

FIR No. 32/2019
PS: Crime Branch
State Vs. Ashok Kumar
U/s 399/402/34 IPC & 25 of Arms Act

06.07.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. M. F. Zama, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

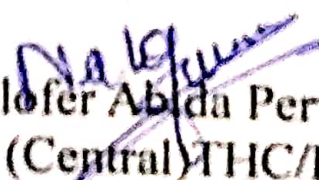
This is an application for extension of interim bail for a further period of 45 days on behalf of accused Ashok Kumar in case FIR No. 32/2019.

This is an application for extension of interim bail of 45 days granted to the accused-applicant namely Ashok Kumar in case FIR No. 32/2019 in accordance with the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi, vide order dated 27.05.2020.

It emerges that the High Powered Committee in its meeting dated 20.06.2020 had recommended for extension of interim bails further by 45 days of the undertrial prisoners who had been granted interim bail in the first place on the basis of guidelines issued by the High Powered Committee. The H'ble High Court of Delhi in pursuance to the recommendations of the High Powered Committee on 22.6.2020, passed orders in accordance thereof in WP(C)No.3080/20.



The prayer for extension is rendered infructuous in the wake of the directions issued by the Hon'ble the High Court of Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr. Dated 22.06.2020 vide which accepting the recommendation of High Powered Committee dated 20.06.2020, the interim bail for a period of 45 days granted to 2961 UTPs as per High Powered Committee criteria are ordered to have been extended by another period of 45 days from the date of the respective expiry on the same terms and conditions. Case of the accused-applicant is covered under the blanket order of Hon'ble High Court dated 22.06.2020 of extension of interim bails. There arises no necessity by this Court to pass individual extension orders separately in every such case covered under the blanket order extending interim bails granted as per Covid-19 criteria by further period of 45 days. Application is disposed of as infructuous in terms of order dated 22.06.2020 passed by the Hon'ble the High Court of Delhi in WP (C) No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
06.07.2020

FIR No. 113/2016

PS: Pahar Ganj

State Vs. Rupesh Kumar Gupta

U/s 302 IPC

06.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

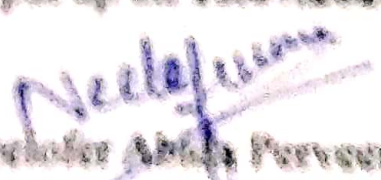
Sh. Sachin Jain, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of interim bail to accused Rupesh Kumar Gupta under Section 439 CrPC on behalf of wife of the accused Rupesh Kumar Gupta in case FIR No. 113/2016.

Report in respect of the psychiatric condition of the accused-applicant not received from the Jail Superintendent. Let report be called from the jail Superintendent in terms of order dated 27.06.2020.

For report and consideration, put up on 10.07.2020.


(Neelofar Akhla Perveen)
ASJ (Central) IIC/Delhi
06.07.2020

FIR No. 150/2018

PS: Subzi Mandi

State Vs. Suman Dass @ Rahul

U/s 307/120B IPC and 25/27/54/29 of Arms Act

06.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing).

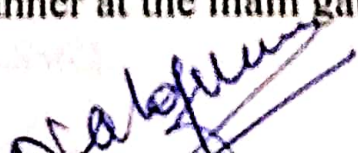
Sh. Ajay Kumar, Counsel for accused-applicant (through video conferencing).

Hearing conducted through Video Conferencing.

This is second application for grant of regular bail under Section 439 CrPC filed on behalf of accused Suman Dass @ Rahul in case FIR No. 150/2018.

Ld. Counsel for the accused-applicant has contended that accused-applicant has been arrayed as one of the accused in the present case on the complaint of Ct. Dinesh on the allegations that on 29.05.2018 when he was present in Tis Hazari Court complex, co-accused Sahil all of a sudden took one pistol and fired on the window of the jail van near the driver's seat, who was arrested and sent to JJB. That accused-applicant was arrested on the disclosure statement of the accused in case FIR No. 151/2018. That accused applicant has no role to play in the commission of the offence. That matter is at the stage of prosecution evidence. That there is nothing incriminating against the accused-applicant except for a disclosure made by a co accused which perse is inadmissible and that no recoveries are effected at the instance of the accused-applicant. That accused-applicant is in custody since 07.06.2018. that the prosecution relies upon a CCTV Footage which is a matter of trial and that the continued incarceration amounts to punishment without conviction.

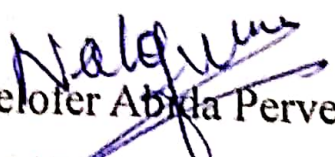
Ld. APP on the other hand submits that the accused has criminal incidents and is likely to abscond if granted bail. That the accused applicant in pursuance to a well thought out conspiracy and as a fallout of a gang war has used a JCL to fire firearm in a reckless and desperate manner at the main gate of Tis Hazari Court Complex



at the victim who was produced in court as under trial prisoner in judicial custody. That the accused-applicant is likely to indulge in criminal activities if enlarged on bail.

Arguments heard. Record perused.

