

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

Application No. 863

FIR No. 85/2020

PS : Paschim Vihar East

U/s 323/354/354A/354B/509 IPC & 8 &12 POCSO Act

State v. Rakesh Mohan Sanger

12.06.2020

Matter was heard in the open court via Video Conferencing.

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Pardeep Sharma, Ld. Counsel for the accused/applicant.
IO SI Lucky Lama is present and has identified the
prosecutrix/victim.
Mother of prosecutrix/victim is also present, who
has also identified the prosecutrix/victim.

By this order, I shall decide the present application.

Facts as stated in the application are as follows. It is submitted that this is a second bail application for grant of regular bail. It is submitted that the applicant has been falsely implicated in the present case. Charge sheet has already been filed in the court. Applicant is on the interim bail, which will lapse on 14.06.2020. That applicant is the father of the victim.

Ld. APP has submitted that he is opposing the bail application in view of reply of IO. Ld. APP submits that the victim has supported the case of the prosecution in her statement u/s 164 Cr.P.C and also u/s 161 Cr.P.C. It is further submitted that the matter is listed at the stage of arguments for charge and evidence of victim has not been recorded in court.

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The victim who is present in court along with her mother have both been heard. The victim submits that bail may be granted to her father as she got registered the present FIR under confusion.

I have heard arguments from all the sides. FIR was registered on 02.02.2020. Statement of prosecutrix u/s 164 Cr.P.C. was recorded on 03.02.2020. Allegations against the applicant/accused are very grave. He has been accused of sexually assaulting his own daughter. Examination in chief of victim is yet to be recorded. Accused is jobless since November, 2019, as per statement of mother of victim. As per the allegations, applicant asked for sexual favours from his minor daughter when she came back home from celebrating her birthday. At that time, mother of the victim was away. Applicant is accused of touching the body parts of the victim in appropriately and also attempting to rape the minor prosecutrix. Victim has also stated that the applicant used to physically abuse her mother and the victim. It is submitted that the applicant might jump bail. Now, this is the first time as per record that the victim has stated before court that the present FIR was registered under a confusion. She is also not ready to give her written statement to this effect. Applicant is on interim bail and stated to be residing with his sister as per the IO. There is a strong possibility that applicant might have been able to get to the victim and her mother and influence them into giving this favourable statement before the court today. Even from physical appearance, both victim and her mother appeared to be in stress and do not

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appear to be giving the statement free of stress and fear. If applicant is granted regular bail, there is a strong possibility that he might tamper with the case of the prosecution and try to intimidate the witnesses. Therefore, in view of above mentioned submissions and observations, this bail application is rejected. Copy of order be given dasti to counsel and one copy be sent to the concerned Jail Superintendent and Director General Prison through the concerned Nodal Officer as the interim bail of applicant is stated to be expiring on 14.06.2020.

One copy of the order be also given dasti to IO for records.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 339
FIR No. 318/2018
PS: Patel Nagar
State Vs. Lal Singh @ Randhir Singh
U/s 147/148/149/186/307/353/34 IPC**

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Neeraj, Ld. Counsel for the applicant/accused through Video conferencing on CISCO Webex.

Ld. Counsel submits that medical documents could not be supplied to IO and a few more days are required to supply the same to IO for verification. On request of Id. Counsel, relist the matter for argument on bail application on 25.06.2020 before the concerned duty judge.

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ASJ/Special Judge (NDPS)
West District, THC/Delhi/12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. /2020
FIR No. 418/2016
PS: Nangloi
State Vs. Vivek Kumar Jha
U/s302/186/353/307/34 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Saurabh Rajput, Ld. Counsel for the accused/ applicant.
Jail Superintendent / CMO seeks time to file medical report. Heard.

Allowed.

On telephonically conversation with Ld. Counsel for the applicant/accused, list the matter on 17.06.2020.

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

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

Application No. 561

FIR No. 108/19

PS : Paschim Vihar

U/s 302/201/380/411 IPC

State v. Davinder Kaur @ Sonia

12.06.2020

Matter was heard in the open court via Video Conferencing.

**Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Bhuvnesh Tyagi, Ld. Counsel for the accused/applicant.
IO Inspector Manoj Bhatia.**

By this order, I shall dispose off the bail application filed on behalf of applicant Smt.Devender Kaur @ Sonia.

Facts as stated in the bail application are as follows.

