

**SC No. 28569/2016**

**FIR No: 263/2010**

**PS: Timarpur**

**State Vs. Gyan Singh & Ors.**

**10.08.2020**

**Through video conferencing**

**Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.**

Present: Sh. Alok Saxena, Ld. APP for the State.

All accused are on bail prior to lockdown period but not present today.

The matter was lastly listed on 11.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for issuance of notice to Investigating Officer. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Ld. District & Sessions Judge (Headquarters). Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 27.10.2020.

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(Anuj Agrawal)

ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

**SC No. 27423/2016**

**FIR No: 549/2001**

**PS: Ashok Vihar**

**State Vs. Ramesh Yadav & ors.**

**10.08.2020**

**Through video conferencing**

**Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.**

**Present:** Sh. Alok Saxena, Ld. APP for the State.  
Sh. Rambir Singh, Ld. Counsel for accused Rajender Jaina.  
Other accused is absent.

The matter was lastly listed on 19.02.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for issuance of process U/s 82 Cr. P.C. against accused Ramesh Yadav. Said order be complied afresh for 26.10.2020.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: Sh. Alok Saxena, Ld. APP for the State.

Accused Rohit Mundra, Rohit Mittal @ Ashish Mittal and Varun Sharma not produced from judicial custody.

The matter was lastly listed on 17.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for prosecution evidence. Evidence is not to be recorded as per directions of Hon'ble High Court in view of restricted functioning of the District Courts due to current 'Pandemic'. Since none is present on behalf of accused, therefore, matter stands adjourned for purpose on 26.10.2020.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi

10.08.2020



Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: Sh. Alok Saxena, Ld. APP for the State.

All accused persons are on bail prior to lockdown period but not present today.

The matter was lastly listed on 04.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for further proceeding. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Ld. District & Sessions Judge (Headquarters). Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 28.10.2020.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

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**SC No. 536/2018**

**FIR No: 12/2018**

**PS: Sadar Bazar**

**State Vs. Nitin @ Bagga**

**10.08.2020**

**Through video conferencing**

**Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.**

**Present: Sh. Alok Saxena, Id. APP for the State.**

**Accused Nitin Bagga is on bail prior to lockdown period but not present today.**

The matter was lastly listed o 16.01.20202 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for issuance of BW against accused Nitin Bagga. Since none is present on behalf of accused, therefore, matter stands adjourned for compliance of previous order for 27.10.2020.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

**CR No. 519/2019**

**FIR No: 62/2019**

**PS: Pahar Ganj**

**State Vs. Veeru @ Veeru Vaid**

**10.08.2020**

**Through video conferencing**

**Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.**

**Present: Sh. Alok Saxena, Id. APP for the State.**

**Accused Veeru is on interim bail vide order dated 09.04.2020 but he is not present today.**

The matter was lastly listed on 12.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for framing of charge. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Id. District & Sessions Judge (Headquarters). Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 27.10.2020.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

CR No. 752/2019

S. Aggyapal Singh Kohli Vs. Shashank Gupta & anr.

10.08.2020

Through video conferencing

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: None.

The matter was lastly listed on 12.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for argument on application for amendment in memo of parties. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Ld. District & Sessions Judge (Headquarters). Since none is present on behalf of parties, therefore, matter stands adjourned for purpose fixed on 28.10.2020.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020



**SC No. 956/2019**

**FIR No: 313/2019**

**PS: Burari**

**State Vs. Vinod**

**10.08.2020**

**Through video conferencing**

**Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.**

**Present: Sh. Alok Saxena, Id. APP for the State.**

**Accused Vinod is on interim bail vide order dated 29.05.2020 but he is not present today.**

**Sh. Deepak Vats, Id. Counsel for accused Vinod.**

The matter was lastly listed on 11.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for framing of charge. Id. Counsel for accused is present today through VC (as per the notification appearing on screen), however counsel is neither audible nor visible. In these circumstances, matter stands adjourned for purpose fixed on 28.10.2020. Reader is directed to inform the counsel telephonically about the next date of hearing.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

SC No. 975/2019

FIR No: 82/2019

PS: NDRS

State Vs. Jagan Nath

10.08.2020

Through video conferencing

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Honble High Court.

