

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Vipin Kumar
FIR No. 1339/2016
PS Mehrauli
U/S 302/396/412/460/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State,

Sh. Anand Kumar Singh, Ld. Counsel for the applicant.

This is an application of the applicant under Section 439 of Cr.PC for grant of bail. Ld. Counsel for the applicant submits that the applicant is innocent young boy and he was not involved in the above said alleged allegation. He submitted that the applicant is in judicial custody since for the last four years. He submitted that there is no other case against the applicant except the present case. He submitted that applicant be granted bail.


On the other hand, Ld. Addl. PP for the State has opposed the prayer stating that the investigating officer in his reply has not mentioned anything about his previous involvement or his antecedents. Charge sheet has been filed.

I have heard the arguments at bar.

Let the reply be called from the investigating officer in regard to his previous involvement as well as the date. In the meanwhile, Superintendent, Tihar Jail is also directed to send the report about the conduct of the applicant.

Let it be fixed for 04.06.2020.

A copy of this order be sent to the Superintendent, Tihar Jail.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Yogesh @ Lala @ Yash
FIR No. 26039/18
PS Mehrauli
U/S 395/411/120B IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Vikrant Chaudhary, Ld. Counsel for the applicant.

This is an application of the applicant for interim bail. Ld. Counsel for the applicant submits that on the medical ground. He has stated that he has been facing trial in other case that in case FIR No. 347/15 and 78/15, 397/17 and 373/18. Out of them he has been on regular bail in all the cases barring the FIR No. 397/18. He further submitted that his wife has deserted him and his daughter has been suffering from Apendix. There is no one to lookafter her daughter who has to undergo apendix operation. Medical certificate has also been attached.

On the other hand, Ld. Addl. PP for the state has opposed the prayer stating that applicant has been involved in so many cases and has not been covered under the recommendations of High Powered Committee by the Hon'ble High Court of Delhi.

I have heard the applicant.

Medical papers have been verified by the investigating officer. Anushka daughter of applicant was admitted in the hospital after having a complaint of apendix.

Considering the above facts, applicant is ordered to be admitted on interim bail for fifteen days for looking after his daughter who has been admitted in hospital,

subject to furnishing the personal bond of Rs. 40000/- alongwith one surety of a like amount to the satisfaction of Ld. MM/ Link MM.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

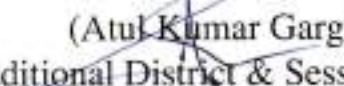
Vandana Mishra Vs Kobelco Trading India Pvt. Ltd.

30.05.2020

Present : Sh. Gurvinder Pal Singh, Ld. Counsel for the plaintiff.

He has filed the suit for declaration, recovery, mandatory injunction and damages. According to the plaintiff has been employed with the defendant since 2011 as Manager HR and Administration. She was promoted on various times. However, her services were terminated in March, 2020 illegally. As such, she has filed the present suit on account of illegal termination. Her further case is that her digital signature is with the defendant and he has misused the same, so she has apprehension that her digital signature might have further misused. So she wants that defendant be restrained from misusing her digital signature and return back to her the same.

Let the notice of this suit as well as application under Section 30 Rule 1 and 2 of CPC be issued to the defendant by e mail, Wats-app as well as speed post for 10.06.2020.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

Rakesh Panwar & Ors. Vs Nishant Panwar & Ors.


30.05.2020

Present : Sh. Saurabh Sharma, Ld. Counsel for the plaintiff.

He has filed an application with the prayer that his application under Order 39 Rule 1 and 2 of CPC be disposed off because the defendant no. 1 and 2 has restarted construction in the suit property despite pendency of the suit which he had filed. He submits that if the construction are allowed to be continued it would render the whole suit infructuous. He further submitted that main suit is pending in the court of Ms. Pooja Talwar, Ld. ADJ-I, South Saket and the next date of hearing is 20.06.2020.