It is submitted that the applicant has been falsely implicated. It is submitted that applicant is not involved in the commission of alleged offence. It is submitted that their own family has falsely implicated them as the relationship between the applicant and Karun Sharma were not accepted by their family. It is submitted that during commission of offence, applicant was present in Punjab between 10.02.2019 to 02.03.2019 which can be proved by location of mobile phone no. 787421732. It is submitted that applicant has three children and all her children are missing. It is submitted that applicant has no knowledge of missing children and is requested to be released on interim bail to trace out her children. There is no social distancing in the jail and no availability of drugs and sanitized Applicant is not required for any investigation nor any recovery is to be effected from the applicant. In view of

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PS : Paschim Vihar
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these submissions, the applicant may be granted interim bail.

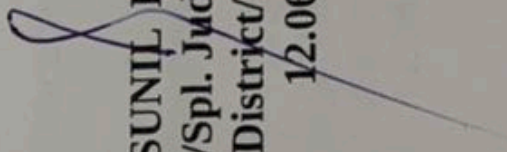
Ld. APP has strongly opposed the bail application in view of the reply filed by the IO. IO submits that the above mobile number provided for tracing of location is incomplete and is having only 9 digits. Moreover, all the three children of the applicant are in safe custody. Two are with husband of applicant in Himachal and the third child is with the mother of her paramour. All the three children are accounted for. Ld. APP has further submitted that paramour of applicant is also a co accused in the present case. IO also submits that Karun Sharma (husband of accused) has telephonically informed that the present applicant called him from Mandoli Jail and is well aware of the fact that her children are safe. IO also submits that accused has taken wrong plea to obtain the bail.

Conduct report of present applicant is also received from Jail Superintendent from Central Jail no. 16, Mandoli, Delhi. It has been mentioned in the said report that accused Devender Kaur @ Sonia was involved in jail riots in central jail no. 16, Mandoli, on 28.03.2020. It is further mentioned that a punishment ticket was put up against her misconduct but could not be sent for appraisal of the Hon'ble Court of Ld. District & Sessions Judge due to lockdown and at present, conduct of applicant is not good.

I have heard arguments from both the sides. After hearing arguments, the court is inclined to agree with submissions of Ld. APP as well

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as IO of the case. Conduct of the applicant is not good even in the jail. Moreover, applicant has tried to obtain bail by misleading the court regarding whereabouts of her children. IO has filed a report that all the three children of applicant are accounted for and in good and safe custody. Moreover, IO has submitted that applicant was actively involved in commission of offence u/s 302 and was also involved in hiding the evidence of the crime under a conspiracy and therefore, sections 201 IPC, 120 B and 34 IPC are also invoked. There is a strong possibility that applicant may jump bail and flee from the jurisdiction of the court. Possibility of tampering with the prosecution case cannot be ruled out. Therefore, in view of the circumstances, application is rejected. One copy of the order be given to counsel for applicant and one copy be sent to the concerned Jail Superintendent.


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IN THE COURT OF SH. SUNIL BENIWAL,
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TIS HAZARI COURTS, DELHI

Application No. 878
FIR No. 291/11
PS : Tilak Nagar
U/s 302/392/397/411/120B /34 IPC
State v. Emenike Decland Nawaegbe

12.06.2020

Matter was heard in the open court via Video Conferencing.

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Ms. Shefali Sharma, Ld. Counsel for the accused/applicant.

By this order I shall decide the present application requesting for grant of regular bail to applicant/accused Emenike Decland Nawaegbe. This is the second bail application.

Facts as stated in the bail application are as follows.

It is submitted that applicant/accused has been falsely implicated in this case. It is submitted that on 31.08.11, upon receiving DD entry, police reached Sahni International Money Transfer Shop. Injured was removed to DDU Hospital. Injured Guru Charan Singh Sahney was found brought dead. At about 11.45am, four Nigerians went to the shop and after exchange of some dollars, they wanted to purchase some clothes and the deceased told them to go

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PS : Tilak Nagar

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to Puja International. Ms. Sonia accompanied all the four Nigerians where they met another Nigerian. The 5th Nigerian accompanied Ms. Sonia and thereafter left the shop on the pretext of having shortage of money. Soon after, Satish informed Sonia about the incident. The CCTV Footage replayed by Ms. Puja, employee of deceased shows the criminal activities of four Nigerians. All the four accused persons gave disclosure statements that the 5th accused person is the present applicant. It is submitted that the prosecution witness Ms. Sonia failed to identify applicant/accused. It is submitted that the only evidence against the applicant/accused is the disclosure statement of four co accused persons and the evidence of PW1 Ms. Sonia, who has identified the applicant in court for the first time by way of dock identification. It is submitted that no offence is made out against the applicant. In para B of the application under the heading of grounds, it is stated that all the witnesses have been examined except the investigating officer. It is submitted that there is no evidence against the applicant. It is submitted that in view of judgments titled as *Sanjay*