Present: Sh. Alok Saxena, Id. APP for the State.

Accused Jagan Nath not produced from judicial custody.

The matter was lastly listed on 12.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Honble High Court. The last of such Order No. 26/DHC/2020 has been issued by Honble High Court on 30.07.2020 thereby extending the suspension of physical functioning of Court till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for framing of charge. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Id. District & Sessions Judge (Headquarters). Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 29.10.2020.

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Tis Hazari Courts, Delhi  
10.08.2020

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SC No. 377/2018

FIR No: 63/2018

PS: Sarai Rohilla

State Vs. Ashish Kumar

10.08.2020

Through video conferencing

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: Sh. Alok Saxena, Id. APP for the State.

Accused Ashish Kumar is on interim bail vide order dated 06.06.2020 but he is not present today.

The matter was lastly listed on 18.01.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for prosecution evidence/consideration on application moved on behalf of State seeking permission to lead secondary evidence. Evidence is not to be recorded as per directions of Hon'ble High Court in view of restricted functioning of the District Courts due to current 'Pandemic'. Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 23.10.2020.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020



SC No. 28325/2016

FIR No: 31/2012

PS: Hauj Qazi

State Vs. Vijay Pal Singh & ors.

10.08.2020

Through video conferencing

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Rohit, Ld. Counsel for accused Vijay Pal, Parveen Sharma and Kawaljeet Kaur.

Sh. R.K. Singh, Ld. Counsel for accused Praveen Arora.

The matter was lastly listed on 04.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for recording statement of accused U/s 313 Cr. P.C. Due to restricted functioning of courts in view of current situation of 'pandemic', matter stands adjourned for purpose fixed on 28.10.2020.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

SC No. 28619/2016

FIR No: 188/2009

PS: Timarpur

State Vs. Ramchander

10.08.2020

Through video conferencing

Physical functioning of District Courts has been suspended in terms of Order No. 26/DHC/2020 dated 30.07.2020 of Hon'ble High Court.

Present: Sh. Alok Saxena, Ld. APP for the State.

All accused are on bail prior to lockdown period but not present today.

The matter was lastly listed on 11.03.2020 prior to suspension of physical functioning of district courts. However, thereafter, matter could not be taken up due to suspension of work in terms of various office orders issued by Hon'ble High Court. The last of such Order No. 26/DHC/2020 has been issued by Hon'ble High Court on 30.07.2020 thereby extending the suspension of physical functioning of courts till 14.08.2020 and directing to take up all the matters (except where evidence is to be recorded) through VC.

Previously, the matter was fixed for recording statement of accused U/s 313 Cr. P.C. No adverse order is being passed due to restricted functioning of courts in view of current situation of 'pandemic' and in view of office order no.19456-53/G.K./DJ(HQs.)/THC/Delhi dated 07.08.2020 of Ld. District & Sessions Judge (Headquarters). Since none is present on behalf of accused, therefore, matter stands adjourned for purpose fixed on 27.10.2020.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

**State Vs. Shiv Raj**

**FIR No: 293/20**

**Under Section: 399/402/411/120B IPC and 25 Arms Act**

**PS: Burari**

**10.08.2020**

**Through video conferencing**

**Present:** Sh. Alok Saxena, Ld. APP for the State.  
Sh. Satish Kumar, Ld. Counsel for accused/applicant.

Ld. Counsel for accused has argued for grant of bail on the ground that accused has been falsely implicated in the present case as he has been arrested on the disclosure statement of other co-accused persons. It is further argued that there is no admissible evidence against applicant/accused and he has been arrested merely on the basis of mobile chat between him and co-accused. It is argued that accused is no more required for the purpose of investigation and therefore, may be granted bail in the facts and circumstances of the present case.

Ld. APP for the state submits that the reply filed by Investigating Officer (IO) is vague and evasive. It is further argued that this is the third occasion where IO has filed similar vague replies as done previously when the bail applications of co-accused Ranjeet and Satender were filed. It is further submitted that as submitted previously, IO is yet to give him requisite clarifications in the instant FIR. It is submitted that on the basis of material available on record including the replies filed by IO, it appears that a case under Section 399/402/120-B IPC is made out against applicant/accused as he along with other co-accused were planning to commit a dacoity.

