

B.A.No. 3666

FIR No. 210/2020

PS Sarai Rohilla

State v. Mohsin Khan

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

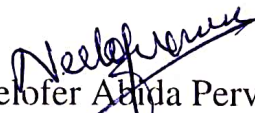
Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

Sh. Juned Alam, Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohsin in case FIR No. 210/2020.

Arguments heard. For orders, put up at 4 p.m.


(Neelofer Abida Perveen)
Link ASJ (Central)THC/Delhi

20.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohsin in case FIR No.



210/2020.

Ld. counsel for the accused-applicant has contended that the applicant/accused is in custody since 11.06.2020. That the applicant is married and blessed with three school going children and at present they all are minor and wife of the applicant is a house wife. That the applicant is only bread earner of his family. That in his absence they are passing very hard days as COVID-19 is also going on due to this reason also no relative or friend are coming forward to help them. That now the investigation of the present case as well as F.I.R. No. 211/2020 PS Sarai Rohilla have already been completed and chargesheet in the above noted cases have been filed by the police and the same is pending before the concerned court and the next date is 21.12.2020 for the miscellaneous purpose. So, now the applicant is not required for any custodial interrogation in the above noted cases. That the first bail application was dismissed by the court of Sh. Naveen Kumar Kashyap, Ld. ASJ/Central/Delhi vide order dated 21.10.2020 and since then the co-accused Salman, Shahrukh, Mohd. Ashequeen, Arif, have been granted bail in the present case and that accused-applicant and his brother Akhlaq are already on bail in case FIR No. 211/2020. That case of accused-applicant is on better footing to that of the co-accused who have already been released on bail in the present case.

Ld. Addl. PP submitted that the accused-applicant alongwith co-accused attacked on the police personnel at the police station while they were on duty and caused injuries to the police officials and pelted stones

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on the police officials and that the case of the accused-applicant is not on any different footing to that of the co-accused already granted bail as the allegation against him is of pelting of stones and not of firing at the police personnel.

Heard.

Case of the prosecution is that on 10.06.2020 at about 8.30 pm a person namely Kale came inside the police post Inderlok alleging that he has been beaten by Mohsin and his brothers/relatives who also looted the cash from his shop at which the accused persons were called and when accused Mohsin with others came inside the police post they started quarreling inside the PP premises at which the police staff tried to separate and pacify them but they became aggressive using abusive language. In the meantime, the relatives and friends of Mohsin i.e. Sadqin, Naved, Salman and several other persons whose identity is yet to be ascertained gathered in and outside the police post. The police staff present in the police post somehow tried to control them but they all attacked with lathis, stones, fists/legs and other items on the police personals present in the police post who were discharging their official duties. During attack Mobile Phone of SI Pankaj Thakran was stolen by assailants and SI Pankaj Thakran, Ct. Yogesh, Ct Yogender and Ct Dhara sustained bodily injuries. In the meantime some persons including Naved @ Pilla again entered the PP premises. Naved @ Pilla was carrying Fire-arm. SI Pankaj Thakran chased to catch Naved @ Pilla but him along-with other alleged persons escaped

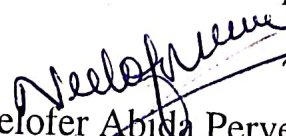
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from the PP premises. SI Pankaj Thakran tried to caught hold Naved @ Pilla near the main entry gate of PP Inderlok but his accomplices namely Shahrukh Aashkin, Sadqin, Naved, Salman , accused-applicant, Inam UR Rehman, Arif, Fardeen, Umar and several other persons started pelting stones and attacked the PP Staff. Naved @ Pilla fired gun-shots at the police party. The police staff was able to save themselves with great difficulty but SI Pankaj Thakran IC/PP of Inderlok was badly injured as he had sustained severe head injury. The accused persons were pelting stones at police post and were also using lathis, dandas and illegal arms. A case vide FIR No 210/20 u/s 186/353/307/34 IPC & 27 Arms Act was registered on the complaint of SI Pankaj Thakran at PS Sarai Rohilla, Delhi in respect thereof and investigation taken up.