Chandra vs. CBI (2012) 1 SCC 40, Bhagirath Singh Juneja vs. State of

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Gujrat, AIR 1994 SC 372 and Mohan Raikwar vs. State of MP 1999(2) MPLJ

663, applicant/accused should be enlarged on bail.

Ld. APP has strongly opposed the bail application. It is submitted that applicant is under trial for offences u/s 302/392/397/411/120B/34 IPC. It is submitted that evidence against applicant is yet to be recorded in whole and the law does not permit to appreciate the evidence in piece meal. It is further submitted that applicant is a foreign national having no permanent residence in India and there is a strong possibility that he will jump bail.

I have heard arguments from both the sides. The court is inclined to agree with the submissions of Ld. APP. Moreover, even the case file is not present before the court. There is no way of telling what evidence has been recorded against the applicant. Moreover, the applicant is a foreign national having no permanent residence in India. There is no way of appreciating the evidence that has already been recorded during the trial as the record has not been produced. Applicant is accused of offence u/s 302 IPC having capital punishment. Evidence of IO is yet to be recorded. It is not advisable to grant bail to the applicant at this stage. Therefore, bail application is rejected.

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Copy of order be given dasti to counsel and one copy be sent to
the concerned Jail Superintendent.

(SUNIL BENIWAL)
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**IN THE COURT OF SHRI SUNIL BENIWAL,
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TIS HAZARI COURTS, DELHI**

**Application No. 791
FIR No. 28/2018
PS: Moti Nagar**

**State Vs. Rattan Singh Rainu
U/s 392/394/397/34 IPC & 25/54/59 Arms Act**


12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Puneesh Grover, Id. Counsel for the accused (telephonically).

Reply not filed.

Let notice be issued to the IO to file reply for 15.06.2020.


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**IN THE COURT OF SHRI SUNIL BENIWAL,
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TIS HAZARI COURTS, DELHI**

**Application No. 850/2020
FIR No. 25/2019**

**PS: Nangloi
State Vs. Rakesh
U/s 376/506 IPC and Section 6 of POCSO Act**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Kamal Jindal, Ld. Counsel for the applicant / accused.

IO/WSI Reena is present.

IO/WSI Reena seeks time till 17.06.2020 to produce the victim / complainant. Therefore, on request, relist the matter on 17.06.2020.

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**IN THE COURT OF SHRI SUNIL BENIWAL,
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TIS HAZARI COURTS, DELHI**

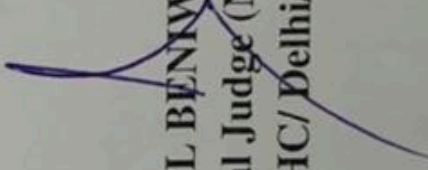
**Application No. 849/2020
FIR No. 198/2016
PS: Islam Nagar
State Vs. Sonu
U/s 302/365/201/34 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Sudhir Kumar Singh, Ld. Counsel for the applicant / accused.
Reply not received.

Issue fresh notice to the IO to file reply.

List the matter on 17.06.2020.


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ASJ/Special Judge (NDPS)
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**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 845/2020
FIR No. 52/2015
PS: Punjabi Bagh
State Vs. Anurag Jain
U/s 392/397/411 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri A. Shantanu, Ld. Counsel for the applicant/accused.
Reply filed.

At this stage, in view of the statement given by counsel on the application itself, application is disposed off as withdrawn.

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ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 843/2020
FIR No. 322/2018
PS: Punjabi Bagh
State Vs. Ashwani @ Kaku
U/s 307/302/34 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

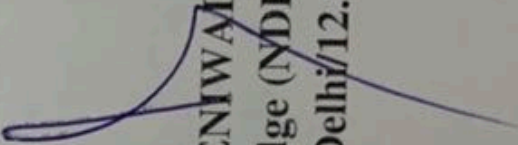
Shri Pranay Abhishek, Ld. Counsel for the applicant / accused.

IO/Inspector Arvind is present.

