

Bail application No. 2455/2020
FIR No. 263/20
PS: Civil Lines
U/s: 379/411/34 IPC
State Vs. Mukhtar Alam

11.09.2020

This is an application u/s 438 Cr.PC, seeking anticipatory bail moved on behalf of applicant/accused namely Mukhtar Alam.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.
IO HC Mahesh.
Sh. Vinay Modi, Advocate for applicant/accused.

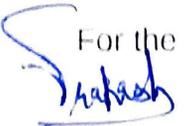
Matter is taken up through Video Conferencing on account of Covid-19 lockdown.

Reply of bail application filed. Copy thereof supplied to Ld. Counsel for applicant/accused electronically.

Arguments on bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, counsel for applicant/accused has argued that the applicant is totally innocent and has been falsely implicated in this case and he has nothing to book with the alleged crime. It is further argued that the applicant is neither named in the FIR nor registration number of his TSR is found mentioned therein. It is further argued that applicant is residing in the vicinity of co-accused persons and he had gone to his home town situated at Motihari, Bihar, on 17.06.2020 i.e. on next date of the date of incident which is 16.06.2020, on account of marriage of his younger brother and returned back to Delhi on 01.07.2020. It is further argued that applicant was never asked to join the investigation at any point of time and he recently came to know about the present FIR on receipt of notice u/s 82 Cr.PC on 06.09.2020. It is further argued that applicant is not required for custodial interrogation and he is ready to join the investigation if so required but since he apprehends his arrest in this case, he may be protected. It is further argued that anticipatory bail application is maintainable under the law even if applicant is declared Proclaimed Offender by the Court.

For the said purpose, counsel for applicant relied upon judicial precedents.



On the other hand, the bail application is opposed by Ld. Addl. PP on the ground that the allegations against the applicant are grave and serious and he alongwith co-accused persons committed theft of purse containing considerable cash amount of the victim namely Manish Kumar, on the pretext that they were destitute and did not have money to go back to their home town. It is, therefore, urged that the bail application may be dismissed.

As per reply of IO, the present applicant is evading his arrest and proclamation u/s 82 Cr.PC has already been issued against him in this case. On query, IO has informed the Court that the name of present applicant was disclosed by co-accused already arrested in this case and out of stolen money, considerable part of stolen money is statedly came into possession of present applicant. In this background, the custodial interrogation of present application is considered to be necessary in order to make efforts for recovery of stolen money and for sustained interrogation.

In the light of aforesaid discussion and keeping in view the nature of allegations, Court is of the view that it is not a fit case for grant of pre-arrest bail to the applicant/accused. Consequently, the bail application is hereby dismissed.

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



(Vidya Prakash)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
11.09.2020

11.09.2020

This is an application u/s 438 Cr.PC, seeking anticipatory bail moved on behalf of applicant/accused namely Lalit.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO ASI Rood Mal.
Sh. Manoj Goswami, 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 accused electronically.

Arguments on the bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, it is argued by counsel of applicant that the applicant is totally innocent and has been falsely implicated in this case and he is having clean antecedents. It is further argued that the victim was discharged from the hospital on the very next day and the applicant is not required for custodial interrogation in any manner. He may therefore be granted pre-arrest bail and he is ready to join the investigation, if so required. It is further argued that the complainant has already compromised with the applicant and he did not oppose the regular bail application of co-accused Raghu Raj which was allowed by Sessions Court on 24.08.02020.

Ld. Addl. PP has opposed the bail application on the ground that there are serious allegations against the present applicant and he may indulge into similar offence in the event of grant of pre-arrest bail to him. He, therefore, submitted that the bail application should not be allowed.

As per the reply of IO, the present applicant is not shown to be previously found involved in any other criminal case. The victim has already been discharged from the hospital. On query, IO has informed the court that custodial interrogation of present application is not required at all. However, IO has sought direction to the applicant for joining the investigation of the case.

 Rakash

FIR No. 322/20
PS: Wazirabad
State Vs. Lalit

Having considered the over all facts and circumstances of the present case and in the light of discussion made herein above, the present bail application is allowed and it is hereby ordered that in the event of his arrest, the applicant/ accused namely Lalit shall be released on bail subject to furnishing personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of concerned IO/SHO and subject to the conditions that the applicant shall join the investigation as and when directed to do so and he shall cooperate with the investigating agency.

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



(Vidya Prakash)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
11.09.2020

11.09.2020

This is an application U/s 439 Cr.PC, seeking interim bail moved on behalf of applicant/accused namely Saim @ Namir @ Namiruddin.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.
SI Ganga Pal on behalf of IO.
Sh. Ayub Ahed Qureshi, 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 Ld. Counsel for applicant/accused electronically.

