on 14.06.2020. Hence, time is given to the applicant to surrender before the concerned Jail Superintendent. The applicant/accused shall surrender before the concerned Jail Superintendent within two days from today. Concerned Jail Superintendent shall follow all the precautions which are to be followed in case of fresh inmates in view of covid 19 situation.

A copy of the order be sent to the concerned Jail Superintendent for information and compliance.

Sigaudhe

**IN THE COURT OF MS. SUGANDHA AGGARWAL
DUTY ASJ-01, THC, DELHI.**

**Bail Application No. 147
FIR No. 392/2020
PS: Moti Nagar
U/s: 195A/323/452/506B/34 IPC
State Vs. Dipti Singh**


03.06.2020

The undersigned has been appointed Duty Additional Sessions Judge vide order dated 30.05.2020 of the Ld. District & Sessions Judge, West, THC, Delhi.

Present: Sh. Atul Srivastava, Ld. Addl. PP for the State.
Sh. Anil Kumar, Ld. Counsel for complainant.
Sh. Harender Kumar, Ld. Counsel for applicant/accused.
IO SI Banwari Lal.

Arguments on the bail application heard.

Put up for orders at 3.00 PM.


**(Sugandha Aggarwal)
Duty ASJ-01, West,
THC, Delhi/03.06.2020**