Considering the facts mentioned in the application, plaintiff is directed to serve the defendant of this application by e-mail, mobile as well as through speed post.

Put up on 02.06.2020. In the meanwhile, Superintendent, Judicial Branch, South District, Saket Court is directed to place the judicial file after being requisitioned from the court of Ms. Pooja Talwar, Ld. ADJ-I, South District, Saket before the judge on duty on 02.06.2020 so that he can better appreciate the facts.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

Sharda Dhingra VS Shyam Sunder Ratra

30.05.2020

Present : Sh. Anil Kumar Jha and Saksham Dhingra, Ld. Counsel for the plaintiff.

This is fresh suit filed by the petitioner against the respondent for declaration the right of way and mandatory and permanent injunction. Petitioner claims to have been residing at the property bearing no. J1/74, (old no. A-83) 3rd floor, Khirki extension, Gupta Colony Malviya Nagar, New Delhi. He has sold a portion property i.e., a floor by agreement to sell to the defendant. According to the plaintiff terrace was not sold. In the terrace a tower of telecommunication company was installed and the same was rented to the telecommunication company and rent is being paid to her. However, for the last six months defendant has created hurdle and did not allow anyone to court to reach the terrace. Hence, he has made prayer that the decree of declaration be passed in her favour and the defendant be also restraint for interfering in the use of the terrace. Along with the suit, an application under Section 39 Rule 1 and 2 of CPC is also enclosed.

Let the notice of this suit and application be issued to the defendant by e-mail, mobile, speed post for 05.06.2020.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Ashish Kumar
FIR No. 181/17
PS Malviya Nagar
U/S 302/307/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Vipin Chaudhary, Ld. Counsel for the applicant.

Ld. Counsel for the applicant has stated that in fact these are not two applications for bail. In fact, the second application has been moved by him for editing FIR No. 688/2017 to 688/2014 in order dated 22.05.2020 passed by Ld. Addl. Sessions Judge Ms. Vineeta Goel. However, inspite of the order passed by Ms. Jyoti Kler, Ld. ASJ on 22.05.2020, the two applications have been shown in the cause list, while the later application would have been tagged.

This is an application of the applicant for grant of interim bail under Section 45 days. Ld. Counsel for the applicant submits that the applicant is covered within the recommendations of High Powered Committee of Hon'ble High Court of Delhi. He submitted that the applicant be admitted on bail for forty-five days. Ld. Counsel for the applicant submitted that the applicant has been facing trial in two cases. However, he has been acquitted. Report from the investigating officer has been sought. Investigating officer in his report has mentioned the name of two persons who have been acquitted in two FIRs. Even, the addresses mentioned are different in his reply. Ld. Counsel for the applicant has also submitted that he will file the certified copy of the order in case FIR no. 09/2013.

Let the order in case FIR No. 09/13 be verified if the same has been filed by the counsel for the applicant. In the meanwhile, report of good conduct be also called from the Superintendent, Tihar Jail.

Be put up on 05.06.2020.

A copy of this order be sent to the Superintendent, Tihar Jail.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Ashu Kapoor
FIR No. 1091/14
PS Malviya Nagar
U/S 376/370/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Ms. Laxmi Biduri, Ld. Counsel for the applicant.

This is an application of the applicant for bail under Section 439 of Cr.PC for grant of interim bail. Ld. Counsel for the applicant submits that the applicant has been in judicial custody for the last more than five years and the trial has not been concluded. Only one of the victim appeared in the court and had been examined. Other victim has not been traced.

On the other hand, Ld. Add. PP for the State has opposed the prayer stating that the complainant be given notice to appear in view of the directions passed by the Hon'ble High Court of Delhi from time to time before granting any interim bail.

I have heard the arguments at bar.

Considering the above facts and circumstances, investigating officer is directed to inform the complainant for 04.06.2020.