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I have heard the rival contentions and perused the record.

Evidently, the reply filed by IO is vague and evasive. The allegations against accused Shiv Raj appear to be general and vague. No specific allegations (against applicant) and the evidence in support of same, have been pointed out by IO in his reply. There is nothing in the reply of IO to suggest even his presence at the spot. Therefore, in the facts and circumstances of present case, I am of the view that accused Shiv Raj deserves to be granted bail. Accordingly, **accused/applicant Shiv Raj is admitted to bail on furnishing Personal Bond and Surety Bond in the sum of Rs. 10,000/- to the satisfaction of concerned Ld. Magistrate/Ld. Duty Magistrate.**

Copy of this order be sent to concerned Ld. Magistrate/SHO/  
concerned jail superintendent and Ld. Defence counsel through e-mail.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

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State Vs. Shiv

FIR No: 196/20

Under Section: 376/323/506/34 IPC

PS: Subzi Mandi

10.08.2020

Through video conferencing

This is an application under Section 438 Cr.P.C for grant of anticipatory bail filed on behalf of accused/applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.  
Ms Charu Kalra, Ld. Counsel for applicant/accused.  
Sh. Anil Kumar, Ld. Counsel for prosecutrix.

IO has filed further report in compliance of order dated 24.07.2020.  
Copy of same supplied to other side electronically.

Despite repeated efforts, Ld. Defence counsel is not audible due to some technical glitch. In these circumstances, I am constrained to adjourn the matter today.

Put up for further hearing on 13.08.2020. In the meantime, **Interim protection to continue.**

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

**State Vs. Bhawna Chug**

**FIR No: 35/20**

**Under Section: 498-A/406/34 IPC**

**PS: Wazirabad**

**10.08.2020**

**Through video conferencing**

**This is an application under Section 438 Cr.P.C for grant of anticipatory bail filed on behalf of accused/applicant.**

Present: Sh. Alok Saxena, Ld. APP for the State.  
Sh. Vishnu Kumar, Ld. Counsel for accused/applicant.

Reply filed by Investigating Officer (IO). Copy supplied to other side electronically.

Ld. Counsel for accused has argued for grant of anticipatory bail on the ground that accused has been falsely implicated in the present case and he has nothing to do with the alleged crime. It is argued that complainant, being sister-in-law (Bhabhi) of applicant, has filed present false FIR due to on going matrimonial disputes between parties. It is further argued that accused/applicant has clean antecedents and therefore, deserves to be granted anticipatory bail in the facts and circumstances of the present case.

Ld. APP for the State has argued that in view of reply of IO, there is no reasonable apprehension of applicant being arrested in the instant case as no such arrest was effected by IO when applicant joined the investigation. It is further argued that if need arises, applicant shall be arrested only after permission of concerned DCP.

Heard. Record perused.

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Page no. 1 of 3



IO has reported that applicant has joined the investigation alongwith co-accused. It has further been reported that applicant was not arrested and after interrogation, he was let off.

The parties are admittedly having matrimonial dispute. The rival contentions of the parties shall be adjudged during course of trial only. Custodial interrogation of accused is not necessary as per version of State also. The applicant is not shown to be a habitual offender. In my view, presence of the accused at investigation can be secured by imposing conditions. In the case of **Siddharam Saltingappa Mhetre Vs. State of Maharashtra (2011) 1 SCC 694**, the Hon'ble Supreme Court observed:

*"Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case."*

Therefore, in the facts and circumstances of present case, instant application is allowed. It is directed that in the event of arrest, **the applicant Bhawna Chug is directed to be released on bail, on furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like sum.** This order of anticipatory bail is subject to the following conditions:-

1. During the period of bail, the accused/applicant shall not try to contact or influence, directly or indirectly, any of the victims / witnesses of the present case.
2. The accused shall not misuse the benefit of bail by indulging in commission of similar offences in future.
3. The applicant shall not leave the country without prior permission of the court.
4. The applicant shall join the investigation as and when directed to do so.