During course of investigation other associates were identified on the basis of CCTV footage by complainant and it was revealed that present applicant was also member of that unlawful assembly. The accused-applicant is bad character of the area who was also instigating other persons, and is alleged to have pelted stones alongwith others at the police officials, the other co-accused who are assigned the same role have now been enlarged on bail, as the case of the accused-applicant in the incident is on the same footing as to that of the co-accused who have been granted bail, the accused-applicant is entitled to bail on the ground of parity as he is not alleged to have fired gunshots in the course of the incident. In view thereof the present application is allowed and

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accused-applicant Mohsin is granted regular bail in case FIR No. 210/2020 subject to his furnishing personal bond with one local surety in the sum of Rs. 50,000/- each to the satisfaction of the Ld. Trial Court/ Duty MM and upon the condition that he shall not indulge in any criminal activities, he shall mention the mobile phone number to be used by him in the bond which number it shall be ensured by him is kept on switched on mode throughout with location activated and shared with the IO at all times, he shall not leave the territorial limits of NCR Delhi without prior intimation to the IO, and in the event that he leaves the territorial limits after due intimation he shall intimate the destination address to the IO, and shall get his presence marked on the 1st day of every month at the local Police Station thereof, he shall scrupulously appear on each and every date before the Ld. Trial Court and shall not delay or defeat the Trial, nor interfere in the proceedings in any manner whatsoever, he shall not threaten, intimidate, influence witnesses nor tamper with evidence in any manner whatsoever. He shall not change the mobile phone number or his address without prior permission of the IO. The surety shall also mention the mobile phone number in the bond and shall intimate the IO in the event of change of address or mobile phone number. He shall get his presence marked with the IO every 1st day of the month till . Application stands disposed of accordingly.


(Neelofer Abida Perveen)
Link ASJ (Central) THC/Delhi

20.11.2020

B.A.No. 3651
FIR No. Not Kwon
PS Karol Bagh
State v. Lokesh Kumar

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.
Sh. Sidhu, Counsel for accused-applicant through videoconferencing.
Hearing is conducted through videoconferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Lokesh.

Reply is filed. Copy of the same be forwarded on email ID of Ld. Counsel for accused-applicant.

Ld. Counsel for accused-applicant submits that in view of the reply filed on behalf of State as it is submitted before this court that there is no FIR registered against the accused-applicant and no criminal proceedings initiated against him therefore at this stage, he does not wish to press upon the present application for anticipatory bail and that same may be dismissed as withdrawn.

It is ordered accordingly. The present application filed on behalf of accused-applicant Lokesh is dismissed as withdrawn in view of



reply filed that there is no criminal case registered/filed against the accused-applicant at PS Karol Bagh.


(Neelofer Abida Perveen)
Link ASI (Central) THC/Delhi
20.11.2020

B.A.No. 3653
FIR No. 211/20
PS Sarai Rohilla
State v. Md.Sadiqueen

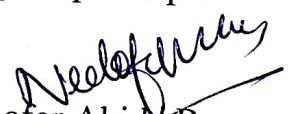
20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.
Sh. Suraj Prakash, Counsel for accused-applicant through videoconferencing.
Hearing is conducted through videoconferencing.

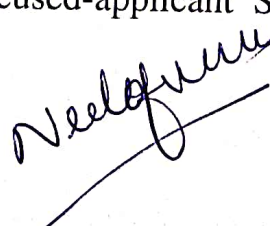
This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Sadiqueen in case FIR No. 211/2020.

Arguments heard. For orders, put up at 4 p.m.


(Neelofer Abida Perveen)
Link ASJ (Central) THC/Delhi
20.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Sadiqueen in case FIR No. 211/2020.



Ld. counsel for the accused-applicant has contended that accused-applicant has been falsely implicated in the present case. That parties have entered into a settlement in respect of the dispute in question. That this is a dispute between complainant and tenant. That investigation is now complete and four co-accused have already been granted bail and case of the accused-applicant is on same footing as that of the co-accused already granted bail.

Ld. Addl. PP submitted that the present dispute is between landlord and tenant. That the accused-applicant alongwith co-accused assaulted the complainant and broke the items in the shop of the complainant and looted his money from the shop after forcibly entering in the shop of the complainant. That all the allegations are general in nature and that the case of the accused-applicant is on no different footing to that of the other co-accused who have been granted bail.

Heard.

It is the Case of the prosecution as borne out from the contents of the FIR premised upon the complaint of the tenant that on 10.06.2020, accused Md. Saadqin went to the complainant's shop in Evening and asked for some goods and when the complainant refused to give the goods, accused-applicant forcefully entered the shop and broke the articles lying in the shop and started kicking the complainant and then the relatives of accused-applicant namely Mohsin, Salman, Naved, Shahrukh and Ashqueen came to the complainant's shop and all started physically

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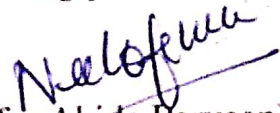
assaulting and breaking items in the shop and the money that was kept in the shop was also looted.

