

**Bail Appl. No 771/20
FIR No.30/20
PS : Rajinder Nagar
U/S : 120B/387/506 IPC
State Vs. Sushil Kumar @ Sillu**

05.08.2020

At : 03.15 PM

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. M.P.Sinha, Ld. Counsel for the applicant/ accused Sushil
Kumar @ Sillu.
IO SI Ali Akram (No. D-5508 from PS Rajinder Nagar) is
present.**

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

Date is requested by Ld. Counsel for the applicant.

At request, put up again on **06/08/2020**.

A copy of this order be uploaded on the official website of Delhi
District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

**Bail Appl. No. 630/20
FIR No.30/2020
PS : Rajinder Nagar
U/S : 452/307/34 IPC
& 25 Arms Act
Abhay Arora Vs The State**

05.08.2020

At 11:20 AM

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Mukesh Kalia, Ld. Counsel for the applicant/ accused
Abhay Arora.**

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

Electronic copy of charge-sheet has been supplied today.

At the request of the Ld. Counsel for the applicant/ accused, be
put up again on **06.08.2020**.

A copy of this order be uploaded on the official website of Delhi
District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

**Bail Appl. No. 793/20
FIR No.56/2020
PS : Sarai Rohilla
U/S : 498A/406/34 IPC
Nishant Gupta Vs State**

05.08.2020

At 11:50 PM

Fresh bail application u/s 438 Cr.PC filed. It be checked and registered.

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Dev Shekhar, Ld. Counsel for the applicant/ accused Nishant Gupta.
IO SI Sachin (No. D-6718, PS Sarai Rohilla) is present.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

IO has sent in a reply. Copy thereof has been sent/ transmitted to the Ld. Counsel for the applicant/ accused.

In view of the reply filed by the IO, Ld. Counsel for the applicant/ accused wants to withdraw the present application. Accordingly, the present bail application stands dismissed as withdrawn. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

**Bail Appl. No. 792/20
FIR No.154/2020
PS : Rajinder Nagar
U/S : 454/380/511/34 IPC
State Vs. Arun Saini**

05.08.2020

At 12:35 PM

Fresh bail application u/s 439 Cr.PC filed. It be checked and registered.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
None for the applicant/ accused Arun Saini.
IO HC Ravinder Tomar (No. D-981/C, PS Rajinder Nagar) is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Ld. Counsel for the applicant/ accused could not join the proceedings despite repeated attempts. In these circumstances, matter stands adjourned for **11.08.2020**.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

**Bail Appl. No.776/20
FIR No.211/2020
PS : Lahori Gate
U/S : 379/411 IPC
State Vs. Kashmir Ruhani**

05.08.2020

At 11:40 AM

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Asgar Khan, Ld. Counsel for the applicant/ accused
Kashmir Ruhani.**

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

IO has sent in a reply. Part submissions have been heard.

At the request of the Ld. Counsel for the applicant/ accused, be
put up again on **14.08.2020** for further arguments.

A copy of this order be uploaded on the official website of Delhi
District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

Bail Application No. 1174/20
FIR No.256/19
PS : Lahori Gate
U/S : 406/420 IPC
Tarun Kumar & Pankaj Singh Vs State

05.08.2020
At 4:10 PM

ORDER ON THE JOINT ANTICIPATORY BAIL APPLICATION u/S 438 CrPC
MOVED ON BEHALF OF THE APPLICANTS/ ACCUSED PERSONS TARUN
KUMAR & PANKAJ

Present : **None.**

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Matter is fixed today for orders.

Brief facts, as per the present FIR, are that the complainant was informed, by one Mohd. Ashraf, about a scheme under which an RTGS (Electronic Money Transfer) of Rs. 1.32 Crores approximately is done in favour of anyone who hands over cash sum of Rs. 1.0 Crore. Complainant was shown a screenshot of an electronic payment receipt in order to further assure him of the genuineness of said scheme by Mohd. Ashraf. Consequently, the complainant handed over a sum of Rs. 1.00 Crore in cash to applicant/ accused Tarun and one Ajeet in the presence of said Mohd. Ashraf in the premises of "Patel Mohanlal Manilal and Company" at Chandni Chowk, Delhi. He was assured of RTGS (Electronic Money Transfer) as promised to him earlier, and in case the same doesn't happen then he could also take his cash sum of Rs. 1.0

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Crore by producing a "Slip" issued in his favour. The complainant did not receive the said RTGS and contacted the said Mohd. Ashraf in this regard, who raised an additional demand of a sum of Rs. 9.0 Lakhs. The said sum of Rs. 9.0 Lakhs was deposited in the bank account of 'AK Super Gypsum' belonging to said Mohd. Ashraf. Later on, complainant discovered that the electronic payment receipt provided to him by Mohd. Ashraf regarding the RTGS was fake. Mohd. Ashraf then met the complainant in the presence of one Krishan and co-applicant Pankaj, all of whom assured the complainant that money of complainant shall be returned within two days. The complainant did not receive any amount and felt defrauded & cheated at the hands of above persons. Accordingly, he got the present FIR registered.