. The applicant shall intimate the court in case of change of his address.

Application stands disposed off accordingly. Copy of this order be sent to Ld. Magistrate/SHO/IO as well as Ld. Defence counsel through official e-mail.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
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**State Vs. Raj Kumar Chug**

**FIR No: 35/20**

**Under Section: 498-A/406/34 IPC**

**PS: Subzi Mandi**

**10.08.2020**

**Through video conferencing**

**This is an application under Section 438 Cr.P.C for grant of anticipatory bail filed on behalf of accused/applicant.**

Present: Sh. Alok Saxena, Ld. APP for the State.  
Sh. Vishnu Kumar, Ld. Counsel for accused/applicant.

Reply filed by Investigating Officer (IO). Copy supplied to other side electronically.

Ld. Counsel for accused has argued for grant of anticipatory bail on the ground that accused has been falsely implicated in the present case and he has nothing to do with the alleged crime. It is argued that complainant, being daughter-in-law of applicant, has filed present false FIR due to on going matrimonial disputes between parties. It is further argued that accused/applicant has clean antecedents and therefore, deserves to be granted anticipatory bail in the facts and circumstances of the present case.

Ld. APP for the State has argued that in view of reply of IO, there is no reasonable apprehension of applicant being arrested in the instant case as no such arrest was effected by IO when applicant joined the investigation. It is further argued that if need arises, applicant shall be arrested only after permission of concerned DCP.

Heard. Record perused.

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IO has reported that applicant has joined the investigation alongwith other co-accused. It has further been reported that applicant was not arrested and after interrogation, he was let off.

The parties are admittedly having matrimonial dispute. The rival contentions of the parties shall be adjudged during course of trial only. Custodial interrogation of accused is not necessary as per version of State also. The applicant is not shown to be a habitual offender. In my view, presence of the accused at investigation can be secured by imposing conditions. In the case of **Siddharam Saltingappa Mhetre Vs. State of Maharashtra (2011) 1 SCC 694**, the Hon'ble Supreme Court observed:

*"Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case."*

Therefore, in the facts and circumstances of present case, instant application is allowed. It is directed that in the event of arrest, **the applicant Raj Kumar Chug is directed to be released on bail, on furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like sum.** This order of anticipatory bail is subject to the following conditions:-

1. During the period of bail, the accused/applicant shall not try to contact or influence, directly or indirectly, any of the victims / witnesses of the present case.
2. The accused shall not misuse the benefit of bail by indulging in commission of similar offences in future.
3. The applicant shall not leave the country without prior permission of the court.
4. The applicant shall join the investigation as and when directed to do so.
5. The applicant shall intimate the court in case of change of his address.

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Application stands disposed off accordingly. Copy of this order be sent to Ld. Magistrate/SHO/IO as well as Ld. Defence counsel through official e-mail.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

**State Vs. Basant Tewatia**

**FIR No: 120/20**

**Under Section: 354/354A/506/34 IPC**

**PS: Burari**

**10.08.2020**

**Through video conferencing**

**This is an application under Section 438 Cr.P.C for grant of anticipatory bail filed on behalf of applicant/accused.**

**Present:** Sh. Alok Saxena, Ld. APP for the State.  
Sh. Abhishek Ranjan, Ld. Counsel for accused/applicant.

Reply by IO filed. Copy of same supplied to other side electronically.

Ld. Counsel for accused has argued for grant of anticipatory bail on the ground that accused has been falsely implicated in the present case and he has nothing to do with the alleged crime. It is argued that complainant being daughter-in-law of applicant, has filed the present false FIR against him and his other family members because of on-going family dispute. It is further argued that there is a delay of more than 02 months in registration of present FIR. It is argued that as per complainant, the alleged incident (i.e. touching her private parts by applicant/accused) occurred on 15.01.2020 whereas the FIR in the instant case was registered only after prosecutrix had moved two false complaints (alleging cruelty) in CAW Cell on 27.02.2020. It is further argued that surprisingly, while moving the said complaints before CAW Cell, there is no mention of said allegations (i.e. touching of private parts) and only general and vague allegations, of applicant holding her hand, have been made. It is further argued that custodial interrogation of accused is not required and therefore, he deserves to be granted protection of anticipatory bail in the facts and circumstances of the present case.



