FIR No. 49/2020 PS Anand Parbat State Vs. Sonu Kumar Pandey

U/s 354/376AB/377/506 IPC & Section 6 & 8 of POCSO Act

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Naveen Saxena, Ld. Counsel for the applicant/accused namely Sonu Kumar Pandey, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

This is an application for bail u/s 439 Cr.P.C. r/w Section 167 of Cr.P.C.

Reply of bail application has come which is of WSI Bhavana forwarded by SHO PS Anand Parbat dated 22.06.2020.

contd...p/2

Heard.

As per the said reply, charge-sheet of this case has already been filed before the court. The said reply also reflects that earlier bail application of accused Sonu was dismissed by Hon'ble District & Sessions Judge, Tis Hazari Courts.

Ld. Addl. P.P. for the State submits that since the charge-sheet has already been filed, therefore, the application for bail may be ordered to be put up before the concerned designated court (POCSO Court) and moreover the mandatory notice of this application is required to be issued to the complainant/informant/victim.

Ld. Counsel for the applicant prays for any short date and submits that the application may be put up before the concerned court accordingly and notice may be so given to the complainant/informant/victim.

Now, put up for consideration of this application through video conference on 24.06.2020, as prayed, before the concerned court and meanwhile notice of this application be issued to the complainant/informant/victim as per practice directions, to be served through concerned IO for next date.

FORMATION FORMAT

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Ld. Addl. P.P. for the State has submitted that since this is a case under the provisions of POCSO Act, therefore, the charge-sheet ought to have been filed before the concerned Ld. ASJ directly (designated court of POCSO cases).

Copy of previous bail order be also furnished for reference.

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

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FIR No. 643/2017 PS Ranhola State Vs. Lalit Kumar @ Bunty U/s 302/120B/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri R.R. Jha, Ld. counsel for applicant/accused Lalit Kumar @ Bunty from DLSA, West, Tis Hazari Courts, Delhi.

IO not present.

Report has not come.

As per the Custody and Conduct Certificate of Superintendent, Central Jail No. 4, Tihar, New Delhi dated 17.06.2020, accused Lalit Kumar @ Bunty S/o Bishan Kumar is in J.C. in this case since 14.01.2018 and his conduct in jail is satisfactory during his stay in jail.

Ld. Addl. P.P. for the State submits that report regarding the

previous involvement of the accused be called from the IO since this is an application under the guidelines of the Hon'ble High Powered Committee dated 18.05.2020 of the Hon'ble High Court of Delhi.

Now status report with report of previous involvement of accused be summoned from the IO for 23.06.2020.

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi 22.06.2020

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Bail Application no. 1033, 1052 & 1053 FIR No. 218/2020 PS Hari Nagar State Vs. (1). Vijay Garg @ Lal Singh, (ii). Prabhat Kochar & (iii). Deepak Gill U/s 308/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

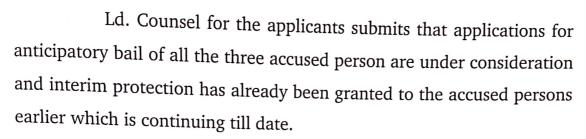
Shri Siddharth Singh, Ld. Counsel for the applicant/accused persons namely Vijay Garg @ Lal Singh, Prabhat Kochar and Deepak Gill, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Report of SI Vikas Kumar dated 21.06.2020 has come.

Heard. Perused.

26/6 Metral



Ld. Addl. P.P. for the State submits that accused persons have not joined the investigation as reported by SI Vikas Kumar.

On the other hand Ld. Counsel for the applicants has submitted that the applicants have not received any notice so far from the IO to join the investigation in this case and they are still ready to join the investigation as and when needed by the IO. It is further submitted on behalf of applicant that earlier the IO was reported to be suffering from Corona and he tested positive, however, it was long back and the period of quarantine may have already expired so far.

Ld. Addl. P.P. for the State also submits that the said period might have expired so far.

Ld. Counsel for the applicants submits that previous bail application for anticipatory bail was dismissed on 05.05.2020. Ld. Counsel for the applicants has clarified that this is second anticipatory bail application of accused Deepak Gill and Prabhat Kochar and first bail application of accused Vijay Garg @ Lal Singh. It is also prayed on

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behalf of applicants as well as on behalf of State that the notice of the bail applications may be issued to the complainant/informant through IO and IO may also be summoned for the next date in case he is medically fit.