Accused applicant is alleged to have entered into criminal conspiracy with JCL to cause death of UTP Dinesh in pursuance of which on 29.05.2018 at about 1 pm outside Tis Hazari Court near Gate No. 2, Tis Hazari, delhi JCL had fired one gunshot at UTP. The weapon of offence was also recovered from co-accused JCL. Accused-applicant is arrested subsequently on the basis of the disclosure statement. Accused-applicant was already running in JC in connection with FIR No. 151/2018 when he is arrested in connection with present case FIR and his disclosure statement was recorded. Prosecution also relies upon CCTV footage of the date of incident where accused Suman can be seen alongwith the JCL outside the lockup. Accused-applicant does not have clean antecedents. In pursuance to a well planned conspiracy one JCL has been deployed to fire the weapon at one undertrial prisoner in judicial custody. The crime has been committed in the most daredevil manner in complete disregard and without any fear, of law and consequences in broad day light, at the main gate of Tis Hazari Court complex while the injured UTP was in judicial custody. Taking into consideration the grave nature of the offence, the dastardly swashbuckling manner in which it is executed, and as accused-applicant does not have clean antecedents, it is not a fit case for grant of bail. **This Second application of accused-applicant Suman Dass for grant of regular bail in case FIR No.150/2018 is hereby dismissed.**


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
06.07.2020

FIR No. 592/2017

PS: Timarpur

State Vs. Shyam Kumar Shah

U/s 302 IPC

06.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Chandan Kumar, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

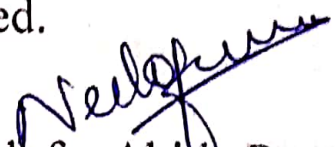
This is an application for grant of interim bail for 45 days under Section 439 CrPC filed on behalf of accused Shyam Kumar Shah in case FIR No. 592/2017 invoking the criteria laid down under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Report in respect of accused Shyam Kumar Shah is received from Jail Superintendent to the effect that accused Shyam Kumar Shah is in custody in the present case from 18.12.2014 and that his over all conduct in jail is good and he has not been awarded any punishment in jail today. As per report received from the IO, accused-applicant is not involved in any other case.

In such facts and circumstances relying upon the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 for release of undertrial prisoners for 45 days interim bail in order to decongest the prisons in Delhi in the wake of out break of covid-19 pandemic, and as the accused-applicant Shyam Kumar Shah fulfills all

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the criteria prescribed under the guidelines, interim bail for 45 days is granted to the accused Shyam Kumar Shah in case FIR No. 592/2017 on furnishing personal bond in the sum of Rs.50,000/- to the satisfaction of the Jail Superintendent concerned and subject to the condition that during the period of interim bail he shall not in any manner threaten/ influence the witnesses in this case or tamper with the evidence or interfere with the course of justice in any manner whatsoever, and shall furnish his mobile phone number and that of one responsible member of the family to the IO and shall ensure that the mobile phone number remains throughout on switched on mode with location activated and shared with the IO. That the accused-applicant shall not leave the territorial limits of NCR Region without prior intimation to the IO concerned.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.07.2020

FIR No. 05/2014
PS: Special Cell
State Vs. Tamanna etc.
U/s 21 & 29 NDPS Act

06.07.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Iqbal Khan, Counsel for accused-applicant (through video conferencing)

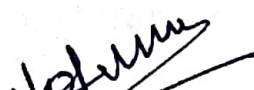
Hearing conducted through Video Conferencing.

This is an application for grant of interim bail on behalf of accused Tamanna in case FIR No. 05/2014 on the ground of illness of the wife.

Report was called for in respect of the medical documents annexed with the application. Medical documents stands verified.

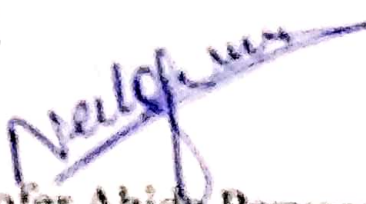
It is reported by the IO that concerned Dr. Kameshwari Mehta, MBBS has certified that patient Angoori Devi, wife of the accused-applicant visited her on 10.06.2020 and 27.06.2020 and after examination, she has been advised surgery for removal of CX to rule out malignancy. That the date fixed for surgery is 07.07.2020. That after surgery, wife of the accused-applicant is required to be admitted in hospital for at least 4-5 days as per condition and response to medicine post surgery.

In the totality of such facts and circumstances therefore, **10 days interim bail is granted to the accused-applicant Tamanna in case FIR No. 05/2014 for surgery of his wife upon furnishing personal bond in the sum of Rs. 50,000/- with two sureties in the like amount and subject**



to the condition that prior to his release, he shall give the mobile phone number of self and of at least one other responsible family member besides that of the sureties to the IO and the Court, that he shall not engage in any criminal activity, that he shall not change his mobile phone number and address without prior intimation to the IO and the sureties shall also intimate the IO in the event of change of address and that the mobile phone number to be used by the accused-applicant mentioned in the bonds and shall be kept switched on at all times. That once in 24 hours every day, accused-applicant through his mobile phone number shall telephonically inform the IO about his whereabouts. That accused-applicant shall not leave the territorial limits of NCT Delhi. **Accused-applicant shall surrender on expiry of the period of interim bail.**

Application stands disposed of.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
06.07.2020