Per contra, Ld. APP for State has vehemently opposed the present application stating that the allegations against the accused are grave and serious. It is argued that custodial interrogation is required for effective investigation in the instant case.

I have heard rival contentions and perused the record.

The parties are admittedly having matrimonial dispute. The allegations of touching of private parts by accused are conspicuously missing in both complaints moved before CAW Cell. Therefore, the contention of defence, that applicant has been falsely implicated due to on going matrimonial dispute between parties, cannot be brushed aside lightly. The rival contentions of the parties shall, however, be adjudged during course of trial only. Custodial interrogation of accused is not necessary. The applicant is not shown to be a habitual offender. Presence of the accused at investigation can be secured by imposing conditions. In the case of **Siddharam Saltingappa Mhetre Vs. State of Maharashtra (2011) 1 SCC 694**, the Hon'ble Supreme Court observed:

*"Personal liberty is a very precious fundamental right and it should be curtailed only when it becomes imperative according to the peculiar facts and circumstances of the case."*

Therefore, in the facts and circumstances of present case, instant application is allowed. It is directed that in the event of arrest, the applicant **Basant Tewatia** is directed to be released on bail, on furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like sum. This order of anticipatory bail is subject to the following conditions:-

1. During the period of bail, the accused/applicant shall not try to contact or influence, directly or indirectly, any of the victims / witnesses of the present case.

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accused shall not misuse the benefit of bail by indulging in commission of offences in future.

- The applicant shall not leave the country without prior permission of the court.
4. The applicant shall join the investigation as and when directed to do so.
  5. The applicant shall intimate the court in case of change of his address.

Application stands disposed off accordingly. Copy of this order be sent to Ld. Magistrate/SHO/IO as well as Ld. Defence counsel through official e-mail.

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(Anuj Agrawal)

ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

State Vs. Anchal @ Lakshmi

FIR No: 225/20

Under Section: 307/109/34 IPC

S: Burari

10.08.2020

Through video conferencing

This is an application under Section 439 Cr.P.C for grant of bail filed on behalf of applicant/accused.

Present: Sh. Alok Saxena, Ld. APP for the State.  
Sh. Moni Jain, Ld. Counsel for applicant/accused

Reply filed by IO. Copy supplied to other side electronically.

Ld. Defence counsel has argued that applicant has been falsely implicated and has nothing to do with the alleged crime. It is argued that accused is no more required for the purpose of investigation as same has already been completed. It is further argued that accused is a woman and has two minor children (aged about 2 years and 5 years). It is further argued that the only role attributed to applicant is that she had exhorted co-accused to kill the victim and therefore, considering her role, she may be granted bail in instant case.

Per contra, Ld. APP for the State has vehemently opposed the instant application on the ground that the allegations against the accused are grave and serious. It is argued that the investigation is still at initial stage and accused may tamper with the evidence, if enlarged on bail.

I have heard the rival contentions and perused the record.

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Brief case of prosecution is that on alleged date of incident i.e. 19.07.2020, accused/applicant exhorted the co-accused to kill the complainant and thereafter co-accused Jitender stabbed complainant resulting in multiple injuries to him. The applicant/accused is a woman and having two minor children. The only role attributed to applicant is that she had exhorted the co-accused to kill the complainant. Therefore, in the facts and circumstances of the case and considering the fact that applicant is a woman having responsibility of two minor children and the nature of allegations against her, I am of the view that accused deserves to be granted bail in the instant case. **Accordingly, Accused/Applicant Anchal @ Lakshmi is admitted to bail on furnishing Personal Bond and Surety Bond in the sum of Rs. 20,000/- to the satisfaction of concerned Ld. Magistrate/Ld. Duty Magistrate.**

Copy of this order be sent to concerned Ld. Magistrate/SHO/IO, PS Subzi Mandi/ concerned jail superintendent and Ld. Defence counsel through e-mail.

