

Harish Kumar Vs.State

FIR No. 213/2020

PS Neb Sarai (DIU)

09.06.2020

Present: Sh. Jai Hind Patel, Ld. APP for CBI.

Sh. Ravi Drall, counsel for applicant.

DIO SI Kamal Kant.

In view of the prevailing pandemic of COVID-19 as per the directions of Hon'ble High Court and Ld. District & Sessions judge, Rouse Avenue District Courts, the application of applicant is being heard through video conferencing using CISCO-WEBEX App from my own residence. The VC link has been sent by the Court Official deputed by Ld. District & Sessions Judge.

Reply of the IO is not complete and proper, as the status of CCTV Cameras i.e. whether the same were working, and for how many days ordinarily the footage is preserved, etc has not been indicated. Therefore, a proper detailed reply is required.

Secondly, it has been put to the counsel that the present case arises out of alleged suicide committed by the victim before the date for which the CCTV footage has been sought. The CCTV footage is not going to create a defence in favour of the accused viz-a-viz commission of the offence. It is, at the most, going to show that an incorrect submission was made during hearing of the bail application regarding the presence of the accused. The same may amount to a separate offence against the accused by the IO, if correct. Therefore, whether the proper course would have been for the counsel to move a proper complaint before the Magistrate having territorial jurisdiction alongwith application for preserving of CCTV footage? in my view the ACMM's Court at Rouse Avenue District Courts would not try the IO for any offence committed during the investigation and further holding of a mini trial within the trial of a Sessions triable case may not be appropriate. Therefore, counsel may address arguments on this aspect as well on the next date of hearing i.e. 11.06.2020 at 10.00 am through VC.

**HARJYOT SINGH
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Harjot Singh Bhalla

Duty MM/CMM/RADC/New Delhi

09.06.2020

State Vs. Ashwani Tomar
FIR No. RC-17(A) 2018-DLI
PS CBI

09.06.2020

Present: Sh. Jai Hind Patel, Ld. APP for CBI alongwith IO.
Sh. D.K. Sabharwal, counsel for accused/applicant.

In view of the prevailing pandemic of COVID-19 as per the directions of Hon'ble High Court and Ld. District & Sessions judge, Rouse Avenue District Courts, the application of applicant/accused is being heard through video conferencing using CISCO-WEBEX App from my own residence. The VC link has been sent by the Court Official deputed by Ld. District & Sessions Judge.

On the last date, IO was directed to verify the bail bonds as well as bail order.

Ld. APP for CBI has fairly submitted that as per the previous verification report, there is no dispute regarding the existence of the bail order and only sureties were rejected. However, it has been reported that the house of the accused as per the bonds is lying locked and IO has received information that eviction orders were passed against the wife of the accused qua the said premises sometime in the year 2019.

In view thereof, the counsel for the accused has undertaken to furnish the correct and proper address of the accused to the IO, who shall verify the same and file his report on 12.06.2020. List on 12.6.2020 before concerned Duty MM.

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09.06.2020

Present: Sh. Jai Hind Patel, Ld. APP for CBI alongwith IO.

Sh.Tanveer Ahmed Mir, counsel with accused Deepak Talwar and surety through VC.

In view of the prevailing pandemic of COVID-19 as per the directions of Hon'ble High Court and Ld. District & Sessions judge, Rouse Avenue District Courts, the application of applicant/accused is being heard through video conferencing using CISCO-WEBEX App from my own residence. The VC link has been sent by the Court Official deputed by Ld. District & Sessions Judge.

This is an application for furnishing bail bonds. The scanned copy of bail bonds is annexed to the application.

The accused Deepak Talwar was granted regular bail by this court on 05.06.2020 and it was directed that the bonds be furnished.

Therefore, it is directed that the IO shall receive the bail bonds in original, verify the same and thereafter submit his report on 12.06.2020 at 02.00 pm since the matter is already pending on 12.06.2020. Further, IO shall retain the bail bonds and file the same with chargesheet/supplementary chargesheet when the court resumes normal functioning.

List this matter for filing of verification report on 12.06.2020 at 02.00 pm alongwith other pending application. Till then, the bonds filed at the stage of interim bail are extended.

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