It emerges that the matter did not end here, when the complainant went to the PP Inderlok to lodge a complaint, the police called the accused persons to the Police Post Inderlok where again the complainant and the accused persons entered into heated arguments and when the police tried to calm them down the situation infact went out of control with the accused persons alongwith others indulging in complete lawlessness and firing gunshots and pelting stones at the Police Post and in respect of which case FIR No. 210/20 U/s 186/353/307/34 IPC & 27 Arms Act was registered. During the attack on police staff SI Pankaj Thakran(ICPP) and others sustained bodily injuries. The accused persons pelted stones at police post and were also using lathis, dandas and illegal arms. This incident however is part of a separate FIR.

It is in the reply filed of the IO that the antecedents of the family members of the present applicant accused, their previous conduct of misbehaviour with the police officials and in the locality is not good and the family members of the accused are also previously involved in criminal cases, the allegations however are not in respect of the accused-applicant specifically but his family members. For the purposes of the present application it is pertinent that the allegations of beating and damage to property are levelled against all the accused and all the accused except for the accused-applicant are now granted bail in the present case. The

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accused-applicant hence is entitled to bail on the ground of parity. The present application is therefore allowed, and it is ordered that accused Sadiqeen be released on bail in case FIR No. 211/2020 upon his furnishing personal bond with one local surety in the sum of Rs. 20,000/- each to the satisfaction of the Ld. Trial Court/ Duty MM and subject to the condition that he shall not indulge in criminal activities, he shall mention the mobile phone number to be used by him in the bond which number it shall be ensured by him is kept on switched on mode throughout with location activated and shared with the IO at all times, he shall not leave the territorial limits of NCR Delhi without prior intimation to the IO, and in the event that he leaves the territorial limits after due intimation he shall intimate the destination address to the IO, and shall get his presence marked on the 1st day of every month at the local Police Station thereof, he shall scrupulously appear on each and every date before the Ld. Trial Court and shall not delay or defeat the Trial, nor interfere in the proceedings in any manner whatsoever, he shall not threaten, intimidate, influence witnesses nor tamper with evidence in any manner whatsoever. The surety shall also mention the mobile phone number in the bond and shall intimate the IO in the event of change of address or mobile phone number. Application stands disposed of accordingly..


(Neelofer Abida Perveen)
Link ASJ (Central)THC/Delhi
20.11.2020

B.A.No. 1820
FIR No. 264/20
PS Prasad Nagar
State v. Rajesh Gurjar

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

Sh. Piyush Pushkar, Counsel complainant through videoconferencing.

Sh. Anil Kumar Sharma, Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Rajesh Gujjar in case FIR NO. 264/2020.

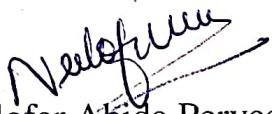
It emerges that interim protection was granted to the accused-applicant vide order dated 12.11.2020 with directions to join investigation as and when called upon to do so by the IO. Ld. Counsel for accused-applicant submits that in pursuance thereto accused-applicant has joined the investigation and thereafter he was served upon a notice u/s 41 (A) for joining the investigation on 13.11.2020. IO has filed reply and as per reply

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the accused-applicant on one date had joined the investigation and handed over broken mobile phone to the IO in compliance of the directions passed earlier.

Ld. Counsel for complainant submits that the accused-applicant is misusing the interim protection and has threatened the complainant to enter into a settlement and that a complaint in this regard has been sent to the IO concerned and that the same may be verified from the IO who has joined the Webex meeting. At this stage, IO, who has joined the Webex meeting submits that no such complaint has been received by her at which Ld. Counsel for complainant contends that it was sent on whatsapp.

Under such circumstances, matter be put up before Ld. Regular Court on **27.11.2020**. The accused-applicant is directed to continue to join the investigation as and when called upon by the IO to do so and subject thereto the interim protection stands extended till the next date of hearing.


(Neelofer Abida Perveen)
Link ASJ (Central) THC/Delhi
20.11.2020

B.A. No. 1571
FIR No.256/20
PS Prasad Nagar
State v. Dharmender

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.
Sh. Bijender Sharma, Counsel for accused-applicant through videoconferencing.
Hearing is conducted through videoconferencing.

