

FIR No. 0523/2020
Police Station : Hari Nagar
Under section : 323/354/34
Varinder Kaur Kohli vs. State

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present : Sh. Santosh Kumar, learned Additional Public Prosecutor
for State through video-conferencing (CLSCO Webex).
Sh. Pankaj Learned counsel for the applicant / accused

This is the anticipatory bail application of applicant / accused
Varinder Kaur Kohli.

It is submitted by counsel for applicant that the applicant has
joined the investigation.

Let investigating officer be called with case diary for the next
date, till than the applicant shall not be arrested.

Put up on 06.10.2020.



(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

01.10.2020

FIR No. 0523/2020
Police Station : Hari Nagar
Under section : 323/354/34
Jatinder Singh Kohli vs. State

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present :Sh. Santosh Kumar, learned Additional Public Prosecutor
for State through video-conferencing (CISCO Webex).
Sh. Pankaj Learned counsel for the applicant / accused

This is the anticipatory bail application of applicant / accused
Jatinder Singh Kohli.

It is submitted by counsel for applicant that the applicant has
joined the investigation.

Let investigating officer be called with case diary for the next
date, till than the applicant shall not be arrested.

Put up on 06.10.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

FIR No. 0523/2020
Police Station : Hari Nagar
Under section : 323/354/34
Harpreet Kaur vs. State

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present :Sh. Santosh Kumar, learned Additional Public Prosecutor
for State through video-conferencing (CISCO Webex).
Sh. Pankaj Learned counsel for the applicant / accused

This is the anticipatory bail application of applicant / accused
Harpreet Kaur.

It is submitted by counsel for applicant that the applicant has
joined the investigation.

Let investigating officer be called with case diary for the next
date, till than the applicant shall not be arrested.

Put up on 06.10.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

FIR No. 182/2020
Police Station : Nihal Vihar
Under section : 392/411/397/34 IPC
and 25/54/59 Arms Act
State vs Madhav Solanki (Manish)

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present :Sh. Santosh Kumar, learned Additional Public Prosecutor
for State through video-conferencing (CISCO Webex).
Sh. Akshay Kumar Learned counsel for the applicant /
accused through video-conferencing (CISCO Webex).

This is the bail application under section 439 Cr.PC moved on
behalf of applicant / accused Madhav Solanki.

Reply of the bail application received from the investigating
officer, which is incorrect.

Heard.

Trial Court Record will be required for disposal of the application.
Accordingly, let the Trial Court Record be called from the concerned
Court.

Let correct reply of the bail application be called from the
investigating officer for the next date.

Put up on **03.10.2020**.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

State Vs. Kasim @ Sahil
FIR No. 353/2020
Under Section : 256/379/411/34 IPC
Police Station : Kirti Nagar

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
Shri Sunil Tomar, Ld. Counsel for the applicant/accused.
IO SI Suresh.

This is an application for grant of bail to applicant/accused Kasim @ Sahil on the ground that he has been falsely implicated in the present case and is in judicial custody since 12.08.2020. The main accused has already been granted bail vide order dated 04.09.2020. Earlier bail applications of applicant/accused were dismissed for different reasons. It is further stated that the custodial interrogation has already been completed no purpose will be served in keeping the applicant/accused in JC. It is prayed that applicant / accused may be granted bail.

Reply filed.

Ld. Additional Public Prosecutor has opposed the bail application stating that the allegations against the applicant are serious due to which his earlier bail applications were dismissed.

Perusal of record shows that though the bail application of applicant was dismissed by the Ld. ASJ on 18.09.2020, but the co-accused who according to the IO is the main accused and was driving the scooter and



snatched the mobile phone, has been granted bail by the Ld. CMM vide order dated 04.09.2020. The recovery has been effected. The applicant/accused is the first time offender and is around 18 years of age. Therefore, it will not be in the fitness of the things to keep him in custody any more. Earlier bail application was dismissed by the Ld. ASJ vide order dated 18.09.2020 observing that the court was no aware of the reasons and circumstance for which the co-accused Arun may have been granted bail. But now, bail order passed by the Ld. CMM is on record. The Ld. CMM has granted bail on the ground that recovery has been effected and no further custodial interrogation is required. Also in the earlier bail order of Sessions Court, it was stated that accused does not have any permanent address in Delhi.

IO now submits that the second address given by the applicant/accused has been verified.

Further, as per reply of IO there is no other case against the applicant which shows that he is the first offender and therefore, considering his age, he may be allowed an opportunity of reformation also.

In the given circumstances, I deem it fit to release the accused on bail. ***Accordingly, applicant Kasim @ Sahil is admitted to regular bail subject to his furnishing of personal bond of Rs. 20,000/- with one surety of the like amount to the satisfaction of Duty Magistrate (West).***

Application stands disposed off accordingly.

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


(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

01.10.2020

State Vs.Aakash
FIR No. 94/2020
Under Section : 392/397/411/34 IPC
Police Station : Anand Parbat

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).
Ms. Kusum Gupta, Ld. Counsel for applicant/accused through video-conferencing (CISCO Webex).