In the interest of justice and in view of the submissions made issue notice of the applications to the complainant/informant through IO for the next date.

IO be also summoned for the clarifications, as prayed and the IO may appear only if he is medically fit and has already recovered from the illness otherwise he shall send status report on the next date through SHO concerned.

In view of above facts and circumstances no coercive steps be taken against the applicants/accused persons till next date, subject to their joining the investigation as and when required by the IO.

The applicants/accused persons shall furnish their contact details/mobile numbers to the IO today itself so that the IO may do the needful as per law and contact the applicants/ accused persons as and when needed.

Ld. Counsel for the applicants undertakes to furnish the said contact particulars/ mobile numbers to the IO accordingly.

27/1/2020

Put up on 26.06.2020 for consideration through video erencing.

Copy of this order be provided to both the sides

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

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Bail Application No. 1171 FIR No. 102/2020 PS Ranhola State Vs. Vipin Kumar U/s 304B/498A/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Ms. Urvashi Bhatia, Ld. Counsel for the applicant/accused namely Vipin Kumar, in person although the matter is shown to be listed through video conferencing.

IO not present.

Complainant/informant not present.

This is a case u/s 304B IPC read with other provisions of law.

Heard.

Ld. Addl. P.P. for the State prays that notice of the bail

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application may be issued to the complainant/informant through IO for the next date and IO may also be summoned.

On request and in the interest of justice, put up for consideration of this bail application on 24.06.2020. Meanwhile, notice of the bail application be issued to the complainant/informant through IO and also to IO for the next date.

Chargesheet/TCR be returned back to the concerned court immediately as the Ld. Counsel for the applicant submits that she had already filed the copy of the chargesheet alongwith her application for bail.

(Manish Gupta) ASJ-04(West) Tis Hazari Courts/Delhi 22.06.2020

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FIR No. 356/2019 PS Nihal Vihar State Vs. Amandeep U/s 392/411 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present:

Sh. Girish Giri, Ld. Addl. P.P. for the State.

None for applicant/accused despite repeated calls.

Be awaited.

(Marlish Gupta) ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

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22.06.2020

Present:

Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri R.R. Jha, Ld. counsel for applicant/accused Amandeep from DLSA, West, Tis Hazari Courts, Delhi.

23/6 Ep

This is fresh application for interim bail.

IO not present.

Report has not come.

Heard.

Now IO be summoned with report for 23.06.2020. IO is also directed to report regarding the previous involvement of the applicant/accused in any other case, if any.

Ld. Addl. P.P. for the State prays that the report from the concerned Jail Superintendent regarding the conduct of the accused in custody be also called for the next date. Said report be called from the concerned Jail Superintendent.

(Manish Gupta) ASJ-04(West) Tis Hazari Courts/Delhi 22.06.2020

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FIR No. 272/2015 PS Ranhola State Vs. Suresh U/s 304/308/323/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present:

Sh. Girish Giri, Ld. Addl. P.P. for the State.

None for applicant/accused despite repeated calls.

Be awaited.

(Manish Gupta) ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

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22.06.2020

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri R.R. Jha, Ld. counsel for applicant/accused Suresh from DLSA, West, Tis Hazari Courts, Delhi.

IO not present.

Report has not come as per last order.

Heard.

Issue show cause notice to IO to show cause as to why the report has not been furnished so far as per last order. IO be summoned with report regarding the threat perception to the victim/witness and also regarding previous involvement of the applicant/accused in any other case.

Put up on 29.06.2020, as prayed.

Ld. Counsel for the applicant has submitted that he is having remand duty on 29.06.2020.

(Manish Gupta) ASJ-04(West) Tis Hazari Courts/Delhi

22.06.2020

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Bail application no. 1050 FIR No. 166/2020 PS Ranhola State Vs. Praveen Kumar & Ors. U/s 304B/498A/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Jaspreet Singh, Ld. Counsel for the applicant/accused namely Praveen Kumar, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard. Perused.

IO not present.

Interim order has already been passed earlier.

2/6/20

Ld. Counsel for the applicant submitted that as per his



knowledge and information the chargesheet has been filed in this case only two days back. He prayed that status report may be summoned from the IO for the next date.

Ld. Addl. P.P. for the State also prays for the same.

On request put up for consideration of this application through video conferencing through CISCO Webex App. on 26.06.2020.

