Misc Application in Regular Matter (Court No.313) FIR No. 790/15 U/s 420/467/468/471/406/120B IPC PS Badarpur Ashok Goel Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr R P Kasana, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel submits that his case has already been adjourned by the concerned court in July and he be given liberty to withdraw the present application. Allowed. Application is disposed off as withdrawn.

(SAMEER BAJPAI)

FIR No. 84/17 U/s 306/376/417/506/34 IPC & 4 POCSO Act PS Pul Prahladpur Mukesh Kumar @ Payal Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Satish Kumar, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Part arguments heard on the bail application.

Ld APP submits that as the matter is not very urgent, in terms of guidelines as laid down by Hon'ble Supreme Court, the prosecutrix should be an opportunity for hearing.

Let notice be issued to the prosecutrix through the IO to appear in person of through her counsel, through Video Conferencing.

Application to come up for further arguments on 26.05.2020.

(SAMEER BAJPAI)

FIR No.242/20 U/s 188/269 IPC & 14 Foreigners Act PS GK-1 Celestine Emeka Nwokoye Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Mukesh Bhardwaj, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that the money as recovered from the applicant was infact received by the applicant through embassy and was to be given for the treatment of a patient in Max Hospital Saket. Ld counsel further submits that if the applicant is granted even interim relief, it would be convenient for the applicant to get the money released from the Income Tax Department and to utilize the same for the treatment of the patient as admitted in the above mentioned hospital. Ld counsel submits that co-accused has been granted bail yesterday only and on parity, the present applicant be also granted interim bail.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature.

Considering the fact that the co-accused has already been granted bail, on parity, the applicant is also granted interim bail for 45 days

done

from today on furnishing personal bond of Rs.10000/- to the satisfaction of Ld Duty MM/Jail Duty MM. Applicant will positively surrender before the concerned Jail Supdt after expiry of interim bail period.

Further, the applicant shall report to the SHO/IO of the concerned Police Station on every Tuesday of each coming week and shall provide the mobile number to the IO and shall always be approachable on mobile. The applicant shall further co-operate the IO in the investigation.

(SAMEER BAJPAI)

FIR No. 207/19 U/s 406/420/120B IPC PS EOW Rakesh Singh Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr M A Singh, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld APP submits that it would not be appropriate to decide the application without hearing the complainant or his counsel.

As the present application is for seeking anticipatory bail only, I see no urgency to decide the same today itself and it would be appropriate that application is heard after giving notice to the complainant.

Accordingly, notice be issued to the complainant to appear and address arguments in person or through counsel through Video Conferencing on next date.

Application to come up for arguments on 26.05.2020.

(SAMEER BAJPAI)

Duty ASJ, South-East District (Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:20.05.2020

FIR No. 34/19 U/s 302/392/397/120B/411 IPC PS Amar Colony Sabia Parveen @ Salma Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Harsh Hardy, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that applicant is in custody for last about 15 months. Further, the applicant has been ill and needs to be released so that she can save herself from her illness as well as from COVID-19.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that previously two bail applications of the applicant have been dismissed on 30.04.2020 & 11.05.2020. Further, as per Jail Supdt report, the medical condition of the applicant is stable.

Considering the overall facts and circumstances and the submissions as made by Ld APP, I am not inclined to grant the desired relief to the applicant. The application is accordingly dismissed.

(SAMEER BAJPAI)

FIR No.165/18 U/s 365/302/201/120B/34 IPC & 25 Arms Act PS Sarita Vihar Aarif Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Aamir Choudhary, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that applicant is in JC since 27.06.2018. He further submits that there is no evidence against the applicant and his name came only on the disclosure statement of co-accused. He further submits that co-accused Dilshad has been granted bail by the Hon'ble High Court of Delhi. He further submits that dead body of victim was not recovered from the spot rather 11 Kms away from the spot.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that dead body of victim was recovered at the instance of applicant. Further, scooty of the victim was also recovered at the instance of applicant. Further, trial is still pending and without looking into the merits of the case and evidence minutely, this court should not grant bail to the applicant.

Undoubtedly, the case against the applicant is serious in

quece

nature and even the case of the applicant does not fall in the category as laid down in the guidelines as issued by the Hon'ble High Court of Delhi on 18.05.2020.

Considering the gravity of offence, I do not deem it appropriate to grant the desired relief to the applicant. The application is accordingly dismissed.

(SAMEER BAJPAI)

FIR No. 122/20 U/s 376/506 IPC & 6 POCSO Act PS Sarita Vihar Roopesh Kumar Vs. State

&

Kusum Devi Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Dharamvir Singh, Ld. Counsel for applicants/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Ld APP submits that as the matter is not very urgent, in terms of guidelines as laid down by Hon'ble Supreme Court, the prosecutrix should be given an opportunity for hearing.