Proper reply not filed.

IO seeks time to file reply as the application received late yesterday
night. Granted.

List the matter on 15.06.2020.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

Application No. 839/2020

FIR No. 62/2018

PS: Rajouri Garden

State Vs. Kamal @ Nitin & Ors.

U/s 302/120B/147/149 IPC

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri C.S. Dahiya, Ld. Counsel for the applicant / accused.

Reply not received.

Issue fresh notice to the IO to file reply.

List the matter on 16.06.2020.

(SUNIL BENIWAL)

ASJ/Special Judge (NDPS)

West District, THC/ Dehi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 847/2020
FIR No. 269/2017**

**PS: Khyala
State Vs. Afzal Khan @ Monu
U/s 302/324/120B/34 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Mohd. Anas, Ld. Counsel for the applicant / accused.
Reply not received.

Issue fresh notice to the IO to file reply.

List the matter on 16.06.2020.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 858/2020
FIR No. 698/2019
PS: Rajouri Garden
State Vs. Shahid
U/s 392/394/397/34/307 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

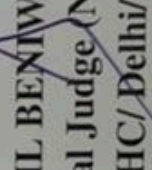
Shri M.A. Inayati, Ld. Counsel for the applicant / accused.

IO/SI Rajender Dhaka is present.

Proper reply not filed.

IO seeks time to file reply as the application received late yesterday
night. Granted.

List the matter on 16.06.2020.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/Delhi/12.06.2020**

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI

Application No. 818
FIR No. 382/14

PS : Rajouri Garden
U/s 307/341/506/34 IPC read with section 25/27/59 Arms Act
State v. Sukhvinder

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.

Although the matter was listed for hearing through video conferencing but it has been informed by the reader of this court that as per telephonic conversation exchanged between him from his mobile no. 9953997963 and Sh. C.B. Garg, Ld. Counsel for applicant, having mobile no. 9810063966, Ld. counsel for applicant has requested for an adjournment before the court concerned and has prayed for the date of 16.06.2020.

At request, list the present application on 16.06.2020.

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ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI

Application No. 856
FIR No. 135/16
PS : Mianwali Nagar
U/s 376/365/34 IPC
State v. Harpreet @ Vickey

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Sunil Tomar, Ld. Counsel for the accused/applicant.
IO SI Pardeep Kumar.

This is an application requesting grant of bail to the applicant u/s 376/365/34 IPC. None is present for applicant despite repeated calls since morning. Moreover, even the prosecutrix/victim is not present. Therefore, the matter is adjourned for disposal on 17.06.2020. Meanwhile, issue notice to concerned IO and SHO to produce the complainant/prosecutrix on next date for arguments on the application through concerned Nodal Officer.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI


Bail Application No.846
FIR No.441/2020
PS : Rajouri Garden
U/s 392/411/34 IPC read with section 25/27/54/59 A Act
State v. Sarabjit Singh @ Sarab

12.06.2020

Present: Mr. Santosh Kumar , Ld. Addl. Public Prosecutor for State.
Sh. Mahesh Patel, Ld. Counsel for the accused/applicant.

At the outset, Ld. Counsel has submitted that the innocence of applicant can be proved only by production of CCTV Footage of the incident. Ld. Counsel submits that matter be adjourned for direction to the IO for production of CCTV Footage to be played inside the court. Not opposed by Ld. APP on this point. Therefore, matter is adjourned for 18.06.2020 with direction to concerned IO and SHO to produce a playable and authenticated CCTV Footage version along with laptop before the court.

Order be sent to the concerned IO/SHO.


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ASJ/Spl. Judge (NDPS)
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12.06.2020

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI

Application No. 837
FIR No. 827/2019
U/S : 328/384/364A/120B/34 IPC
PS Mianwali Nagar
State v. Shiva Kumar

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Deepak Sharma, Ld. Counsel for the accused/applicant.
IO Pardeep Kumar in person.

By this order I shall decide the present bail application requesting for extension of interim bail.

Facts as stated in the application are as follows. That the applicant is facing trial for offences u/s 328/384/364A/120B/34 IPC. That the matter is listed for PE. That doctor had advised mammography after the wife of the applicant complained of chest pain but wife was unable to undergo these tests. Applicant has no previous involvement. Applicant was granted custody parole on 09.01.2020 and also interim bail from 17.01.2020 to 01.02.2020. That applicant was further granted interim bail from 24.04.2020 to 24.05.2020 from this court only and applicant surrendered on 28.05.2020. That the tests of wife are still going on. Wife of applicant is a suspect of cancer. Applicant is the only bread earner of his family.