IO be summoned with status report for the next date.

Interim order to continue till next date.

Ld. Addl. P.P. for the State also prays that notice of the bail application be also issued to the complainant/informant.

On request notice of this application be issued to the complainant/ informant through IO for the next date.

Copy of this order be provided to both the sides

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

1641

Bail application no. 1028 FIR No. 166/2020 PS Ranhola State Vs. Praveen Kumar & Ors. U/s 304B/498A/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Jaspreet Singh, Ld. Counsel for the applicant/accused namely Munni Devi, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard. Perused.

IO not present.

Interim order has already been passed earlier.

Ld. Counsel for the applicant submitted that as per his

22/4/2020

knowledge and information the chargesheet has been filed in this case only two days back. He prayed that status report may be summoned from the IO for the next date.

Ld. Addl. P.P. for the State also prays for the same.

On request put up for consideration of this application through video conferencing through CISCO Webex App. on 26.06.2020.

IO be summoned with status report for the next date.

Interim order to continue till next date.

Ld. Addl. P.P. for the State also prays that notice of the bail application be also issued to the complainant/informant.

On request notice of this application be issued to the complainant/ informant through IO for the next date.

Copy of this order be provided to both the sides

(Manish Gupta) ASJ-04(West) Tis Hazari Courts/Delhi 22.06.2020

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FIR No. 53/2017 PS Kirti Nagar State Vs. Sonu U/s 302/34 IPC

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Ujas Kumar, Ld. Counsel for the applicant/accused namely Sonu, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

This is a fresh bail application u/s 439 Cr.P.C.

Report of Insp. Surya Prakash dated 22.06.2020 has come.

Ld. Counsel for the applicant submits that the present application for interim bail is on the basis of recommendations of the Hon'ble High Powered Committee of the Hon'ble High Court of Delhi dated 18.05.2020 and also on the ground of medical illness of the

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applicant as he is not well for some time.

On the other hand, Ld. Addl. P.P. for the State submits that the present case does not fall within the ambit of said guidelines of the Hon'ble High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 since the applicant is having previous involvement in other cases.

Ld. Counsel for the applicant submits that the applicant was also involved in other case FIR No. 05/2016 PS Kirti Nagar, however, the said case has already been disposed off. However, as per report of IO, one more case having FIR No. 658/2014 PS Kirti Nagar u/s 341/323/34 IPC is reflected in which the accused was involved. Ld. Counsel for accused submits that he is not aware about the said case and submits that the report regarding the medical condition of the applicant may be called from the concerned Jail Superintendent.

Now, in view of the above submissions and in the interest of justice, report of the concerned Jail Superintendent be called for next date regarding the medical condition of the applicant/accused Sonu.

Put up on 26.06.2020 for consideration of this application

u/s 439 Cr.P.C. through video conference through Cisco Webex App, as prayed.

The file of this case be also put up along with this application as chargesheet has already been filed, as stated.

Ld. Counsel for the applicant has submitted that he is not aware about the specific illness from which the applicant is suffering.

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

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

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FIR No. 343/2017 PS Mundka State Vs. Pritam @ Sonu @ Bijli U/s 307/394/397/34 IPC & 27/54/59 Arms Act

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Krishan Shokeen, Ld. Counsel for the applicant/accused namely Pritam @ Sonu @ Bijli, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard on the bail application u/s 439 Cr.P.C.

Record perused. Judicial file of the case is also available.

Same is perused.

Ld. Counsel for the applicant/accused submitted that co-accused Anupam is on bail in this case. It is also disclosed by Ld. Counsel for applicant that applicant is also involved in a case u/s 302 IPC. Applicant is stated to be in JC In this case since the year 2017. It is further submitted that case is at stage of PE and the victim did not identify the accused/applicant and trial may take quite some time to conclude.

On the other hand, Ld. Addl. P.P. for the State has opposed the bail application and has submitted that the accused is also involved in three more cases apart from this case as per the report of IO. Ld. Addl. P.P. for the State submitted that the role of this accused is different and there is no ground to admit the accused on bail. The co-accused Anupam was admitted to bail by order dated 07.01.2019 of Hon'ble High Court of Delhi. The said order reflects that TIP of petitioner Anupam was conducted on 09.02.2018 wherein witness had failed to identify the petitioner as the same person who had committed the alleged offence with him. Ld. Addl. P.P. for the State has also submitted that the evidence can not be appreciated at this stage and the prosecution evidence is yet to be concluded.