I may clarify that nothing expressed herein shall tantamount to an expression on the merit of present case.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020



**State Vs. Anish Tyagi**

**FIR No: 193/20**

**Under Section: 392/411/34 IPC**

**PS: Wazirabad**

**10.08.2020**

**Through video conferencing**

**This is an application for extension of interim bail filed on behalf of accused/applicant.**

**Present: Sh. Alok Saxena, Ld. APP for the State  
Sh. P.K Chaudhary, Ld. Counsel for applicant/accused**

Reply filed by the IO. Copy supplied to Ld. Defence Counsel electronically.

The applicant is seeking extension of interim bail, granted to him vide order dated 25.06.2020 by this court under the guidelines of High Powered Committee. In terms of the directions dated 04.08.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a period of 45 days from date of their respective expiry. The relevant observations of Hon'ble High Court are as follows:

*“ Accordingly, it is ordered that the interim bails for a period of 45 days granted to 2901 UTPs, in view of the recommendation of HPC dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020 and 31.07.2020 and on the basis of orders in W.P.(C) NO 2945/2020 titled as “Shobha Gupta & ors s Union of India & ors” are hereby extended by another period of 45 days from the date of their respective expiry of interim bails on the same terms and conditions”.*

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view of same, there is no necessity for filing the present application separately.  
resent application stands disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent/IO and Ld.  
Defence counsel through official email.

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(Anuj Agrawal)  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
10.08.2020

State Vs. Vicky

FIR No: 147/20

Under Section: 25 Arms Act

PS: Roop Nagar

10.08.2020

Through video conferencing

**This is an application under Section 439 Cr.P.C for grant of bail filed on behalf of accused/applicant.**

Present: Sh. Alok Saxena, Ld. APP for the State  
Ms Zia Afroz, Ld. Counsel for accused/applicant

Reply filed by IO. Copy of same supplied to other side electronically.

Ld. Counsel is seeking regular bail of the accused on the ground that he has been falsely implicated in the present case and recovery has been planted. It is argued that investigation is complete and accused is no more required for further investigation. It is further argued that wife of accused is handicapped and having two minor daughters of 12 years and 16 years and there is no one to look after the family of the applicant. It is further argued that charge sheet has already been filed and therefore no purpose would be served by keeping accused behind bars.

Per contra, Ld. APP for State has argued for dismissal of instant application on the ground that earlier applications of accused (for grant of bail) have already been dismissed by Ld. ASJ as well as by this court and there is no change of circumstance since passing of said orders.

At the outset, I may mention that that this is third bail application moved under Section 439 Cr.P.C. The factum of dismissal of earlier bail applications

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was not disclosed in the instant application. The last of such applications was dismissed by this court vide detailed order dated 21.07.2020. All the contentions as raised in the instant application have already been dealt with previously. The accused does not have clean antecedents.

The only new ground on which Ld. Defence counsel presses for bail is filing of charge sheet. However, in my considered view, mere fact that investigation is complete and charge sheet has been filed does not necessarily confer a right on the accused to be released on bail. It is not even a material change in circumstances. It would be apposite to refer to the decision of Hon'ble Supreme Court in the case of **Virupakshappa Gouda Vs. State of Karnataka, Criminal Appeal No. 601/2017, dated 28.03.2017**. In that case, the earlier application for bail had been rejected. Later, charge-sheet was filed. Taking note of the fact that investigation is no longer pending and after referring to the judgment of Hon'ble Supreme Court in the case of **Sanjay Chandra Vs. Central Bureau of Investigation, 2012 CRI. L.J. 702**, the Trial Court allowed the bail application and released the applicant on bail. The Hon'ble Supreme Court held that bail should not have been granted and the filing of charge-sheet is not a circumstance that tilts the scales in favour of the accused in grant of bail. The Hon'ble Supreme Court also held that its observations in the Sanjay Chandra case (ibid) "cannot be made applicable in each and every case for grant of bail." The following extract of the decision of Hon'ble Supreme Court is relevant:

*"On a perusal of the order passed by the learned trial judge, we find that he has been swayed by the factum that when a charge-sheet is filed it amounts to change of circumstance. Needless to say, filing of the charge-sheet does not in any manner lessen the allegations made by the prosecution. On the contrary, filing of the charge-sheet establishes that after due investigation the investigating agency, having found materials, has placed the charge-sheet for trial of the accused persons."*

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In the case of **Masroor Vs. State of U.P. and Another 2009 (6) SCALE 358**, the Hon'ble Supreme Court observed thus :

*"There is no denying the fact that the liberty of an individual is precious and is to be zealously protected by the Courts. Nonetheless, such a protection cannot be absolute in every situation. The valuable right of liberty of an individual and the interest of the society in general has to be balanced. Liberty of a person accused of an offence would depend upon the exigencies of the case. It is possible that in a given situation, the collective interest of the community may outweigh the right of personal liberty of the individual concerned".*

Therefore, considering the totality of the circumstances and past antecedents of accused, I am not inclined to grant bail to him at this stage. **Accordingly, the application seeking regular bail stands dismissed.**

Copy of this order be sent to concerned Ld. Magistrate/jail superintendent/ IO/SHO/Ld. Defence counsel through official e-mail for information.

I may clarify that nothing expressed herein shall tantamount to an expression on the merit of present case.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
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State Vs. Akram Hussain

FIR No: 44/18

Under Section: 302/506 IPC

PS: Hauz Qazi

10.08.2020

Through video conferencing

**This is an application for extension of interim bail filed on behalf of accused/applicant.**

Present: Sh. Alok Saxena, Ld. APP for the State  
Sh. Ashish Laroia, Ld. Counsel for applicant/accused.

The applicant is seeking extension of interim bail, granted to him vide order dated 25.06.2020 by this court under the guidelines of High Powered Committee. In terms of the directions dated **04.08.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr**, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a period of 45 days from date of their respective expiry. The relevant observations of Hon'ble High Court are as follows:

*“ Accordingly, it is ordered that the interim bails for a period of 45 days granted to 2901 UTPs, in view of the recommendation of HPC dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020 and 31.07.2020 and on the basis of orders in W.P.(C) NO 2945/2020 titled as “Shobha Gupta & ors s Union of India & ors” are hereby extended by another period of 45 days from the date of their respective expiry of interim bails on the same terms and conditions”.*

In view of same, there is no necessity for filing the present application separately. **Present application stands disposed off accordingly.**

Copy of this order be sent to concerned Jail Superintendent/IO and Ld. Defence counsel through official email.

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ASJ-03, Central District  
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10.08.2020

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State Vs. Pawan @ Paragi Lal

FIR No: 356/15

Under Section: 302 IPC

PS: Rajender Nagar

10.08.2020

Through video conferencing

This is an application extension of interim bail filed on behalf of accused/applicant.

Present: Sh. Alok Saxena, Ld. APP for the State.  
Sh. Michael Peter, Ld. Counsel for applicant/accused.

Reply filed by the IO. Copy supplied to Ld. Defence Counsel electronically.

The applicant is seeking extension of interim bail, granted to him vide order dated 05.06.2020 by Ld. ASJ (on duty) under guidelines of High Powered Committee. The said order was, later on, clarified vide order dated 23.06.2020 by Ld. ASJ .

In terms of the directions dated 04.08.2020 of Hon'ble High Court in W.P.(C) 3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & anr, the interim bail of all such applicants have already been extended by Hon'ble High Court vide a common order for a period of 45 days from date of their respective expiry. The relevant observations of Hon'ble High Court are as follows:

*" Accordingly, it is ordered that the interim bails for a period of 45 days granted to 2901 UTPs, in view of the recommendation of HPC dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020 and 31.07.2020 and on the basis of orders in W.P.(C) NO 2945/2020 titled as "Shobha Gupta & ors s Union of India & ors" are hereby extended by another period of 45 days from the date of their respective expiry of interim bails on the same terms and conditions".*

In view of same, there is no necessity for filing the present application

FIR NO: 356/15

State vs Pawan @ Paragi Lal

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separately. Present application stands disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent/IO and Ld.  
Defence counsel through official email.

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ASJ-03, Central District  
Tis Hazari Courts, Delhi  
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