Let notice be issued to the prosecutrix through the IO to appear in person or through her counsel, through Video Conferencing.

Application to come up for further arguments on 28.05.2020.

(SAMEER BAJPAI)

FIR No. 239/19 U/s 377/34 IPC & 6/22 POCSO Act PS Hazrat Nizamuddin Quadri Mohd. Tausheed Siddiqui Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that he is seeking interim bail only for four weeks to keep his house in order as at his home, he has only his wife and children. He further submits that the case is based on totally false facts and what to say about direct evidence, there is even no circumstantial evidence against the applicant.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that the applicant and co-accused were captured in CCTV camera, showing their presence at the place of incident. Further, bail application of the applicant has already been dismissed by the regular court earlier.

Considering the fact that the allegations against the applicant are serious in nature and the alleged act is against a child of five years, I am no inclined to grant the desired relief to the applicant. The application is accordingly dismissed.

(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:20.05.2020

FIR No. 370/18
U/s 392/397/34 IPC & 25/27/54/59 Arms Act
PS Badarpur
Rajdev @ Raju Vs. State
&
Pradeep Kumar Vs. State
&
Ashok Kumar Yadav Vs. State
20.05.2020

Present Applications are being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020 /5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present: Mr Prateek Kohli, Ld. Counsel for applicant/accused Rajdev

@ Raju and Pradeep Kumar

Mr Rajesh Singh, Ld counsel for applicant/accused Ashok

Kumar Yadav

Mr A. T. Ansari, Ld. Addl. PP for the State.

Arguments heard on the above three bail applications.

Ld counsel for applicant jointy submit that applicants are innocent and have been falsely implicated in the present case. Further, applicants have been in custody for last about two years. Further, the applicants are seeking only interim relief.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature.

Considering the period of custody and the present scenario of COVID-19, all the applicants are granted interim bail for 45 days on from

today on furnishing personal bond of Rs.20000/- each with one surety in the like amount to the satisfaction of Ld Duty MM. Applicants will positively surrender before the concerned Jail Supdt immediately after expiry of interim bail period.

(SAMEER BAJPAI)

**Duty ASJ, South-East District** 

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:20.05.2020

FIR No. 156/20 U/s 376/506 IPC & 6 POCSO Act PS Govindpuri Sukhwinder Singh Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Nitin, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that at present he is not seeking the relief on merits but on the ground that real brother of the applicant has expired and his cremation will take place tomorrow. Ld counsel further submits that applicant be granted interim bail for a week only and thereafter the applicant shall surrender. He further submits that the factum of death of brother of the applicant have been verified by the local police today itself.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that the death of the brother of applicant, however has been verified by the police.

Without going on merits, I deem it appropriate to grant the desired relief only for the reason that the relief sought is urgent as the applicant has to attend the funeral of his brother which will take place

June

tomorrow. Accordingly, application is allowed. The applicant is granted interim bail till 25.05.2020 on furnishing personal bond of Rs.20000/- to the satisfaction of Ld Duty MM/Jail Duty MM. Applicant will positively surrender before the concerned Jail Supdt after expiry of interim bail period i.e. on 26.05.2020.

(SAMEER BAJPAI)

FIR No. 258/18
U/s 394/395/397/391/341/412/120B/34 IPC & 27/54 Arms Act
PS Sarita Vihar
Amit @ Sonu Vs. State
20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Vishal Singh, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Report received from the Jail Supdt. stating the applicant has no critical ailment.

At this stage, Ld counsel for applicant seeks liberty to withdraw the application. Allowed. Application is disposed off as withdrawn.

(SAMEER BAJPAI)

FIR No. 1113/15 U/s 302/365/201/34 IPC PS K M Pur Gurbinder @ Gagan Vs. State 20.05,2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Pawan Gupta, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel submits that he may be allowed to withdraw the present application with liberty to move fresh application in accordance with the guidelines as issued by Hon'ble High Court of Delhi on 18.05.2020. Allowed. Application is disposed off as withdrawn.

(SAMEER BAJPAI)

FIR No. 247/18 U/s 302 IPC PS Hazrat Nizamuddin Adiba Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Vishal Singh, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel seeks liberty to withdraw the present application with liberty to move afresh, seeking relief in terms of the fresh guidelines as issued by Hon'ble High Court of Delhi on 18.05.2020. Allowed. Application is disposed off as withdrawn.

(SAMEER BAJPAI)

Duty ASJ, South-East District

(Due to lockdown in pursuant to COVID-19 epidemic) Saket Courts, New Delhi:20.05.2020 FIR No. 56/18 U/s 307/34 IPC PS Sarita Vihar Jawala Kashyap Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. D S Chauhan, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel seeks liberty to withdraw the present application with liberty to move afresh, seeking relief in terms of the fresh guidelines as issued by Hon'ble High Court of Delhi on 18.05.2020. Allowed. Application is disposed off as withdrawn.

