

Crl. Appeal No. 308/19  
Sajjan Singh Tomer Vs. Raghuvinder Shokeen

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

Present : Sh. Manoj Kumar Verma, proxy counsel for counsel for the appellant.  
None for respondent.

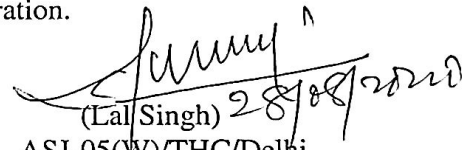
Matter is at the stage of consideration on appeal.

Ld. Proxy counsel for the appellant submits that today main counsel is out of station at Panipat and he is seeking adjournment.

At the request of proxy counsel for the appellant, matter is adjourned for 27.10.2020.

Issue notice to the respondent on filing of PF/RC, returnable for 27.10.20.

Put up on 27.10.2020 for consideration.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

Crl. Appeal No. 309/19  
Sajjan Singh Tomer Vs. Arun Shokeen

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

Present : Sh. Manoj Kumar Verma, proxy counsel for counsel for the appellant.  
None for respondent.

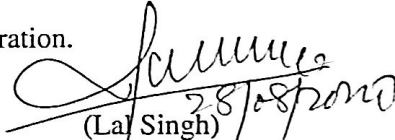
Matter is at the stage of consideration on appeal.

Ld. Proxy counsel for the appellant submits that today main counsel is out of station at Panipat and he is seeking adjournment.

At the request of proxy counsel for the appellant, matter is adjourned for 27.10.2020.

Issue notice to the respondent on filing of PF/RC, returnable for 27.10.20.

Put up on 27.10.2020 for consideration.

  
(La) Singh  
ASJ-05(W)/THC/Delhi  
28.08.2020

Case No.56477/16  
FIR No.12/14  
PS: Anand Parbat  
State Vs. Kanhiya

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the accused.

Matter is at the stage of P.E.


Perusal of file shows that the accused is on bail in this case, however, today he is absent.

Due to present pandemic situation as well as in the interest of justice, no adverse order is being passed against the accused for non joining the proceedings through VC only for today.

Vide order bearing No.26/DHC/2020 dated 30.07.2020, Hon'ble High Court of Delhi has directed that in the subordinate courts evidence shall be recorded only in ex-parte and uncontested matter, where the same is required to be tendered by way of affidavit.

In view of the above, matter is adjourned for 27.10.2020.

Put up on 27.10.2020 for P.E.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

Case No. 58004/16  
FIR No.278/15  
PS: Patel Nagar  
State Vs. Gaurav @ Sunny

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
None for the accused.

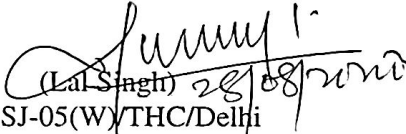
Matter is at the stage of P.E.

Perusal of file shows that before lockdown accused was in JC.

Vide order bearing No.26/DHC/2020 dated 30.07.2020, Hon'ble High Court of Delhi has directed that in the subordinate courts evidence shall be recorded only in ex-parte and uncontested matter, where the same is required to be tendered by way of affidavit.

In view of the above, matter is adjourned for 27.10.2020.

Put up on 27.10.2020 for P.E.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

CrI. Rev. No. 371/19  
Ramesh Bhutani & Anr. Vs. State

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

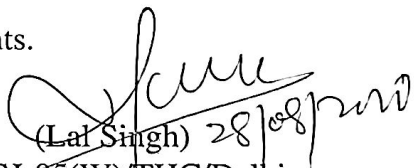
Present : Sh. Kunal Mehra, proxy counsel for counsel for the petitioners.  
Sh. M.A. Khan, Ld. Addl. PP for the State/respondent.

Matter is at the stage of argument.

Proxy counsel for the petitioners submits that today main counsel is not available and he is seeking one opportunity for argument.

At the request of proxy counsel for petitioner, matter is adjourned for 27.10.2020.

Put up on 27.10.2020 for arguments.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

Case No. 575/18  
FIR No. 285/18  
PS: Mundka  
State Vs. Suraj Bhan

28.08.2020

Matter is taken up today in terms of order bearing No.26/DHC/2020 dated 30.07.2020 and order bearing No.322/RG/DHC/2020 dated 15.08.2020 of the Hon'ble High Court of Delhi.

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. R.P. Sarwan, Ld. LAC for accused through VC.  
Accused is produced through VC from Central Jail no.1.

Matter is listed today for judgment.