This is an application for grant of bail to applicant/accused Aakash on the ground that the accused is innocent and is victim of false implication and is in judicial custody since 09.09.2020. Further, nothing has been recovered from the possession of accused or from his instance and the alleged recovery is planted upon him. It is also stated that the accused / applicant is not a previous convict or habitual offender and nothing to do with the criminal activities. It is further stated that parents of accused has expired and there is no one to look after his maternal grandmother. It is stated that the applicant was initially considered a juvenile and was granted bail by the Juvenile Justice Board. Later on, he was again arrested by the IO after he was found to a major. It is prayed that applicant may be granted bail.

Reply filed.

Ld. Additional Public Prosecutor has opposed the bail application stating that allegations against the applicant are serious and if he is released on bail, he may threaten the complainant.



As per reply, the present FIR was registered on the complaint of Shri Dinesh Kumar with respect to robbery of his mobile phone. During the course of investigation, applicant/accused was arrested and robbed mobile phone was recovered from his possession. Chargesheet is yet to be filed.

The applicant is of around 20 years of age. No previous involvements of applicant/accused has been reported by the IO. It means that he is the first offender and is a young person. Chargesheet is yet to be filed and trial is going to take time. Robbed mobile phone is also stated to have been recovered from the applicant/accused. Accordingly, keeping in view the fact that applicant is the first time offender, I deem it fit to grant him bail. **Accordingly, applicant Aakash is admitted to regular bail subject to his furnishing of personal bond of Rs. 20,000/- with one surety of the like amount to the satisfaction of Duty Magistrate (West).**

Application stands disposed off accordingly.

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



(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

01.10.2020

**State Vs.Madhur Phogat
FIR No. 302/2015
Under Section : 379/34 IPC
Police Station : Maya Puri**

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Pankaj Mohan, proxy counsel for the applicant/accused through video-conferencing (CISCO Webex).

This is an application for grant of anticipatory bail to applicant/accused Madhur Phogat.

Reply filed by IO.

Proxy counsel for the applicant seeks time stating that main counsel is not available today.

At request, bail application be listed on 05.10.2020.



(SAMAR VISHAL)

**Addl. Sessions Judge-08
West District, THC Delhi**

01.10.2020

State Vs. Akash
FIR No. 274/20
Under Section : 308/323/34 IPC
Police Station : Anand Parbat

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Vinit Jain, Ld. Counsel for the applicant/accused through video-conferencing (CISCO Webex).

ASI Bharat Bhushan.

This is an application for grant of bail to applicant Akash.

Accordingly to the reply of IO, the result of MLC is still awaited.

IO is directed to obtain the result of MLCs and place before the court positively by the next date by appearing in person with the case file.

Put up for consideration on 05.10.2020.



(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

01.10.2020

State Vs. Nilesh
FIR No. 274/20
Under Section : 308/323/34 IPC
Police Station : Anand Parbat

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Vinit Jain, Ld. Counsel for the applicant/accused through video-conferencing (CISCO Webex).

ASI Bharat Bhushan.

This is an application for grant of bail to applicant Nilesh.

Accordingly to the reply of IO, the result of MLC is still awaited.

IO is directed to obtain the result of MLCs and place before the court positively by the next date by appearing in person with the case file.

Put up for consideration on 05.10.2020.



(SAMAR VISHAL)

Addl. Sessions Judge-08
West District, THC Delhi

01.10.2020

State Vs. Nilesh
FIR No. 274/20
Under Section : 308/323/34 IPC
Police Station : Anand Parbat

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Vinit Jain, Ld. Counsel for the applicant/accused through video-conferencing (CISCO Webex).

ASI Bharat Bhushan.

This is an application for grant of bail to applicant Nilesh.

Accordingly to the reply of IO, the result of MLC is still awaited.

IO is directed to obtain the result of MLCs and place before the court positively by the next date by appearing in person with the case file.

Put up for consideration on 05.10.2020.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

State Vs. Dharmender Sehgal
FIR No. 65/20
Under Section : 33/38/ Excise Act
Police Station : Nangloi

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Ram Kumar, Ld. Counsel for the applicant/accused through video-conferencing (CISCO Webex).

This is an application for grant of anticipatory bail to applicant/accused Dharmender Sehgal stating *interalia* that he is innocent and is not involved in any criminal offence and having clean antecedents. It is stated that police officials of PS Nangloi are visiting the house of applicant and he has apprehension of his arrest. It is prayed that applicant may be granted anticipatory.

Reply filed.

Ld. Additional Public Prosecutor has opposed the bail application.

Applicant's counsel submitted that the applicant is not the owner of the vehicle as alleged by the IO and he is not involved in the offence alleged. Further, applicant is ready to join the investigation as and required by the IO.

In the given circumstances, applicant/accused is granted interim **protection from arrest till 15.10.2020 subject to the condition that he shall join the investigation as and when required by the Investigating Officer.**



Till then, IO is directed not to take any coercive action against the applicant/accused.