This is an application for grant of anticipatory bail on behalf of accused-applicant Dharmender in case FIR No.256/20.

Reply is filed. Copy of same is forwarded to Ld. Counsel for accused-applicant.

Ld. Counsel for accused-applicant submits that arguments at length were addressed on last date of hearing.

In view thereof, let the matter be put up before the regular Court for further consideration on **28.11.2020**.

Interim protection granted vide order dated 10.11.2020 is extended till then subject however to the directions that the accused-applicant shall continue to join the investigation as and when called upon to do so by the IO.


(Neelofar Abida Perveen)
Link ASJ (Central) THC/Delhi
20.11.2020

B.A.No. 352

FIR No. 186/2019

PS Kamla Market

State v. Mahesh Kumar

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

Sh. B.K.Wadhwa, Proxy Counsel for accused-applicant through videoconferencing.

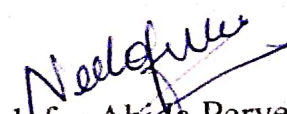
Hearing is conducted through videoconferencing.

This is second application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Mahesh Kumar Gupta, in case FIR No. 186/2019.

Reply is filed. Copy of the same be forwarded on email ID of Ld. Counsel for accused-applicant.

Ld. Proxy Counsel for accused-applicant submits that Ld.main Counsel is quarantined for 14 days as he is tested positive with Covid-19 infection and that matter may be listed after 14 days.

At request, for consideration, put up before the concerned Court on 08.12.2020.


(Neelofer Abida Perveen)
Link ASJ (Central)THC/Delhi
20.11.2020

B.A.No. 3650A

FIR No. 186/2019

PS Kamla Market

State v. Ajay Kumar Thakur

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

Sh. B.K.Wadhwa, Proxy Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is second application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Ajay Kumar Thakur in case FIR No. 186/2019.

Reply is filed. Copy of the same be forwarded on email ID of Ld. Counsel for accused-applicant.

Ld. Proxy Counsel for accused-applicant submits that Ld.main Counsel is quarantined for 14 days as he is tested positive with Covid-19 infection and that matter may be listed after 14 days.

At request, for consideration, put up before the concerned Court on **08.12.2020**.


(Neelofer Abida Perveen)
Link ASJ (Central) THC/Delhi
20.11.2020

B.A.No. 3657
FIR No. 216/20
PS Darya Ganj
State v. Alfahad

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

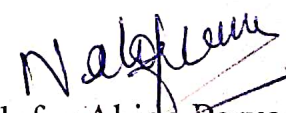
Sh. Sandeep Yadav, Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohd. Alfahad in case FIR No.216/2020.

During the course of arguments, Ld. Counsel for accused-applicant submits that he does not wish to press upon the present bail application and that the same may be dismissed as withdrawn.

In view of submission made by Ld. Counsel for accused-applicant, present bail application is dismissed as withdrawn.


(Neelofer Abida Perveen)
Link ASJ (Central)THC/Delhi
20.11.2020

B.A.No. 3658

FIR No. 170/2020

PS Kamla Market

State v. Md.Washid @ Soyab

20.11.2020

Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

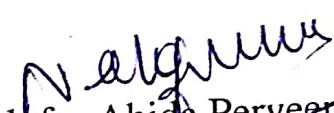
Sh. Ayub Ahmed Quresh, Counsel for accused-applicant through videoconferencing.

Hearing is conducted through videoconferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohd. Washid in case FIR No.170/2020.

Reply is filed. Copy of the same be forwarded on email ID of Ld. Counsel for accused-applicant.

As per request, for consideration, put up on 27.11.2020 before the Ld.regular court.


(Neelofer Abida Perveen)
Link ASJ (Central) THC/Delhi
20.11.2020

FIR No. NA
PS Darya Ganj
State v. Shakira Begum
B. A. No. 1863/2020

20.11.2020

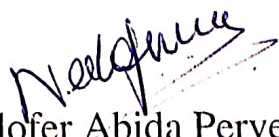
Application is put before this Court by the Reader of the Court of Sh. Naveen Kumar Kashyap, Ld. ASJ, Delhi as the Ld. Presiding Officer is nominated for a Core Competence online training of the Delhi Judicial Academy.

Present: Sh. K. P. Singh, Addl. PP for State through video conferencing.

None for accused-applicant.

Hearing is conducted through video conferencing.

The application is fixed for orders today. Put up before the concerned Court on **25.11.2020** for purpose fixed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
20.11.2020