Ld. APP has submitted that this bail application is opposed in view of the reply filed by the IO. Applicant has already been granted bail for the

Application No. 837
FIR No. 827/2019
U/S : 328/384/364A/120B/34 IPC
PS Mianwali Nagar
State v. Shiva Kumar

purpose mentioned in the bail application and now for this very purpose, the extension of bail is opposed.

I have heard arguments from both the sides. Applicant has already been granted interim bail twice. It appears that the applicant is trying to take advantage of the benevolence of this court and already one month interim bail has been granted for the very purpose for which now the extension is being sought. It will become a never ending process. Even IO has opposed the bail application in his reply. Fresh medical documents have not been received back verified. Moreover, even on merits extension of interim bail is not encouraged on the same grounds. Therefore, the present bail application is rejected.

A copy of this order be given to counsel on request and one copy each be sent to the concerned SHO as well as Jail Superintendent through Nodal Officer.

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West District/THC/Delhi
12.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

**Application No. 836
FIR No. 667/19
PS : Tilak Nagar
U/s 304/341 IPC
State v. Deepu Singh @ Kada**

12.06.2020

**Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Nitin Kumar.Ld. Counsel for the accused/applicant.**

This is a fresh bail application.

Issue notice of this application to the concerned IO to file reply for 16.06.2020. Also, issue notice to the IO to properly verify the medical certificate and file a detailed report with respect to all the contents mentioned in the application.

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West District/THC/Delhi
12.06.2020**

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI

Application No. 841
FIR No. 541/18

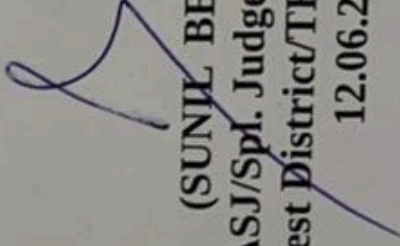
PS : Tilak Nagar
U/s 377/363/506/34 IPC & Section 6 POCSO Act
State v. Abhishek Saxena

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Sunil Kumar, Ld. Counsel for the accused/applicant.

This is a fresh application requesting for grant of bail. The application has been filed under POCSO Act. In view of orders of Hon'ble Court, issue notice of the application to the complainant/prosecutrix/victim through IO and to the IO to appear in person for identification of victim before the court before hearing arguments, returnable for 17.06.2020.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi

12.06.2020

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI

Application No. 840
FIR No. 516/2020
PS : Paschim Vihar
U/s 377/506 IPC & 6 POCSO Act
State v. Mohd. Dilshad

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. S. Haq. Ld. Counsel for the accused/applicant.

SI Pardeep Kumar is present, who has submitted that he is not the IO. Even complainant/victim is not present today. SI Pardeep Kumar has submitted that the complainant/victim has been quarantined as per standard operating procedure protocol as the victim has traveled to UP from Delhi. As per submission, the victim left Delhi on 05/06.06.2020. Therefore, he is under quarantine for 15 days.

Relist the matter for hearing on 22.06.2020. Concerned SHO and IO are directed to produce the complainant/victim on the next date for disposal of the application and for identification of victim before the court before hearing arguments.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020

IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI


Application No. 492
FIR No. 0211/19
PS : Patel Nagar
U/s 363/376 IPC
State v. Rakesh Kumar

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Suresh Parsad, Ld. Counsel for the accused/applicant.

Although the matter was listed for video conferencing but Ld. Counsel has chosen to appear physically in court and proceedings were held in open court.

This is an application requesting for grant of bail u/s 376 IPC. Neither the prosecutrix nor the IO present. Therefore, in view of the latest directions by Hon'ble High Court of Delhi, issue notice to the IO to produce the prosecutrix/victim along with her legal guardian, if any, for arguments on the bail application, returnable for 19.06.2020.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 348
FIR No. 303/2018
PS: Punjabi Bagh
State Vs. Babloo
U/s 376(2) IPC and 6 POCSO Act**

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Ishwar Singh, Ld. Counsel for the applicant/accused.

IO/SI Sumitra is present in person.

IO stated that prosecutrix is living in Bihar and is unable to come today.