A copy of this order be sent to the investigating officer.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Asif Khan & Ors.
FIR No. 0240/18
PS Hauz Khas
U/S 376D/377/34 IPC &
Section 10 POCSO Act.

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Vaibhav Shukla, Ld. Counsel for the complainant.

Sh. Pankaj Srivastava, Ld. Counsel for the applicant.

This is an application of the applicant for extension of interim bail under Section 439 of Cr.PC for a further period of 45 days. Ld. Counsel for the applicant submits that the applicant was arrested on 22.11.2018 by the police. He submitted that the applicant is around 58 years of old and the applicant is suffering with multiple diseases. The applicant is diabetic patient and also suffering with blood pressure problem. He submitted that the applicant is already on interim bail by the court of Sh. Nikhil Chopra vide order dated 15.04.2020. He submitted that accused again admitted to hospital after getting a bail and the applicant is continuously facing multiple disorders and went to a check up where he was admitted in a hospital on 17.04.2020, 23.04.2020, 29.04.2020 and 05.05.2020 and same were verified by the investigating officer. He further submitted that the applicants' condition is still critical and is undergoing medical treatment. He submitted that being the senior citizen, the immune system of the father namely Asif Khan is quite weak, there are chances of infection of COVID-19. He further submitted that applicant's interim bail be

extended.

On the other hand, Ld. Addl. PP for the State has stated that the reply of the investigating officer has been received wherein it has been mentioned that the medical condition is still critical as per the doctors.

I have heard the arguments at bar.

Considering the above facts and circumstances, the applicant is ordered to be admitted on interim bail for a further period of 45 days on the same terms and conditions. He shall surrender after the expiry of 45 days of interim bail period.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Dheeraj & Ors.
FIR No. 174/18
PS Hauz Khas
U/S 307/393/394/398/120B/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.
Mohd. Sazzad, Ld. Counsel for the applicant.

This is an application of the applicant for bail under Section 439 Cr. PC for grant of emergency bail in lieu of the order passed by the Hon'ble High Court by the High Powered Committee. Ld. Counsel for the applicant submits that the applicant is in judicial custody since 15.07.2018. He submitted that the charge sheet has been filed and charge has been framed and case is at the state of evidence. He further submitted that no other case is pending qua the applicant.

On the other hand Ld. Addl. PP for the State has opposed the prayer stating that on 04.07.2018, a PCR call was received regarding a person has been shot in front of General raj School near Gujjar Dairy. During the course of investigation, it was revealed that like every other day injured Sajjan Kumar came to his office in Jungpura and collected cash for depositing in bank located in Hauz Khas. Sajjan used to follow a same rout from Jungpura to Hauz Khas. But this day he was followed by two masked man from Jungpura office. The robbers tried to overpower Sajjan Kumar over Moolchand flyover by hitting his bike, but failed. However when injured Sajjan Kumar reached near the bank situated at Gujjar Dairy, Hauz Khas and was parking

his bike suddenly two person who tried to stop him over Moolchand flyover came and shook hand with him and the injured Sajjan Kumar did not recognize them however in no time of the robber tried to snatch his bag carrying cash in lakhs, cheques and other documents.

I have heard the arguments at bar.

Considering the above facts that the present application does not come within the recommendations of High Powered Committed, applicant has not only attempted to murder, but the offence has been committed in order to commit the offence of robbery. Even weapon of offence i.e., country made katta has been recovered, the present application stands dismissed being devoid of any merit.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Dinesh @ Chandan
FIR No. 30/18
PS Malviya Nagar
U/S 302/201/120B IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Rajesh Kumar, Ld. Counsel for the applicant.

This is an application of the applicant for grant of interim bail. Ld. Counsel for the applicant submits that the applicant is covered under the recommendations of High Powered Committee by the Hon'ble High Court of Delhi. He submitted that on 31.05.2020 Sh. Sudesh Kumar, Ld. ASK-II had called the report from the Superintendent, Tihar Jail about the conduct of the accused. He submitted that he is unaware about the report sent by the Superintendent, Tihar Jail.