Oral submissions on behalf of applicant Tarun :-

Ld. Counsel for the applicant/ accused submits that the applicant/ accused Tarun had no role in the offence of cheating reported vide the present FIR. It is further submitted that the applicant Tarun merely issued a receipt (slip) on the request of his friend Krishna. It is further submitted that the applicant Tarun did not take any money from the cheated amount. It is accordingly prayed that the applicant/ accused

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Tarun may be granted anticipatory bail. It is further submitted that the bonafides of applicant/ accused could be gauged from the fact that a proper reply has been sent to the IO in response to notice issued U/s 41 CrPC qua the applicant/ accused Tarun. It is further submitted that the applicant/ accused shall not abscond from the country, shall not tamper with the witnesses and shall join the investigation if this Court grants anticipatory bail. It is further submitted that the applicant/ accused Tarun is ready to abide by any condition imposed by this Court.

Oral submissions on behalf of applicant/ accused Pankaj :-

It has been submitted by the Ld. Counsel for applicant/ accused Pankaj that the applicant/ accused Pankaj had no role to play in the commission of offence. It is further submitted that the offence was actually committed by said Mohd. Ashraf, who induced the complainant into parting with such a huge sum of money and also mislead the complainant on various subsequent occasions. It is further submitted that the applicant/ accused shall not abscond from the country, shall not tamper with the witnesses and shall join the investigation if this Court grants anticipatory bail. It is further submitted that the applicant/ accused Pankaj is also ready to abide by any condition imposed by this Court.

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On the other hand, IO has opposed the prayer made by the Ld. Counsel for the applicants/ accused on the ground that both the applicant/ accused persons are actively involved in the commission of offence. It is further submitted that the case property (i.e. cash sum of 1.0 Crore) is still to be recovered. It is further submitted that the custodial interrogation of the applicant/ accused is required for investigation as to the preparation of false electronic payment receipt propounded to cheat the complainant; as well as for the recovery of cash. Ld. APP has made similar submissions while adding that grant of anticipatory bail to the applicant/ accused persons at this stage would seriously prejudice the entire investigation.

This Court has considered the rival submissions. Both the applicants/ accused persons have been named by the complainant in the present FIR. The investigation is at a preliminary stage. Both the applicants have not joined investigation till date. Recovery of cheated amount is yet to be made. Co-accused persons are yet to be arrested. In the facts and circumstances mentioned above, this Court is not inclined to grant anticipatory bail to either of the applicants/accused

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persons namely Tarun Kumar or Pankaj herein. Accordingly, this joint application moved by the applicants Tarun Kumar and Pankaj U/s 438 CrPC stands dismissed. File be consigned to record room, as per rules.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

: 1 :

Bail Application No.779/20
FIR No.107/19
PS : Karol Bagh
U/S : 406/34 IPC
Abhay Gupta Vs State

05.08.2020
At 04:00 PM

ORDER ON THE APPLICATION U/S 438 CrPC FOR GRANT OF
ANTICIPATORY BAIL MOVED ON BEHALF OF THE APPLICANT/
ACCUSED ABHAY GUPTA

Present : None.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Matter is fixed today for orders.

Briefly stated, the case of the complainant, as per the present FIR, is that the applicant/ accused in connivance with his father (co-accused Ajay Gupta) managed to secure delivery of jewellery and articles worth Rs. 1.48 Crores approximately as a part of some business transaction. When the complainant demanded payment in lieu of said goods, the accused persons started threatening the complainant. Consequently, the complainant got the present FIR registered. It has been reported by the IO that the applicant/ accused as well as the co-accused Ajay Gupta initially absconded from their local residence. Later on, it also transpired that both the accused persons have left the territory of India in order to avoid their arrest. Subsequently, an LOC was issued against the

Contd....1/5

: 2 :

FIR No.107/19
PS : Karol Bagh
U/S : 406/34 IPC
Abhay Gupta Vs State

accused persons. Proceedings U/s 82 CrPC were also initiated.

