

**Bail Application No.1278/2020  
FIR No.126/2020  
PS:Crime Branch  
U/s:25/54/59 Arms Act.  
State Vs. Imran Khan**

19.09.2020

**This is an application u/s 439 Cr.PC for grant of regular bail moved on behalf of applicant /accused.**

**Ld. Presiding Officer is on leave.**

Present: Sh. Balbir Singh, Id. Addl. PP for the State.  
IO/SI Shyam Bihari from Crime Branch.  
Sh. Sumit Jain, Advocate for applicant/ accused.

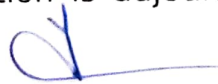
Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Id. Counsel of applicant electronically.

At the outset Ld. Counsel for applicant states at Bar that similar regular bail application u/s 437 CrPC of applicant/accused was also moved through some other counsel before the Court of Ld. CMM, Central, Tis Hazari Courts and same is also listed for today. Ld. Counsel submits that he has instructions to inform the Court that applicant/accused shall withdraw the application pending before Ld. CMM, Central, Tis Hazari Courts, Delhi.

Let the needful be done in accordance with law and copy of relevant order of the Court of Ld. CMM be placed on record on or before the next date of hearing.

At request, bail application is adjourned to **21.09.2020** for arguments.



(Vidya Prakash)  
1st Link Addl. Sessions Judge (Electricity)  
Central District/ THC/Delhi  
19.09.2020

**Bail Application Nos.845/2020 & 846/2020**

**FIR No.418/19**

**PS:Burari**

**U/s:380 IPC**

**State Vs. 1. Ram Chander**

**@ Ram Chand**

**2. Manish**

**-4-**

view that both these applicants have made out a case for grant of anticipatory bail to them. Accordingly, both the bail applications are hereby allowed and it is hereby ordered that in the event of their arrest, applicants namely **Ram Chander @ Ram Chand and Manish** shall be released on bail on furnishing their personal bonds and surety bonds in the sum of Rs.10,000/- each to the satisfaction of IO/SHO/Arresting Officer concerned and subject to the conditions that they shall join the investigation as and when so required and shall cooperate the investigating agency.

Copy of this order be given dasti to both the sides electronically, as per rules.



((Vidya Prakash)

Ist Link Addl. Sessions Judge (Electricity)

Central District/ THC/Delhi

19.09.2020

**Bail Application Nos.845/2020 & 846/2020**

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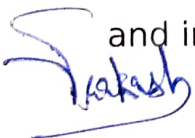
half built house measuring 150 sq. yards situated at Khasra No. 52/2/2, A- Block, Pradhan Enclave, Krishan Vihar, Burari from previous owner Pradeep Tyagi on 05.01.2018. He alleged that on 27.11.2019 when he visited the aforesaid house, he found that one unknown lady was residing therein and on enquiry, she told him that Ram Chander @ Ram Chand and Manish i.e. both the present applicants, Sardar Rakesh and two other unknown boys kept her there as tenant on monthly rent of Rs.3,000/-. He(complainant) further alleged that on enquiry made by him in the nearby area, two public persons namely Suresh Panditji and Parvesh Tyagi told him that these two applicants, Sardar Rakesh and two other unknown boys were loading articles from the house in question in tempo on 21.11.2019 at about 10 p.m.

However, it is relevant to note that both the aforesaid so -called eye witnesses namely Parvesh Tyagi and Suresh Pandit denied to have witnessed any such incident of theft not only in their statements u/s 161 CrPC but also in their respective statements u/s 164 CrPC recorded by Ld. Magistrate, as per reply filed by IO.

On enquiry, IO has informed the Court that so-called tenant namely Ms. Rekha did not produce any documentary proof to show that the premises in question was let out to her by any of these two applicants. IO further informed that there is no witness made available to show that premises was let out by any of these two witnesses either through him or in his/her presence. IO has also informed that no evidence has been surfaced so far showing that any of the articles purportedly purchased through these three invoices handed over by complainant to him, was ever kept by complainant in the premises in question at any point of time.

Keeping in view the overall facts and circumstances of the case and in the light of discussion made hereinabove, this Court is of the

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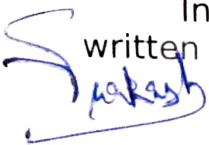
investigation itself, which clearly points out towards innocence of both the applicants in this case. It is further argued that both the applicants are not required for their custodial interrogation and they are ready to join the investigation if so required but since they apprehend their arrest in this case, they may be protected.

Per contra, Ld. Addl. PP for the State duly assisted by counsel of complainant, opposed both the applications on the ground that the allegations against the applicants are grave and serious. It is argued that both these applicants alongwith Sardar Rakesh let out the property of complainant to one lady namely Ms. Rekha w/o Sh. Manoj by claiming it to be their property and both these applicants alongwith their associates with common intention, had committed theft of valuable articles lying inside the said property before letting out the same to that lady. It is further argued that the complainant has handed over three bills regarding purchase of valuable articles which have been stolen from the house in question by these two applicants and their other associates and therefore, their custodial interrogation is required in this case.

Ld. Counsel for complainant has also argued that there is one more public witness namely Sh. Vilas S/o Sh. Laturi who has given statement to IO that he was a tenant of complainant in the year 2019 and the complainant had told him that he wanted to keep certain household articles inside the said house. He further argued that both these applicants tried to usurp the property of complainant after committing theft of his household articles and therefore, they do not deserve pre-arrest bail in this case. It is, therefore, urged that both the applications may be dismissed.