On the other hand, Ld. Addl. PP for the State has opposed the prayer stating that Superintendent, Tihar Jail has made his report has not been found satisfactory. Even, one ticket of punishment had been awarded to the applicant during the custody.

In view of the above facts, Ld. Counsel for the applicant is agreed to withdraw the present application. However, he submits that the copy of the report of the Superintendent, Tihar Jail be supplied to him.

Let the report of the Superintendent, Tihar Jail be sent to the counsel for the applicant at his e-mail address.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Gift Ese Oghene
FIR No. 59/20
PS Mehrauli
Under Section 14 Foreigners Act.

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State. :

Sh. Mukesh Bhardwaj, Ld. Counsel for the applicant.

This is the revision petition filed by the the revisionist against the impugned order dated 18.03.2020 in FIR No. 59/2020 date 24.02.2020. In fact it is an application under section 446 of Cr.PC whereby the applicant wants to modify the order of bail and stated that he could not arrange the surety due to the National Lockdown going on. He further submitted that the surety has been residing in Greater Noida and could not come. In spite of he bail order passed in his favour, he is not able to take any fruit. He submitted that he be directed to deposit the surety amount in cash in lieu of surety bond.

Considering the above facts on record that the accused has committed the offence under 14 of Foreigner Act and could not yield the fruit of the bail for two months, the condition imposed by the Ld. MM while admitted the applicant on bail is modified to the extent that instead of furnishing the surety bond, applicant is ordered to deposit the amount equivalent to the surety bond in court in cash. Further after lifting the National Lockdown, he is directed to furnish the surety within month and take back his amount of surety which he has deposited in the court in cash.

(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Neeraj @ Bunty
FIR No. 454/2017
PS Mehrauli
U/S 376/354/205 IPC &
Section 4 of the POCSO Act.

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Pankaj Srivastava, Ld. Counsel for the applicant.

This is an application of the applicant filed under Section 439 of Cr.PC for grant of interim bail.

Ld. Counsel for the applicant submits that vide order dated 22.05.2020, Ld. Court of Ms. Vineeta Goyal had sought the report from the investigating officer who would intimate the victim about the date of filing of the application as per practice directions issued by the Hon'ble High Court in order dated 25.11.2019 and 27.01.2020 passed in W.P (Civil) 5011/20174. Victim was also directed to be informed to join the proceedings via CISCO Webex through parents/ guardian/ counsel. However, today the report has not been received.

Let the report be called from the investigating officer and victim be also informed to join the proceedings on in view of the order dated 22.05.2020 passed by the Court of Ms. Vineeta Goel, Ld. ASJ.

Be put up on 04.06.2020.

A copy of this order be sent to the investigating officer.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Om Prakash @ Tindi
Fir No. 389/2019
PS Saket
U/S 308/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.
Sh. Dinesh, Ld. Counsel for the applicant.


This is an application filed on behalf of the applicant for grant of interim bail for a period of one month. Ld. Counsel for the applicant submits that the applicant is in judicial custody since 25.09.2019 and co accused has already been enlarged on bail. He further submitted that three case have also been registered against the applicant.

On the other hand, Ld. Addl. PP for the State has submitted that reply be called from the investigating officer as the same has not been filed.

In view of the above, let the reply be called from the investigating officer as well as report be also called from the Superintendent, Tihar Jail in regard to the medical condition of the applicant by 04.06.2020.

Be put up on 04.06.2020.

A copy of this order be sent to the investigating officer as well as Superintendent, Tihar Jail.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Pankaj Sharma
FIR No. 1728/16
PS Mehrauli
U/S 302/120B/396 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Rinku Mathur, Ld Counsel for the applicant.

This is an application of the application under Section 439 of Cr.PC for grant of interim bail. It is matter of fact the accused is suffering from COVID-19. Counsel for the applicant submits that his application be posted for 04.06.2020 so that the progress of the treatment of COVID-19 is received.