However, accused persons have not been declared 'Proclaimed Offenders' till date. In the meantime, co-accused Ajay Gupta returned to India and was arrested in this FIR. He was admitted to bail on 24.10.2019 by the court of Ld. MM concerned as the matter was settled between the parties vide an MOU. It is lastly reported by the IO that the applicant/ accused is still living in Canada and an LOC is still in operation against him.

Ld. Counsel for the applicant/ accused submits that the complainant has already affirmed the existence of MOU executed between the parties for the settlement of disputes even before this Court on 29.07.2020. Accordingly, it has been prayed that since the offence is compoundable in nature and the co-accused Ajay Gupta has already been admitted to bail, the applicant/ accused may also be granted anticipatory bail as no purpose would be served by detaining the applicant/ accused. It is further submitted that parties shall be proceeding for quashing of FIR.

Ld. APP opposes the prayer for grant of bail and cites the observations made by the Hon'ble Apex Court in the judgment titled as

State of Madhya

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: 3 :

**FIR No.107/19
PS : Karol Bagh
U/S : 406/34 IPC
Abhay Gupta Vs State**

Pradesh Vs. Pradeep Sharma passed on 06th December, 2013 in (1) Criminal Appeal No. 2049/2013 & (2) Criminal Appeal No. 2050/2013 and Lavesh Vs. State (NCT of Delhi) passed on 31st August, 2012 in Criminal Appeal No. 1331/2012.

In rebuttal, Ld. Counsel for the applicant/ accused submits that the judgments cited by the Ld. APP are not applicable to the case of the applicant/ accused as the applicant/ accused was never declared a proclaimed offender in the present FIR. Ld. Counsel for the applicant/ accused relies upon observations made by the Hon'ble High Court of Delhi in the judgment titled as ***Mrs. Tabassum Vs. State of NCT of Delhi & Anr. decided on 27th August, 2019, in Crl. M.C. No. 4208/2019 (decided by Hon'ble Mr. Justice Suresh Kumar Kait) and Jagdish Nautiyal vs. State, passed on 29th November, 2012 in Bail Application No. 1317/2012 (decided by Hon'ble Mr. Justice V.K. Shali).***

This court has considered the rival submissions. There is no

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: 4 :

**FIR No.107/19
PS : Karol Bagh
U/S : 406/34 IPC
Abhay Gupta Vs State**

doubt about the observations made by the Hon'ble Apex Court in **State of Madhya Pradesh Vs. Pradeep Sharma (supra) and Lavesh Vs. State (NCT of Delhi)(supra)**. However, in the present case, the applicant/ accused is still to be declared a proclaimed offender by the Ld. Trial Court and therefore the case is duly covered by the observations made by the Hon'ble Delhi High Court in **Mrs. Tabassum Vs. State of NCT of Delhi & Anr. (supra) and Jagdish Nautiyal vs. State (supra)**. No judgment to the contrary has been placed on record by the Ld. Addl. PP for the State. Moreover, the offence complained of is compoundable in nature. A settlement has already been arrived at between the parties, which has been recorded in the form of an MOU placed on record alongwith the present application. The complainant has affirmed the existence of said MOU before this Court on 29.07.2020. Co- accused facing identical allegations has already been admitted to regular bail by the court of Ld. MM on the basis of the said MOU. No custodial interrogation seem necessary in the facts and circumstances narrated above. In totality of the circumstances mentioned above, the applicant/ accused deserves grant of anticipatory bail. Accordingly, it is directed that in the event of arrest, the applicant/ accused Abhay Gupta be admitted to bail in a sum of Rs. 15,000/- with one surety in the like amount to

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: 5 :

FIR No.107/19
PS : Karol Bagh
U/S : 406/34 IPC
Abhay Gupta Vs State

the satisfaction of the Ld. Duty MM/ Ld. MM concerned/SHO/IO. However, it is directed that the applicant/ accused shall join the investigation as and when so directed by the IO/ SHO concerned, shall not tamper the witnesses, shall not abscond or leave India without permission of concerned court and shall keep the IO/ SHO informed about any change in his residence henceforth. IO/SHO shall seize the passport of applicant at the earliest possible occasion. With the above observations, bail application stands disposed of. File be consigned to record room, as per rules. A copy of this order be sent to the Ld. MM concerned /SHO concerned for necessary information and compliance.

A copy of this order be uploaded on the official website of Delhi District Courts.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)

**FIR No.210/2020
PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
& Sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

**05.08.2020
At 12:18 PM**

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Suraj Prakash, Ld. Counsel for the applicant/ accused
Mohd. Sadiqeen.**

IO SI Pushpendra Saroha (No. D-5003, PS Sarai Rohilla) is present.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

IO has sent in reply. Submissions heard.