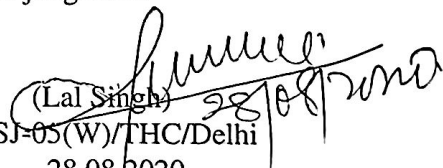
Perusal of file shows that on last date of hearing the presence of accused was not marked, however, on last date of hearing i.e. 18.08.2020, accused was produced through VC from Central Jail No.1. Accused also submits that on last date of hearing he appeared through VC from Central Jail No.1.

Judgment could not be announced today.

Therefore, matter is adjourned for 08.09.2020 at 2:30 P.M.

Accused be produced on next date of hearing i.e. 08.09.2020 at 2:00 P.M., through VC and the intimation in this regard be sent to concerned jail superintendent.

Put up on 08.09.2020 at 2:30 P.M., for judgment.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
28.08.2020

FIR No. 211/11  
PS: Nihal Vihar  
State Vs. Amarjeet Singh

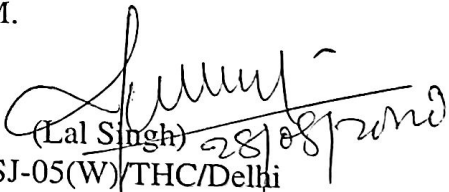
28.08.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. S.P. Shukla, Ld. Counsel for the applicant/accused  
alongwith surety Sunehra Singh through VC.

Reader of the court has sent a copy of the order dated 27.08.2020, passed by the Hon'ble High Court of Delhi in CRL. A. 453/19 titled as Amarjeet Singh Vs. State of NCT of Delhi, as received in the court today, whereby the Hon'ble High Court has granted interim bail to the appellant/accused for a period of two weeks from the date of his release subject to furnishing the personal bail bond with one surety in the sum of Rs.50,000/- to the satisfaction of trial court concerned. At this stage, surety has furnished the bail bond alongwith surety documents.

Let the bail bond as well as surety documents be verified through IO/SHO concerned, returnable for 29.08.2020 at 12:30 P.M.

Put up on 29.08.2020 at 12:30 P.M.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

FIR No. 539/16  
PS: Rajouri Garden  
State Vs. Amit @ Khaddar  
U/s 302/34 IPC

28.08.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh.M.P. Sinha, Ld. Counsel for applicant/accused through VC.

This application U/s 439 Cr.P.C., has been filed on behalf of applicant/accused for grant of interim bail for a period of 45 days in terms of HPC minutes dated 18.05.2020.

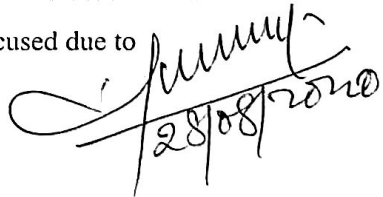
Reply to the above application has been received on behalf of SI Sanjeet Singh, P.S. Rajouri Garden.

Alongwith the application, copy of order dated 20.08.2020 passed by this court has also been annexed.

Argument on above application heard.

Ld. Counsel for the applicant/accused submits that vide order dated 20.08.2020 this court has dismissed the application of the applicant/accused for grant of interim bail on the ground of unsatisfactory conduct report, as the punishment was recorded against the applicant/accused on 06.05.2017 in the jail for quarreling with fellow inmates. He also submits that Hon'ble High Court has granted bail to similarly situated persons whose conduct was unsatisfactory due to punishment recorded in the jail and in this regard Ld. Counsel also relied upon the orders passed by by Hon'ble High Court of Delhi, dated 13.07.2020 in BAIL APPLN. 1489/20 titled as Rohan Vs. State of NCT of Delhi and dated 18.06.2020 in BAIL APPLN. 1197/20 titled as Rahul alias Happy Vs. State of NCT of Delhi.

Ld. Addl. PP for the State submits that on 20.08.2020 this court has dismissed the interim bail application of applicant/accused due to

  
28/08/2020



unsatisfactory conduct report and since then there is no change of circumstances. He further submits that as per HPC guidelines, the conduct of the accused should be good/satisfactory.

I have considered the above submissions.

Perusal of the copy of the order dated 20.08.2020 passed by this court, shows that the conduct of applicant/accused as per report dated 20.08.2020, received from superintendent, Central Jail No.4, Tihar, Delhi, was found to be unsatisfactory due to punishment recorded against him on 06.05.2017 for quarreling with fellow inmates in the jail.

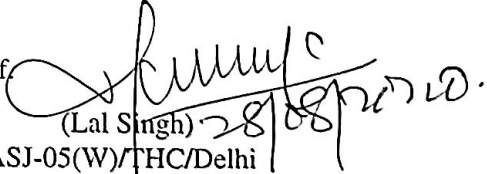
I have also gone through the above orders dated 13.07.2020 and 18.05.2020 as passed by Hon'ble High Court of Delhi.