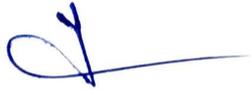
Heard. Perused.

It is submitted that charge-sheet has already been filed in this case. Let TCR be called for next date.

Let the report of concerned Jail Superintendent be also called on the following points:-

1. Copy of custody warrant of applicant/ accused; and
2. A certificate regarding good conduct of applicant/ accused in this case during his custody period so far.

Put up on **16.09.2020** for arguments on the bail application.



(Vidya Prakash)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
11.09.2020

11.09.2020

This is an application u/s 438 Cr.PC, seeking anticipatory bail moved on behalf of applicant/accused namely Nitesh.

Present: Sh. Balbir Singh, Id. Addl. PP for the State.
IO/Inspector Rajesh Kumar.
Sh. Sanjeev Bhatia, 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.

Arguments on bail application heard. Reply perused.

After referring to the allegations appearing in the FIR, Counsel of applicant has argued that the applicant is totally innocent and has been falsely implicated in this case; he has nothing to do with the alleged crime and the allegations of FIR are contradictory to the prosecution story, inasmuch as the assailants were six in numbers as per FIR but as per reply filed by IO, they are now being claimed to be about 10-12 boys. It is further argued that the applicant is not at all visible in the CCTV footage allegedly seized by IO and apart from disclosure statements of co-accused persons, there is no incriminating evidence whatsoever against the applicant. It is further argued that the applicant is working as cleaner in houses in the vicinity and he was at home on 14.06.2020, it being holiday on account of Sunday and he was leaving for Roshanra Bagh to play Cricket with his friends when the alleged incident took place as per the FIR. It is further argued that the applicant is having clean antecedents and he alongwith his family members are residing at the given address for the last about 15 years and he was never asked to join the investigation by police at any point of time. It is further argued that the present applicant is neither named in the FIR nor he is required for his custodial interrogation in any manner. It is further argued that the applicant is ready to join the

investigation, if so required but since he apprehends his arrest in this case, he may be protected.

Per contra, the bail application is strongly opposed by Ld. Addl. PP on behalf of State on the ground that the allegations against the applicant are grave and serious. It is further argued that another victim namely Akshay as also by victim Nikhil, had named this applicant to be one of the assailants in their respective statements u/s 161 Cr.PC dated 15.06.2020. Copies of both the said statements, as also the copies of photographs taken from CCTV Footage are also filed on record by IO.

It is further argued that all the accused persons have committed the crime in pre-planned manner and process u/s 82 Cr.PC has already been executed against this applicant for 10.09.2020 and report in this regard has already been filed by IO before the Court of Ld Magistrate. It is further argued that custodial interrogation of the applicant is also required in this case. It is therefore, urged that the bail application may be dismissed.

In brief, it is alleged that on 14.06.2020, DD No.44A was recorded at PS Subzi Mandi with regard to incident of firing three times and causing beatings to rickshaw wala at public place. Same was marked to SI Jaiveer, who initially went to the spot and thereafter, visited Hindu Rao Hospital, where, it was revealed that injured persons had gone to PS as Hindu Rao Hospital was declared as Hospital for Corona Patient. Injured persons namely Nikhil and Akshay were got medically examined and there are stated to have sustained multiple injuries including lacerated wounds and incised wounds on vital parts of their body.

IO has pointed that he had recorded the statements of victims Akshay and Nikhil on the date of registration FIR itself i.e. 15.06.2020, wherein they have specifically named this applicant to be amongst the offenders. This is how, the name of present applicant came to surface, despite his name being missing in the FIR lodged on the statement of complainant/ injured Nikhil @ Nikku. The present applicant is alleged to have actively participated in the commission of crime while giving beatings to both the victims with Cricket bat. IO has clarified during arguments that apart from six boys who had come on three scooties, they were also accompanied by the their other friends/ associates who were on foot and all of them, in pursuance of their criminal conspiracy, committed the

crime against the victims of the present case. In these facts and circumstances, the custodial interrogation of applicant/ accused is considered to be necessary in this case. He is statedly absconding and proclamation u//s 82 Cr.PC is stated to have already been executed against him for 10.09.2020.

After considering the overall facts and circumstances of this case, gravity of offence involved in this case and in the light of discussion made herein above, Court is of the view that it is not a fit case for grant of anticipatory bail to the applicant/ accused. Accordingly, the present bail application is hereby dismissed.

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



(Vidya Prakash)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi- 11.09.2020

Bail application No. 2454/2020
FIR No. 0062/2020
PS Maurice Nagar
U/s 489 B/489 C/489 D IPC
State Vs. Surendra Kumar

11/09/2020

This is an application u/s 439 Cr.PC, seeking regular bail moved on behalf of applicant/accused namely Surendra Kumar.