Be put up at 4 pm for orders.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

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: 1:

**Bail Application No. 779/20
FIR No.210/2020
PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
& Sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

05.08.2020

At 04:00 PM

**ORDER ON THE BAIL APPLICATION U/S 439 CrPC MOVED ON
BEHALF OF APPLICANT/ ACCUSED SADIQEEN**

Present : None.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Matter is fixed for orders.

The brief facts of the present case are that on 10/06/2020, complainant SI Pankaj Thakran was on duty as Incharge Police Post Inderlok (within the jurisdiction of PS Sarai Rohilla). At around 8:30 pm, one person named Kale came to the police post and informed the complainant that Mohseen, Sadiqeen, Salman, Naved @ Pilla and others beat him and looted articles from his shop. The complainant sent his staff to fetch Sadiqeen and others to the police post. In a short while, the police personnel brought Sadkeen to the

Contd....1/5

**PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
& Sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

police post. They were followed by Mohseen, Salman, Naved @ Pilla and others to the police post. All of them started using abusive language. The complainant tried to pacify them but all in vain. Naved @ Pilla was reportedly having a gun in his hand and other persons accompanying him were armed with Lathis and Sticks. The complainant managed to get all these people out of the police post but they started pelting stones. One of the stones struck the head of the complainant. The complainant fired one round from his service pistol in his defence. In response, Naved @ Pilla also fired a round. The complainant felt that situation was aggravating. Accordingly, he handed over his service pistol to a constable and went inside to fetch one AK 47 (Rifle) from the Police Post. The said persons then ran towards a Gali (lane) from where some shots were fired. The complainant

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: 3 :

**FIR No.210/2020
PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
& sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

requisitioned some more police personnel from the police station. The complainant then got registered the present FIR claiming that Mohseen, Sadiqeen, Salman and others attacked the police post and to have caused hurt to the police officials in order to prevent them from discharging their official duties.

Ld. Counsel for the applicant/ accused has submitted that the applicant/ accused has been falsely roped in by the police officials. It is further submitted that the entire FIR is a concocted story. It is further submitted that there is an unexplained delay in registration of present FIR. It is further submitted that the CCTV footage of the incident would depict that the applicant/ accused has nothing to do with the alleged offence. It is further submitted that the applicant/ accused is languishing in custody for the last 02 months. It is further submitted that all the evidence has already been collected by the police and no purpose would be served by *Contd.....3/5*

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**FIR No.210/2020
PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
&Sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

detaining the accused in custody. it is further submitted that most of the witnesses are police officials and therefore, there is no chance of tampering of witnesses. It is accordingly prayed that the applicant/accused may be released on bail.

On the other hand, IO submits that the present one is a case involving mass rioting and therefore police has also invoked Section 147/148/149 IPC against the accused persons. Ld. APP has opposed the prayer made by the counsel for the applicant/accused.

This court has considered the rival submissions. The present case pertains to commission of offence of rioting at a police post and attacking police officials available therein with fire arms and sticks and stones. Applicant has been identified by witnesses as a part of the mob which attacked the police post. Keeping in view the gravity of the offences and the seriousness of the allegations against the applicant/

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: 5 :

**FIR No.210/2020
PS : Sarai Rohilla
U/S : 186/353/307/34 IPC
& Sec. 27/54 Arms Act.
State Vs. Mohd. Sadiqeen**

accused, this Court is not inclined to enlarge the applicant/
accused Sadiqeen on bail at this stage. The present bail
application stands dismissed. Copy of this order be sent to Jail
Superintendent concerned for necessary information. File be
consigned to Record Room, as per rules.

A copy of this order be uploaded on the official website of
Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

**FIR No.211/2020
PS : Sarai Rohilla
U/S : 394/427/506/34 IPC
State Vs. Shahrukh**

05.08.2020

At 12:15 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Suraj Prakash, Ld. Counsel for the applicant/ accused
Shahrukh.
IO SI Manoj Meena (No. D-4793, PS Sarai Rohilla) is present.

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to
Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued
by Ld. District & Sessions Judge (HQs), Delhi.

IO has sent in reply. Submissions heard.

Be put up at 4 pm for orders.

A copy of this order be uploaded on the official website of Delhi
District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**

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: 1 :

Bail Application No. 777/20
FIR No.211/2020
PS : Sarai Rohilla
U/S : 394/427/506/34 IPC
State Vs. Shahrukh

05.08.2020

At 04:15 PM

**ORDER ON THE BAIL APPLICATION U/S 439 CrPC MOVED ON BEHALF
OF APPLICANT/ ACCUSED SHAHRUKH**

Present : None.

The matter has been taken up through Video Conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Matter is fixed for orders.