Put up on 04.06.2020. In the meanwhile, Medical Superintendent, Lok Nayak Hospital in which the applicant is admitted is directed to sent the progress report of the applicant by the next date of hearing.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

Rahul Singh Vs State
FIR No. 58/2020
PS: Saket
U/S 394 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Satish Kumar Birla, Ld. Counsel for the applicant.

This is an application for bail filed under Section 439 of Cr. PC. Ld. Counsel for the applicant submits that the applicant has no criminal antecedents and is of tender age. He further submitted that the applicant is in judicial custody since 18.02.2020. He submitted that the applicant be granted bail.

On the other hand, Ld. Addl. PP for the State has avered the content of the complaint. He has also stated that the investigating officer has only stated the incident in his reply. However, he has not mentioned any previous involvement of the applicant. He further submitted that arguments of the counsel is that applicant and complainant are the neighbours and such offence of robbery cannot be committed upon known persons is not tenable because it is not hard and fast rule that known persons cannot commit any such offence.

I have heard the arguments at bar.

Considering the fact that the applicant is of tender age of 18 years and the fact that the investigating officer has not mentioned the previous involvement of the applicant, applicant is ordered to be admitted on bail subject to furnishing the

personal bond of Rs. 30,000/- along with one surety of a like amount to the satisfaction of Ld. MM/ Link MM.

A copy of this order is sent to the Jail Superintendent, Central Jail, Tihar, New Delhi as well as counsel for the applicant.



(Attn) Kumar Garg)

Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Raj Gaurav @ Babu
State Vs Raman @ Golu

FIR No. 566/018
PS Saket
U/S 307/34 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State. :

Sh. Rajesh Pandey, Ld. Counsel for the applicant.

These are the two applications emanating from the common FIR for grant of interim bail on the ground that High Powered Committee recommended the release of inmates on interim bail for forty – five days if they have been undergoing judicial custody of more than six months in the case under Section 307/308 IPC.

On the other hand, Ld. Addl. For the state has opposed the prayer stating that under the recommendations of High Powered Committee by the Hon'ble High Court of Delhi is subject to condition that report of good conduct be called from the Jail Superintendent, Tihar Jail and applicant shall have no previous involvement in other case. Moreover, applicant along with co-accused had taken the complainant with him and there they have caused him the grievous injury.

Considering the fact that the applicants have been undergoing imprisonment for more than six months and they have come under the recommendations of High Powered Committee, let the report be called from the Superintendent, Tihar Jail as well as police about their good conduct as well as previous involvement for 03.06.2020.

A copy of this order be sent to the Superintendent, Tihar Jail as well as investigating officer for compliance.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Rohit Kumar
FIR No. 317/18
PS Hauz Khas
U/S 394/395/397/411 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State. :

Sh. M.L. Chaudhary, Ld. Counsel for the applicant.

This is an application for interim bail for forty five days on the ground that the accused is acute diabetic patient and he has been taking regular treatment for this disease. His condition is deteriorating day by day and he regularly dependent on insulin injection. He further submitted that he has been in judicial custody since 22.12.2018 and his case is squarely covered under the recommendations of High Powered Committee by the Hon'ble High Court of Delhi. He submitted that the certificate of the good conduct which is required and sought by this court from the Superintendent, Tihar jail has not been received.

On the other hand, Ld. Addl. PP for the state has opposed the prayer stating that applicant's case has not been covered in the above said recommendations. Moreover applicant is confined in jail at Faridabad, Haryana. He has been facing so many cases as such bail should not be granted to him.

During the course of arguments, applicant's counsel submits that this application be adjourned to some other.

Let it be posted for hearing on 02.06.2020.

(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Rohit Thakur
FIR No. 30/18
PS Malviya Nagar
U/S 302/120B IPC &
25 Arms Act.