Let notice be issued to the prosecutrix through SHO concerned for the NDOH i.e. 25.06.2020.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 223
FIR No. 108/2019**

**PS: Paschim Vihar (West)
State Vs. Davinder Kaur @ Sonia
U/s 302/201/120B/34 IPC**

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Ujjwal Kumar, Ld. Counsel for the applicant/accused.

At this stage, Ld. Counsel for the applicant/accused requested to withdraw the bail application and also sent submission on official ID.

In view of this, application is disposed off as withdrawn.

(SUNIL BENIWAL)

ASJ/Special Judge (NDPS)

West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 841/2020
FIR No. 541/2017**

**PS: Ranhola
State Vs. Gurprit Bhatia @ Aman
U/s 302/201/34 IPC**

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Ld. Counsel for the applicant/accused.

Bail is sought under the criteria laid down by Hon'ble High court of Delhi vide minutes of meeting dated 18.05.2020.

List the bail application for disposal before the designate court of Ld. ASJ Shri Vishal Singh for 15.06.2020. The concerned IO as well as SHO are directed to file a proper reply to the bail application before the designated court. The concerned Jail Superintendent is also directed to file the requisite certificate regarding the good or bad conduct of applicant/accused, returnable for 15.06.2020 before the court of Ld. ASJ Shri Vishal Singh.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned for compliance.

(SUNIL BENIWAL)

ASJ/Special Judge (NDPS)

West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 811/2020
FIR No. 326/2016
PS: Vikas Puri
State Vs. Nasir & Aamir**

12.06.2020

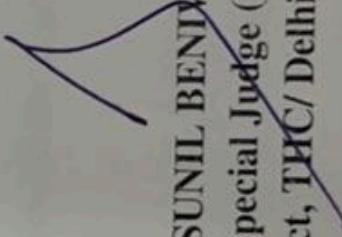
Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Pankaj Srivastava, Ld. Counsel for the applicant/accused.
IO is not present.

No report has been filed to the bail application including any medical verification report. Bail is sought under the criteria laid down by Hon'ble High court of Delhi vide minutes of meeting dated 18.05.2020. Certificate of conduct has been received from the concerned Jail Superintendent. List the bail application for disposal before the designate court of Ld. ASJ Shri Vishal Singh for 15.06.2020 on request of counsel. The concerned IO as well as SHO are directed to file a proper reply to the bail application before the designate court including proper verification of medical report.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned for compliance.


(SUNIL BENIWAL)

ASJ/Special Judge (NDPS)

West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 812/2020
FIR No. 326/2016
PS: Vikas Puri
State Vs. Nasir & Aamir**

12.06.2020

Matter was heard through video conferencing in open court.

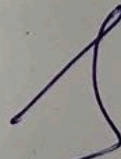
Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Pankaj Srivastava, Ld. Counsel for the applicant/accused.

IO is not present.

No report has been filed to the bail application including any medical verification report. Bail is sought under the criteria laid down by Hon'ble High court of Delhi vide minutes of meeting dated 18.05.2020. Certificate of conduct has been received from the concerned Jail Superintendent. List the bail application for disposal before the designate court of Ld. ASJ Shri Vishal Singh for 15.06.2020 on request of counsel. The concerned IO as well as SHO are directed to file a proper reply to the bail application before the designate court including proper verification of medical report.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned for compliance.



(SUNIL BENIWAL)

ASJ/Special Judge (NDPS)

West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

Application No. 879/2020

FIR No. 326/2016

PS: Vikaspuri

State Vs. Salman @ Riyazuddin


U/s 302/307/452/427/147/148/149/34/120B IPC

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Despite repeated attempts, the concerned lawyer could not be contacted telephonically and matter could not be connected through video conferencing also. Moreover, even reply to this application has not been received. Moreover, Bail is sought under the criteria laid down by Hon'ble High court of Delhi vide minutes of meeting dated 18.05.2020.

List the bail application for disposal before the designate court of Ld. ASJ Shri Vishal Singh for 15.06.2020. The concerned IO as well as SHO are directed to file a proper reply to the bail application before the designated court.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

**Application No. 886
FIR No. 1036/2006
PS : Rajouri Garden
U/s 326/34 IPC
State v. Sonu**

12.06.2020

Matter was heard in the open court via Video Conferencing.

**Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Akhil Tarun Goel, Ld. Counsel for the accused/applicant.**

This is a fresh bail application.

Issue notice of this application to the concerned IO to file reply for

18.06.2020.