(SAMEER BAJPAI)

Duty ASJ, South-East District
(Due to lockdown in pursuant to COVID-19 epidemic)
Saket Courts, New Delhi:20.05.2020

Droce

Crl Appeal No. 68/2020 Anil Kumar Garg Vs Garima Garg

20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Abhay Gupta, Ld. Counsel for applicant/accused

Mr K Johri, Ld counsel for complainant

Mr A. T. Ansari, Ld. Addl. PP for the State.

Applicant has moved an application seeking direction to allow making a video call to his son namely Apoorva (14 years old).

Ld counsel for the non-applicant submits that he received the notice of the application today itself and not prepared to address arguments and further, he has to seek instructions from his client.

On the request of Ld counsel for both parties, application is fixed for arguments on 26.05.2020.

SAMEER BAJPAI)

FIR No. 217/18 U/s 412/395/397 IPC PS NFC Deepak Kumar Verma Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Vinay Kumar, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

On request of Ld counsel for applicant, application to come

up for arguments on 26.05.2020.

(SAMEER BAJPAI)

FIR No.315/19 U/s 397/395/411/34 IPC PS Amar Colony Sonu Tiwari Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr Rajan Prasad, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel for applicant prays to adjourn the matter for 22.05.2020. Allowed.

Application to come up for arguments on 22.05.2020.

(\$AMEER BAJPAI)

FIR No. 281/18 U/s 307/147/148/149/120B IPC & 27 Arms Act PS Govind Puri Shyam Rai Goli Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Atul Gupta Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Ld counsel for applicant prays to seek report from the IO regarding previous involvement of applicant as well as from the concerned Jail Supdt regarding the good conduct of the applicant during the period of his custody in the Jail. Allowed.

Report be called from the IO and Jail Supdt accordingly.

Application to come up for arguments on 22.05.2020.

(SAMEER BAJPAI)

FIR No. 156/20 U/s 376/506 IPC & 6 POCSO Act PS Govindpuri Sukhwinder Singh Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Nitin, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that at present he is not seeking the relief on merits but on the ground that real brother of the applicant has expired and his cremation will take place tomorrow. Ld counsel further submits that applicant be granted interim bail for a week only and thereafter the applicant shall surrender. He further submits that the factum of death of brother of the applicant have been verified by the local police today itself.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that the death of the brother of applicant, however has been verified by the police.

Without going on merits, I deem it appropriate to grant the desired relief only for the reason that the relief sought is urgent as the applicant has to attend the funeral of his brother which will take place

France

tomorrow. Accordingly, application is allowed. The applicant is granted interim bail till 25.05.2020 on furnishing personal bond of Rs.20000/- to the satisfaction of Ld Duty MM/Jail Duty MM. Applicant will positively surrender before the concerned Jail Supdt after expiry of interim bail period i.e. on 26.05.2020.

(SAMEER BAJPAI)

**Duty ASJ, South-East District** 

(Due to lockdown in pursuant to COVID-19 epidemic)

Saket Courts, New Delhi:20.05.2020

Secce

FIR No. 156/20 U/s 376/506 IPC & 6 POCSO Act PS Govindpuri Sukhwinder Singh Vs. State 20.05.2020

Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5298-5325 dated 16.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.

Present:

Mr. Nitin, Ld. Counsel for applicant/accused

Mr A. T. Ansari, Ld. Addl. PP for the State.

Reply filed by the IO.

Arguments heard on the bail application.

Ld counsel for applicant submits that applicant is innocent and has been falsely implicated in the present case. He further submits that at present he is not seeking the relief on merits but on the ground that real brother of the applicant has expired and his cremation will take place tomorrow. Ld counsel further submits that applicant be granted interim bail for a week only and thereafter the applicant shall surrender. He further submits that the factum of death of brother of the applicant have been verified by the local police today itself.

Ld APP on the other hand highly opposed the bail application with the submission that the allegations against the applicant are serious in nature. He further submits that the death of the brother of applicant, however has been verified by the police.

Without going on merits, I deem it appropriate to grant the desired relief only for the reason that the relief sought is urgent as the applicant has to attend the funeral of his brother which will take place

france

tomorrow. Accordingly, application is allowed. The applicant is granted interim bail till 25.05.2020 on furnishing personal bond of Rs.20000/- to the satisfaction of Ld Duty MM/Jail Duty MM. Applicant will positively surrender before the concerned Jail Supdt after expiry of interim bail period i.e. on 26.05.2020.

(SAMEER BAJPAI)

Duty ASJ, South-East District (Due to lockdown in pursuant to COVID-19 epidemic) Saket Courts, New Delhi:20.05.2020

Jack