22/6/2020

Contd.. p/3

On perusal of the record, it is found that the applicant/accused Pritam @ Sonu @ Bijli refused to join the TIP proceedings on 08.02.2018. However, in case of co-accused Anupam, TIP proceedings were joined by the said accused on 09.02.2018 but the witness failed to identify the said accused. The charge against the applicant Pritam @ Sonu @ Bijli reflects that he used deadly weapon i.e. pistol and caused dangerous injuries to the complainant while committing the offence.

In view of the above facts and circumstances and submissions made and considering the involvement of the applicant/accused in three other cases as per the report of ASI Ramesh Kumar and also the fact that applicant refused to join the TIP proceedings, I see no merits in the bail application under consideration, hence, the same is hereby dismissed.

Copy of this order be provided to both the sides. One copy of this order be sent to concerned Jail Superintendent for information.

(Manish Gupta) ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020

FIR No. 132/2020 PS Anand Parbat State Vs. Vicky @ Pange @ Sonu U/s 436/147/148/149 IPC & 25/27 Arms Act

22.06.2020

The matters fixed w.e.f. 16.06.2020 onwards in the Subordinate Courts are to be dealt with as per the order bearing no. 16/DHC/2020 dated 13.06.2020 of the Hon'ble High Court of Delhi and also in view of the Circular/Duty Roster for June, 2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi bearing no. 421/10147-10195/Misc./Gaz./DJ West/2020 dated 15.06.2020.

There is COVID-19 Pandemic in the country for long time and there was also lock-down in the country.

Present: Sh. Girish Giri, Ld. Addl. P.P. for the State.

Shri Vineet Jain, Ld. Counsel for the applicant/accused namely Vicky @ Pange, through video conferencing through CISCO Webex App.

Ld. Addl. P.P. for the State is also connected through video conferencing through CISCO Webex App.

Heard on the bail application u/s 439 Cr.P.C.

Reply of SI Amit dated 21.06.2020 has come. The same is perused.

Ld. Counsel for the applicant/accused highlighted the contents of FIR and also that of Section 436 IPC. Ld. Counsel for

12/6/2020

applicant submitted that applicant is innocent and has been falsely implicated and no other case is pending against the applicant except this case. Ld. Counsel for applicant submitted that the real culprits have not been arrested. He also submitted that FIR reflects that no eyewitness could be found at the spot and CCTV camera was not checked as reflected in FIR. Ld. Counsel for applicant also submitted that SI Shiv Prakash is complainant and IO of this case. Ld. Counsel for applicant submitted that applicant is in JC in this case since 09.06.2020.

On the other hand, Ld. Addl. P.P. for the State has strongly opposed the bail application and submitted that investigation is at the preliminary stages. Ld. Addl. P.P. for the State has submitted that as per report the CCTV cameras which were installed in the vicinity were checked and it was found that there were more than five persons who were seen in the incident and Section 147/148/149 IPC were added in this case. It is also mentioned in the report that thereafter eye-witnesses were examined and their statement u/s 161 Cr.P.C. were recorded. Ld. Addl. P.P. for the State has submitted that since the offence is of rioting and mischief by fire or explosive substance, therefore, it hardly matters that complainant is also the IO. The name of accused Suraj @ Bona and

22/6/2020

contd...p/3

Vicky @ Pange is mentioned in the FIR. It is not the case that the complainant herein is personally aggrieved that is to say that it is not the case that any offence has been committed against the complainant, however, the offence has been committed against the State and the investigation is going on.

Ld. Counsel for applicant has also highlighted the copy of one complaint dated nil wherein the complainant is one Sh. Dhaneshwar Jha. The photocopy of the postal receipts dated 15.06.2020 are also annexed with it. The date of occurrence of offence is 07.06.2020 in this case.

I have considered the rival submissions of both the sides and perused the record. The investigation is at preliminary stages. The offence is serious in nature. Hence, I see no merits in the bail application under consideration. Accordingly, the same is hereby dismissed.

Copy of this order be provided to both the sides. One copy of this order be sent to concerned Jail Superintendent for information

Application under consideration stands disposed off.

(Manish Gupta)

ASJ-04(West)

Tis Hazari Courts/Delhi

22.06.2020