**(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No.848/2020
FIR No. 369/2016
PS: Punjabi Bagh
State Vs. Rahul Sharma
U/s 376(2) IPC & 6 POCSO Act**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

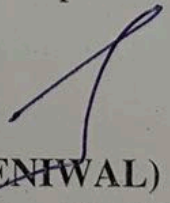
Shri Sanjay Kumar, Ld. Counsel for the applicant/accused.

Reply filed.

Although bail application has been filed, but this matter is under POSCO Act, therefore in view of the latest directions by Hon'ble High Court of Delhi, issue notice to the IO to appear in person alongwith producing the victim for identifications her side of arguments.

List the matter for 17.06.2020.

Copy of this order be sent to the concerned DCP as well as concerned Jail Superintendent through Nodal Officer concerned for compliance.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

FIR No. 18/2014

PS: Special Cell

State Vs. Ramavtar @ Rama & Ors.

U/s 21/22/29/61/85 NDPS Act

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Akshay Bhandari, ld. Counsel for the applicant/accused.

Application was filed for clarification regarding the confusion created because of mentioning of different sections on the bail order as well as release warrant. Ld. Counsel very fairly submits that interim bail was granted by the court of Ld. ASJ Shri Ankur Jain while on Special Duty, but due to some confusion, inadvertently even the name of the applicant is not reflected in the bail order. Moreover, the release warrant mentions a different sections from the one under which bail was granted and bail was applied. Only that court who has granted the bail order is in a position to clarify this point lest because of some confusion a wrong order is passed. Therefore, on request of Ld. Counsel matter is adjourned on 15.06.2020 to be listed further before the court of Ld. ASJ Shri Ankur Jain as per the new bail roster, if the present situation continues.

All the records be annexed in the same file for assistance of ld. ASJ.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

Application No. 876

FIR No. 18/2014

PS : Special Cell

**U/s 21/22 & 29/61/85 NDPS Act read with 419/468/471/474 IPC
State v. Ram Avtar @ Rama**

12.06.2020

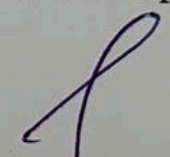
Matter was heard in the open court via Video Conferencing.

**Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. G.S. Singh, Ld. Counsel for the accused/applicant.**

This is a fresh bail application.

Issue notice of this application to the concerned IO to file reply for

16.06.2020.


**(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

Application No. 877

FIR No. 18/2014

PS : Special Cell

**U/s 21/22 & 29/61/85 NDPS Act read with 419/468/471/474 IPC
State v. Indal Kumar Singh**

12.06.2020

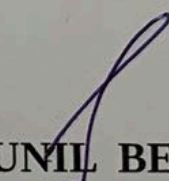
Matter was heard in the open court via Video Conferencing.

**Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. G.S. Singh, Ld. Counsel for the accused/applicant.**

This is a fresh bail application.

Issue notice of this application to the concerned IO to file reply for

16.06.2020.


**(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
12.06.2020**

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

**Application No. 862/2020
FIR No. 500/2019
PS: Tilak Nagar
State Vs. Jaspreet Singh
U/s 376/328/506 IPC**

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Manoj Khatri, ld. Counsel for the applicant/accused
(telephonically).

Reply filed on behalf of the IO.

Let notice be issued to the accused for the NDOH i.e. 19.06.2020.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

Application No. 702/2020

FIR No. 350/2018

PS: Moti Nagar

State Vs. Vikram Singh @ Vicky

U/s 376/506/34 IPC & 6 POCSO Act

12.06.2020

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.

Shri Arvind Kumar, Ld. Counsel for the applicant/accused
(telephonically).

Reply not filed.

Let notice be issued to the IO/SHO concerned to file reply, returnable
on 18.06.2020.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SHRI SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS) WEST
TIS HAZARI COURTS, DELHI**

Application No. 797

FIR No. 414/2013

PS: Ranhola

State Vs. Sonu @ AT

U/s 302/398/120B/34 IPC & 25/27 Arms Act

12.06.2020

Matter was heard through video conferencing in open court.

Present: Shri Santosh Kumar, Ld. Addl. PP for the State.
Shri Puneet Garg, Id. Counsel for the applicant/accused
(telephonically).

Reply not filed.