Brief facts, as per the present FIR are that the complainant is running a confectionery shop from tenanted premises, which premises belong to the family of applicant/ accused. The complainant alleges that one of the family members of the applicant/ accused namely Mohd. Sadiqeen used to take away goods/eatables from his shop without paying for the same and if complainant ever used to ask for money for goods/eatables, the said Mohd. Sadiqeen would beat him. On 10.06.2020, Mohd. Sadiqeen went to the shop of the complainant in the evening and asked for some eatables. The complainant refused to give anything to Mohd. Sadiqeen. Mohd. Sadiqeen then forcibly entered the shop of the complainant, destroyed the "Counter" of the complainant and caused damage to the shop. He (Mohd. Sadiqeen) also took away certain articles forcibly. Complainant further alleges that Mohd. Sadiqeen then beat him up and who was then joined by some others (including the applicant/ accused), all of

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whom again caused damage to the shop of the complainant. Complainant went to police post for reporting the said incident to the police. However, the applicant/ accused, said Mohd. Sadiqeen and others (named in the present FIR) reached at the police post and attacked the police officials and also pelted stones. Complainant got frightened and returned from the police post. The present FIR was registered on the very next day of the incident i.e. on 11.06.2020. Complainant was subjected to medical examination.

Ld. Counsel for the applicant/ accused submits that the applicant/ accused is a young boy aged about 20 years and is having clean antecedents. Ld. Counsel for the applicant/ accused further submits that there was a minor altercation between the family members of the applicant/ accused and the complainant, but the said incident has been blown out of proportion by the police in order to settle scores. It is further submitted that the police is using the complainant as a pawn. It is further submitted that had the incident of robbery actually taken place, as is narrated in the present FIR, the complainant would have made a call to PCR on 100 number, but curiously no such call was made by the complainant at the relevant time.

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: 3 :

FIR No.211/2020
PS : Sarai Rohilla
U/S : 394/427/506/34 IPC
State Vs. Shahrukh

Accordingly, Ld. Counsel argues that the entire story narrated in the FIR is false and concocted. It is further submitted that there is a delay of about 15 hours in the registration of present FIR despite the fact that police station is situated just 1.5 KM away. Ld. Counsel for the applicant/ accused prays that the applicant/ accused may be admitted to bail.

On the other hand, Ld. APP for the state submits that the applicant/ accused is facing serious allegations. It is further submitted that investigation is currently pending. Accordingly, it has been prayed that the applicant/ accused may not be granted bail. IO submits that the applicant/ accused is duly named in the present FIR.

This Court has considered the rival submissions. The present FIR was got registered by complainant Akhlaq as one Mohd. Sadiqeen demanded free eatables from the complainant at the relevant time. The complainant refused to accede to the demands of said Mohd. Sadiqeen. Therefore, Mohd. Sadiqeen started beating the complainant, who also caused damage to the shop of complainant and removed/took away the goods/ articles from the shop of the complainant. Subsequently, Mohd. Sadiqeen was also joined by his relatives namely MOhd. Mohseen, Salman, Naved

Contd.....

: 4 :

**FIR No.211/2020
PS : Sarai Rohilla
U/S : 394/427/506/34 IPC
State Vs. Shahrukh**

@ Pilla, Mohd. Shahrukh (applicant/ accused herein) and MOhd Asqeen in causing damage to the shop of the complainant. Complainant then went to the police post to report the said incident. However, all the above named persons then attacked the police post and police officials present there, which is the subject matter of a separate FIR no. 210/2020 PS Sarai Rohilla and which subsequent events are not relevant for the present FIR. From the above facts, as narrated in the present FIR, it is apparent that the only role attributed to the applicant/ accused is that the applicant/accused "caused damage to the shop of complainant". In the FIR, the complainant does not seem to attribute the allegations of forcible removal of goods/ articles from his shop to the present applicant/ accused, as has been attributed against Mohd. Sadiqeen, the prime accused. In the facts and circumstances mentioned above and in view of the young age as well as clean antecedents of the applicant/ accused, the applicant/ accused Mohd. Sadiqeen is admitted to bail on furnishing a bail bond in a sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Ld. Duty MM/ Ld. MM concerned/ Jail Superintendent. It is clarified that none of the above observations shall cast any shadow on the merits of this case. The present bail application stands disposed of accordingly. A copy of this order be sent/transmitted to the Ld. MM concerned/Jail Superintendent concerned for necessary information and compliance. **Contd...**

: 5 :

**FIR No.211/2020
PS : Sarai Rohilla
U/S : 394/427/506/34 IPC
State Vs. Shahrukh**

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/05.08.2020 (K)**