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Kunal Manav, Ld. Counsel for the applicant.

This is an application for interim bail for forty five days in view of the recommendations of the High Powered Committee constituted by the Hon'ble High Court of Delhi considering the COVID -19 pandemic situation and for decongesting the jail. Applicant's counsel submitted that he is in judicial custody since 13.03.2018. more than two years have been passed while he has been in JC. He submits that his case squarely falls within the criteria laid down in the above said recommendations.

On the other hand Ld. Addl. PP for the State has also agreed that the case squarely falls within the recommendations. He further submitted that Superintendent, Tihar Jail has also not given any adverse report and his conduct is satisfactory.

I have heard the arguments at bar.

Considering the above facts and considering the report of the jail superintendent, applicant is ordered to be admitted on bail subject to furnishing the personal bond of Rs. 50,000/- with one surety of a like amount. He shall surrender in the jail after expiry of forty five days from the date of release.

A copy of this order be sent to Superintendent, Tihar Jail.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)


State Vs Sajid Ali
FIR NO. 457/15
PS Malviya Nagar
U/S 307/397 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Yogesh Kaushik, Ld. Counsel for the applicant.

Let the report be called from the Superintendent, Tihar Jail in regard to the good conduct of the applicant for 02.06.2020.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Sandeep @ Dishu
FIR No. 695/16
PS Hauz Khas
U/S 302/201/212/120 IPC

30.05.2020


Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Anil Baisoya, Ld. Counsel for the applicant.

This is an application for extension of interim bail for six weeks under Section 439 of Cr.PC. Applicant's counsel submits that he is patient of Harnia for the last one year and he has already been provided constant medical treatment however since he was arrested. He further submitted that earlier he was granted interim bail in the year 2017. The interim bail was also granted by Sh. Ramesh Kumar, ld. ASJ on 02.05.2020 for a period of one month. His interim bail is going to be expired on 01.06.2020. hH further submitted that his condition is not good and he has also annexed the medical papers which are to be verified.

On the other hand, Ld. Addl. PP for the state has submitted that IO has not verified the medical papers and he seeks adjournment.

Considering the fact that the interim bail is going to be expired on 01.06.2020 and the IO has not verified the medical papers, the interim bail granted to the applicant is extended upto 10.06.2020 on the same terms and conditions. By then, IO is directed to verify the medical documents.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Saurabh Kumar
FIR No. 240/2018
U/S 376D/354/506 IPC &
Section 8 & 10 POCSO Act,
PS Hauz Khas

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State.

Sh. Vaibhav Kumar, Ld. Counsel for the complainant.

Sh. Mukesh Kadyan, Ld. Counsel for the applicant.

This is an application of the applicant under Section 439 of Cr.PC for extension of interim bail for a period of 90 days. He submitted that the applicant was granted interim bail as per order dated 22.02.2020 passed by the court of Ms. Jyoti Kaler and the same was extended as per order dated 18.03.2020 till the next date of hearing i.e., 30.05.2020 for care and treatment of his child. He submitted that the applicant has also the symptoms of COVID-19 and has been undergoing home quarantine.

On the other hand, Ld. Addl. PP for the State has opposed the prayer stating that the documents in regard to the applicant have been received to him only yesterday and same have not been verified. Complainants' counsel submits that the Asif Khan has been pressuring the complainant.

I have heard the arguments at bar.

Considering the fact that the applicant has been undergoing for Home Quarantine and he has been found COVID-19 positive, earlier interim bail is

extended upto 15.06.2020 on the same terms and conditions. Till then, investigating officer is directed to verify the documents by the next date of hearing.



(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Soumyajit Mishra
FIR No. 165/2020
PS Mehrauli
U/S

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State. :

Sh. Seikh Imran Khan Alam ld. Counsel for the complainant.

Sh. Prabhat Kumar, Ld. Counsel for the applicant.

Prosecutrix also present.