Let notice be issued to the IO to file reply, returnable on 15.06.2020.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC/ Delhi/12.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL,
ASJ/SPL. JUDGE (NDPS)WEST
TIS HAZARI COURTS, DELHI**

**Application No. 865
FIR No. 389/19
PS : Punjabi Bagh
U/s 302 IPC & 25/27 Arms Act
State v. Mohd. Ikram @ Arif**

12.06.2020

Present: Mr. Santosh Kumar, Ld. Addl. Public Prosecutor for State.
Sh. Ashutosh Bhardwaj, Ld. Counsel for the accused/applicant.

By this order, I shall decide the present application requesting for grant of interim bail the applicant/accused Mohd. Ikram.

Facts as stated in the application are as follows.

It is submitted that the case is listed at the stage of charge. Applicant is in JC since 7 months. That applicant is suffering from tuberculosis. That applicant shall not run away. It is therefore, prayed that interim bail for two months may be granted to the applicant.

Ld. APP has strongly opposed the bail application in view of reply filed by the IO. The bail is opposed on the following grounds.

Accused Ikram @Arif is a desperate criminal, having 32 number of involvements of different police stations of Delhi and other states. The nature of previous criminal involvements indicate that he is having no respect/fear of law. In his criminal career of 26 years, accused has not shown any sign of remorse or efforts of correcting himself; instead he has adopted crime as his source of earning. Accused escaped after commission of crime and proclamation and attachment of his property(proceedings of under section 82

Application No. 865
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PS : Punjabi Bagh
U/s 302 IPC & 25/27 Arms Act
State v. Mohd. Ikram @ Arif

& 83 Cr.P.C were conducted against him), while conducting proceedings of attachment at the house of accused, 15 live cartridges were recovered from his home for which a separate case vide FIR no. 349/19, dated 25.07.19 u/s 25 Arms Act was got registered at PS Aman Vihar. Despite proceedings of attachment and proclamations, accused kept on evading his arrest and concealing himself along with his family. While accused was evading his arrest, he threatened the witnesses of case for which FIR no. 362/19, dated 21.07.19, under section 195A/506 IPC was registered at PS Nangloi. Further, accused demanded extortion money from one person for which a case FIR no. 390/19, dated 19.07.19 under section 387 IPC, PS Punjabi Bagh was got registered at PS Punjabi Bagh against him. Accused was finally arrested from Haryana on 29.07.19 i.e. after 12 days of commission of crime that too by the specialized agency of Delhi Police i.e. Special Cell Unit of Delhi Police. Lot of government resources and manpower had to be involved to locate and effect arrest of the accused. Accused has fired shots from sophisticated weapon on the deceased and the weapon of offence has been recovered from the possession of accused. Prior to commission of this murder on 28.06.19, accused has fired shots on Mohd. Rahis who is brother of deceased for which case FIR no. 471/19, u/s 341/336/34 IPC, PS Prem Nagar has been registered. Further, accused has committed this crime due to personal enmity/revenge. Accused has committed this crime in well planned manner and hired criminals

Application No. 865
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PS : Punjabi Bagh
U/s 302 IPC & 25/27 Arms Act
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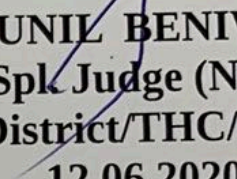
from other states for assisting him in commission of this crime. Accused has committed this crime in broad day light on a busy road. Accused has used sophisticated weapon in commission of the crime. One of the co accused is yet to be arrested in this case.

I have heard arguments from both the sides. Applicant has not filed any medical document in support of his application. On merits, the application has been strongly opposed by Ld.APP. Ld. APP submits that in view of the alleged medical illness and non filing of any medical document, the concerned Jail Superintendent and medical superintendent may be directed to take back possible care of the applicant inside the jail premises. The court is also inconsonance with Ld. APP on this point apart from merits of the bail application. Evidence against the applicant is very strong on merits. There is a strong possibility that if granted interim bail, he might jump bail and run away from the process of the court. Therefore, this application is rejected but keeping in view the submissions of alleged medical illness unsupported by any medical document whatsoever, the concerned Jail Superintendent as well as the concerned medical superintendent of the Jail are directed to give best possible care and attention to the applicant and make all necessary efforts for his best care.

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Application No. 865
FIR No. 389/19
PS : Punjabi Bagh
U/s 302 IPC & 25/27 Arms Act
State v. Mohd. Ikram @ Arif

One copy of this order be sent to the concerned counsel, Jail Superintendent and SHO through Nodal Officer.


(SUNIL BENIWAL)
ASJ/Spk Judge (NDPS)
West District/THC/Delhi
12.06.2020