In brief, it is alleged that on 27.11.2019, complainant lodged written complaint at PS Burari, wherein he claimed to have purchased

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Rakesh

**Bail Application Nos.845/2020 & 846/2020**

**FIR No.418/19**

**PS:Burari**

**U/s:380 IPC**

**State Vs. 1. Ram Chander**

**@ Ram Chand**

**2. Manish**

19.09.2020

**These are two separate applications u/s 438 Cr.PC seeking anticipatory bail moved on behalf of applicants/accused persons namely Ram Chander @ Ram Chand and Manish.**

**Ld. Presiding Officer is on leave.**

Present: Sh. Balbir Singh, Id. Addl. PP for the State.  
IO/ASI Rakesh Kumar.  
Sh. Vineet Mehta, Advocate for complainant.  
Ms. Shalu Yadav, Advocate for both the applicants/  
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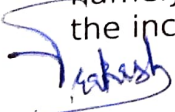
Additional reply of both the bail applications filed. Copy thereof supplied to Id. Counsel of applicants electronically.

Vide this common order, I shall dispose off both these applications together as they arise of the same FIR.

Arguments on both the bail applications heard. Replies perused.

After referring to the allegations levelled in the FIR, Ld. Counsel for applicants/accused has argued that both the applicants are totally innocent and have been falsely implicated in this case ; they are having clean antecedents and they have nothing to do with the alleged crime. It is further argued that both the public witnesses namely Suresh Pandit and Parvesh Tyagi who had allegedly witnessed the incident in question, have already turned hostile during

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view that both these applicants have made out a case for grant of anticipatory bail to them. Accordingly, both the bail applications are hereby allowed and it is hereby ordered that in the event of their arrest, applicants namely **Ram Chander @ Ram Chand and Manish** shall be released on bail on furnishing their personal bonds and surety bonds in the sum of Rs.10,000/- each to the satisfaction of IO/SHO/Arresting Officer concerned and subject to the conditions that they shall join the investigation as and when so required and shall co-operate the investigating agency.

Copy of this order be given dasti to both the sides electronically, as per rules.



((Vidya Prakash)

Ist Link Addl. Sessions Judge (Electricity)

Central District/ THC/Delhi

19.09.2020



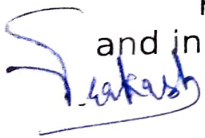
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S. Rakesh

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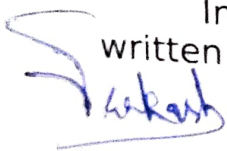
investigation itself, which clearly points out towards innocence of both the applicants in this case. It is further argued that both the applicants are not required for their custodial interrogation and they are ready to join the investigation if so required but since they apprehend their arrest in this case, they may be protected.

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Ld. Counsel for complainant has also argued that there is one more public witness namely Sh. Vilas S/o Sh. Laturi who has given statement to IO that he was a tenant of complainant in the year 2019 and the complainant had told him that he wanted to keep certain household articles inside the said house. He further argued that both these applicants tried to usurp the property of complainant after committing theft of his household articles and therefore, they do not deserve pre-arrest bail in this case. It is, therefore, urged that both the applications may be dismissed.

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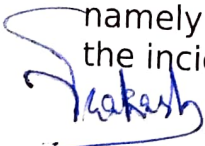
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After referring to the allegations levelled in the FIR, Ld. Counsel for applicants/accused has argued that both the applicants are totally innocent and have been falsely implicated in this case ; they are having clean antecedents and they have nothing to do with the alleged crime. It is further argued that both the public witnesses namely Suresh Pandit and Parvesh Tyagi who had allegedly witnessed the incident in question, have already turned hostile during



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**Bail Application No.1151/2020  
FIR No.226/2020  
PS:Subzi Mandi  
U/s:356/379/411 IPC  
State Vs. Usama Khan**

19.09.2020

**This is an application u/s 439 Cr.PC for grant of interim bail for a period of 45 days moved on behalf of applicant /accused.**

**Ld. Presiding Officer is on leave.**

Present: Sh. Balbir Singh, Id. Addl. PP for the State.  
ASI Sunil Dutt on behalf of IO.  
Sh. Ajesh Kumar Sharma, Advocate for applicant/  
accused.

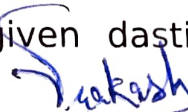
Matter is taken up through Video Conferencing on account of COVID-19 lockdown.

Report dated 18.09.2020 has been received from Jail Authority regarding conduct of applicant/accused. It is revealed from the report of Jail Authority that the present applicant/accused is lodged inside the jail in case FIR No. 250/20 of PS Subzi Mandi and not in case FIR No. 226/20 of PS Subzi Mandi in respect of which the present bail application has been moved before the Court.

At this stage, Ld. Counsel for applicant seeks permission to withdraw the present bail application with liberty to file fresh application in the concerned case.

In view of aforesaid facts and circumstances and the submission made by counsel of applicant/accused, present application is dismissed as withdrawn, with liberty as prayed.

Copy of this order be given dasti to both the sides electronically, as per rules.



(Vidya Prakash)  
Ist Link Addl. Sessions Judge (Electricity)  
Central District/ THC/Delhi

19.09.2020