However, in the above orders as passed by Hon'ble High Court of Delhi, there is no such directions to the subordinate courts to consider the interim bail applications of UTPs, under HPC guidelines/criteria dated 18.05.2020, even if, the conduct of the UTPs in the jail during their custody period is unsatisfactory.

As per the guidelines dated 18.05.2020 of Hon'ble HPC, the applications for interim bail of UTPs falling in categories as mentioned in HPC guidelines dated 18.05.2020, for being considered, should have a certificate of good conduct during their respective custody period from jail superintendent, to qualify in the above mentioned category.

Thus, in view of the above facts & circumstances, the present application does not fall under the HPC criteria/guidelines dated 18.05.2020 and accordingly, the present application is dismissed.

Application is accordingly disposed of.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/HC/Delhi  
28.08.2020

FIR No.318/18  
PS: Patel Nagar  
State Vs. Pawan Kumar Gautam  
U/s 186/353/ 307/147/148/149 IPC & Sec. 27 Arms Act

28.08.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Mohd. Ilyas, Ld. Counsel for applicant/accused through VC.

This application U/s 439 Cr.P.C., has been filed on behalf of applicant/accused for grant of regular bail.

Reply to the above application has been received on behalf of SI Satyavir Singh, P.S. Patel Nagar.

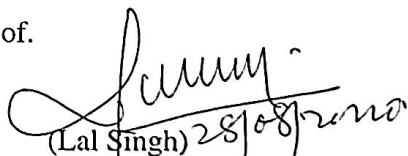
Heard for some time.

Ld. Counsel for the applicant/accused submits that another regular bail application on behalf of applicant/accused as filed by some other counsel is already pending adjudication before the court.

At this stage, Ld. Counsel for the applicant/accused submits that he is withdrawing the present application and he may be permitted to withdraw the same.

In view of the above facts & circumstances and submissions of Ld. Counsel for the applicant/accused, the present application is dismissed as withdrawn.

Application is accordingly disposed of.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

FIR No.381/19  
PS: Nihal Vihar  
State Vs. Unknown  
U/s 307 IPC

28.08.2020

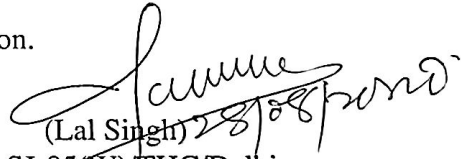
Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Suresh Chander, Ld. Counsel for applicant through VC.

This application has been filed on behalf of applicant Parshant for releasing motorcycle bearing registration No. HR 79 0169 HERO SPLENDER PRO on superdari to the applicant.

Reply to the above application has been received on behalf of ASI Heera Lal, P.S. Nihal Vihar.

Issue fresh notice to IO of the case to file reply to the above application as well as to appear through VC on next date of hearing i.e. 10.09.2020.

Put up on 10.09.2020 for consideration.

  
(Lal Singh) 28/08/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

FIR No.428/18  
PS: Khyala  
State Vs. Parvinder Singh @ Kallu  
U/s 302/201 IPC

28.08.2020

Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Subham Asri ,Ld. Counsel for applicant/accused through  
VC.

This application U/s 439 Cr.P.C., has been filed on behalf of  
applicant/accused for extension of interim bail.

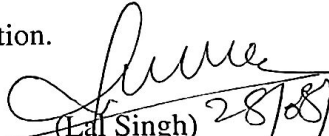
Alongwith the application, the copy of order dated  
22.07.2020 of this court has also been annexed vide which the interim bail  
of the applicant/accused has already been extended till 31.08.2020.

Ld. Counsel for the applicant/accused submits that present  
application may be kept pending till 01.09.2020 and also requested to put  
up the matter on 01.09.2020.

In view of the above, matter is adjourned for 01.09.2020.

In the meanwhile, issue notice to IO/SHO concerned to file  
reply to the above application, returnable for 01.09.2020

Put up on 01.09.2020 for consideration.

  
(Lal Singh) 28/8/2020  
ASJ-05(W)/THC/Delhi  
28.08.2020

FIR No.162/15  
PS: Ranhola  
State Vs. Rakesh Kumar  
U/s 307/302/34 IPC

28.08.2020

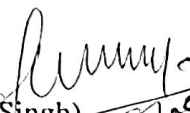
Present : Sh. M.A. Khan, Ld. Addl. PP for the State through VC.  
Sh. Anubhav Dubey, Ld. Counsel for applicant/accused  
through VC.

This application U/s 439 Cr.P.C., as filed on behalf of  
applicant/accused for grant of regular bail, is listed today for consideration.

Fresh reply has been received on behalf of SI Amit Rathi.

Argument partly heard.

Put up on 29.08.2020 further arguments on above  
application.

  
(Lal Singh)  
ASJ-05(W)/THC/Delhi  
28.08.2020