Present Sh. Bailbir Singh, Id. APP for the State.
IO/ SI Yogender Singh.
Sh. Ram Singh, 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.

Heard on the application. Reply perused.

It is pointed by Ld. Addl. PP that offence u/s 489D IPC is also invoked against the present applicant/ accused as per reply of the IO.

Counsel of applicant/ accused states at Bar that he was not aware about the aforesaid fact. He fairly seeks permission to withdraw the present bail application with liberty to file fresh in respect of all the appropriate offences, in accordance with law.

In view of above-said facts and circumstances, and the submissions made by counsel of applicant/ accused, the 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)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi
11.09.2020

Bail application No. 2466/20
FIR No. 162/20
PS: Subzi Mandi
U/s: 307/452/34 IPC
State Vs. Ravinder @ Sardare

11.09.2020

This is an application u/s 439 Cr.PC, seeking regular bail moved on behalf of applicant/accused namely Ravi.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.
Sh. Abid Ahmed Khan, Ld. counsel for complainant.
Sh. Deepak Sharma, Advocate for applicant/accused.

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

Reply of bail application already filed. Copy thereof already supplied to Ld. Counsel for applicant/accused electronically.

At the outset, Ld. Addl. PP, duly assisted by counsel of complainant, has pointed out that similar bail application of present applicant was listed before this court yesterday i.e. 10.09.2020 and same was adjourned to 16.09.2020 as none appeared on behalf of applicant/accused on said date and therefore, the present bail application is not maintainable in view of pendency of similar bail application before this court.

At this stage, counsel of applicant/accused fairly seeks permission to withdraw the present bail application, in view of pendency of another similar bail application before Sessions Court.

In view of the aforesaid facts and circumstances and the In view of submissions made, made by counsel of applicant/accused, the present bail application is dismissed as withdrawn.

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



(Vidya Prakash)

1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi- 11.09.2020

Bail application No. 2465/20
FIR No. 162/20
PS: Subzi Mandi
U/s: 307/452/34 IPC
State Vs. Ravi

11.09.2020

This is an application u/s 439 Cr.PC, seeking regular bail moved on behalf of applicant/accused namely Ravi.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.
Sh. Abid Ahmed Khan, Ld. counsel for complainant.
Sh. Deepak Sharma, Advocate for applicant/accused.

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

Reply of bail application already filed. Copy thereof already supplied to Ld. Counsel for applicant/accused electronically.

At the outset, Ld. Addl. PP, duly assisted by counsel of complainant, has pointed out that similar bail application of present applicant was listed before this court yesterday i.e. 10.09.2020 and same was adjourned to 16.09.2020 as none appeared on behalf of applicant/accused on said date and therefore, the present bail application is not maintainable in view of pendency of similar bail application before this court.

At this stage, counsel of applicant/accused fairly seeks permission to withdraw the present bail application, in view of pendency of another similar bail application before Sessions Court.

In view of the aforesaid facts and circumstances and the In view of submissions made, made by counsel of applicant/accused, the present bail application is dismissed as withdrawn.

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



(Vidya Prakash)

1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi- 11.09.2020

Bail application No. 2464/20
FIR No. 162/20
PS: Subzi Mandi
U/s: 307/452/34 IPC
State Vs. Vijay

11.09.2020

This is an application u/s 439 Cr.PC, seeking regular bail moved on behalf of applicant/accused namely Vijay.

Present: Sh. Balbir Singh, Ld. Addl. PP for the State.
Sh. Abid Ahmed Khan, Ld. counsel for complainant.
Sh. Deepak Sharma, Advocate for applicant/accused.

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

Reply of bail application already filed. Copy thereof already supplied to Ld. Counsel for applicant/accused electronically.

At the outset, Ld. Addl. PP, duly assisted by counsel of complainant, has pointed out that similar bail application of present applicant was listed before this court yesterday i.e. 10.09.2020 and same was adjourned to 16.09.2020 as none appeared on behalf of applicant/accused on said date and therefore, the present bail application is not maintainable in view of pendency of similar bail application before this court.

At this stage, counsel of applicant/accused fairly seeks permission to withdraw the present bail application, in view of pendency of another similar bail application before Sessions Court.

In view of the aforesaid facts and circumstances and the In view of submissions made, made by counsel of applicant/accused, the present bail application is dismissed as withdrawn.

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



(Vidya Prakash)
1st Link Addl. Sessions Judge (Electricity)
Central District/ THC/Delhi- 11.09.2020