IO/ SI Nazma.

This is an application for bail under Section 439 of Cr.PC. Applicant's counsel submits that the applicant is in J/C for the last six weeks in a false case. Investigation has been completed qua the applicant. Applicant is married since 11.03.2015. He is law abiding citizen. He further submitted that the prosecutrix voluntarily came close to the applicant and according to the prosecutrix physical relations were made for the first time at the house of prosecutrix on 04.04.2019. He further submitted that the complainant himself has stated that she came to know that applicant is married on 23.08.2019. she had visited on 14.11.2019 to the applicant's house and found applicant is staying with his wife. He submits that FIR is false. He further submitted that prosecutrix had already taken the money from the applicant to the twin of Rs. 6 lakh. He has relied upon the judgment titled *Dr. Durburam Murlidhar Sonar Vs State of Maharashtra and Ors, 2019 (1) RCR (Crl) 674* where it


has been observed that there is clear distinction between rape and consensual sex.

On the other hand, Ld. Addl. PP for the State has opposed the prayer stating that the amount has not been transferred in the account of the prosecutrix. Complainant counsel has also opposed vehemently the application of the applicant stating that in the garb of promise to marry physical relations have been established.

I have heard the arguments at bar.

Considering the facts mentioned in the FIR where the applicant knew well that the applicant is married in August 2019 and still she had visited and maintained the affair as usual coupled with the fact that the applicant is in J/C since March, 2020, applicant is ordered to be admitted on bail subject to furnishing the personal bond of Rs. 50000/- along with one surety of a like amount to the satisfaction of Ld. MM/Link MM.

A copy of this order is sent to the Superintendent, Tihar Jail.


(Atul Kumar Garg)
Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020

**IN THE COURT OF SH. ATUL KUMAR GARG,
ADDITIONAL DISTRICT & SESSIONS JUDGE,
SOUTH DISTRICT, SAKET COURTS,
NEW DELHI**

THROUGH CISCO WEBEX (VIDEO CONFERENCING)

State Vs Tejpal & Ankit
FIR No. 179/20
PS Fateh Pur Beri
U/S 323/341/506 IPC

30.05.2020

Present : Sh. Inder Kumar, Ld. Addl. PP for the State. :

Sh. Narender Bisht, Ld. Counsel for the applicant.

Sh. Vinod, Ld. Counsel for the complainant.

IO Inspector C.M. Meena.


This is an application of the applicants under Section 439 of Cr.PC. Applicant's counsel submits that accused persons have been arrested in false and fabricated complaint made by Basant Kumar S/o Late Sh. Sumera. He submitted that his case has been covered under the recommendations of High Powered Committee by the Hon'ble High Court of Delhi. He further drawn the attention of this court towards the report of the Halka Patwari dated 15.09.2017 where he has reported that there is no Harijan Chopal Land available in the area. He further submitted that the applicant is 55 years old.

On the other hand, Ld. Addl. PP for the State has opposed the prayer stating that the matter is subjudice in High Court of Delhi. Accused has the history of criminal antecedents. In FIR No. 326/2016 which has been registered because the accused persons has violated the order of the Ld. SDM under Sectio 146 of Cr.PC and there accused has pleaded guilty. He further submitted in the year 2017 again an FIR no. 519/17 was registered under Section 325/519 IPC and the accused has been

facing trial. He further submitted accused had tried to install the gate on the land which is under subjudice and complainant knows about this fact and when they reach applicant had attacked them and uttered abusive language which is prohibited under SC/ST Act belonging to the person of scheduled caste category. He was arrested on 25.05.2020 only and the charge sheet has also been filed.

I have heard the arguments at bar.

Considering the antecedents of the applicant as well as the gravity of the offence, I am not inclined to admit the applicant on bail. Hence, their application stands dismissed.



(Atul Kumar Garg)

Additional District & Sessions Judge
South District/Saket Courts,
New Delhi/30.05.2020