Put up for consideration on 15.10.2020.

Copy of order be sent to the Investigating Officer for information.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

Bail Application No. 2244
FIR No.807/2020
Police Station : Rajouri Garden
Under section : 376 IPC
State vs Desraj

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present :Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Sh. Ashish Upadhyay Learned counsel for the applicant / accused

Victim in person.

Reply to the bail application received from the investigating officer.

Assistance of investigating officer is required in the present case. Let the investigating officer be summoned with case diary for the next date.

Put up on **03.10.2020**.


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020

State Vs. Yogesh Sehrawat
FIR No. 316/2020
Under Section : 376/506/34 IPC
Police Station : Mundka

01.10.2020

The Court of undersigned is having duty today as per Bail Duty Roster dated 28.09.2020.

Present: Sh. Santosh Kumar, learned Additional Public Prosecutor for State through video-conferencing (CISCO Webex).

Shri Ranvir Vats, Ld. Counsel for the accused/applicant.

Shri Surender Sharma, Ld. Counsel for the complainant through video-conferencing (CISCO Webex).

Ms. Arti Pandey, Ld. DCW counsel through video-conferencing (CISCO Webex).

This is an application for grant of bail to applicant/accused Yogesh Sehrawat *interalia* on the ground that he is in judicial custody since 23.06.2020. The present FIR has been lodged after 11 years of incident and is an afterthought. It is stated that the present complaint was filed when accused refused to accede the illegal demands of the complainant as the complainant directed the accused to murder his wife by giving mercury and when accused/applicant refused to do, she threatened him for dire consequences and started blackmailing him. Further, even after registration of FIR on 22.06.2020, 23.06.2020, 24.06.2020, 25.06.2020 and 26.06.2020 the complainant called the accused family from her mobile numbers and demanded money from the family of accused. Thereafter, wife of accused filed complaints



to the Higher Police Officer. It is also stated that as per the allegations leveled in the FIR, the complainant was studying in Govt . Sec. School, Bakkarwala and accused was not studying in the said school.

Reply has already been filed.

Chargesheet has been received.

Ld. Additional Public Prosecutor has opposed the bail application stating that the allegations against the applicant are quite serious.

The counsel for the victim has submitted that the investigating officer has not done the investigation properly in this case and has not invoked the relevant sections of PSCSO Act which are made out in this case. He has opposed the bail application stating that the complainant is receiving threats from the applicant and his family members.

It is submitted by the applicant's counsel that there are completely false allegations against the applicant. It is an admitted case of the victim herself that she and the applicant were in relationship since long and she has given a detailed description of it in the MLC itself to the doctor. He has further pointed out some discrepancies and contradictions during his arguments which are not being reproduced here so that it may not cause any prejudice to any party during trial. It is further stated that the victim has mentioned in the statement u/s 164 Cr.P.C that she came to know about the fact that the applicant was married in 2019 despite that she went in a hotel with the applicant on 01.01.2020, as per the complaint. It is further stated that the victim has come to the house of the family of applicant and created ruckus there for which there was a PCR call on 03.02.2020 annexed with the application. Many other things have been stated during arguments, which are deeply associated with the merits of the case for which no finding is required at this stage.



During the course of arguments, applicant's counsel has relied upon judgments titled ***Maheshwar Tigga Vs The State of Jharkhand Crl. Appeal no. 635/2020 dated 28.09.2020 (Hon'ble Supreme Court), Deepak Gulati Vs State of Haryana Crl. Appeal no. 2322/2010 dated 20.05.2013 (Hon'ble Supreme Court), Rahul Singh Vs State Bail application no. 2336/2019 dated 18.09.2019 (Hon'ble Delhi High Court), Shanil Vs State of Kerla Bail application no. 3798/2020 dated 06.07.2020 (Hon'ble Kerla High Court), Rohit Chauhan Vs State of NCT of Delhi in bail application no. 311/2013 dated 22.05.2013 (Hon'ble Delhi High Court) and Navdeep Singh Vs State of Punjab CRM-M-16783 of 2020 dated 14.07.2020 (Hon'ble Punjab & Haryana High Court).***

It appears that the applicant and the victim were in a long relationship. The investigation is complete and the chargesheet has been filed.

Without commenting or discussing anything on merits of the case, it is clear that the applicant has a *prima facie* case for bail as no further pre-trial detention is required particularly in the present situation. Accordingly, the applicant/accused is admitted to bail on his furnishing personal bond in a sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of Duty Magistrate (West) subject to the following conditions:-

1. The accused shall cooperate in trial.
2. The accused shall not threat or influence witnesses of try to approach any of the witnesses cited by the prosecution.
3. The accused shall not change his address without prior intimation to the learned Trial Court.
4. The accused shall comply with the conditions of the bond executed by him.



5. The accused shall not leave the country without permission of Ld.
Trial Court.

Bail application stands disposed off accordingly.

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


(SAMAR VISHAL)
Addl. Sessions Judge-08
West District, THC Delhi
01.10.2020