

B. A. No. 3393  
FIR No. 171/2019  
PS: Wazirabad  
State Vs. Om Prakash  
U/s 498A/406/34 IPC

&

B. A. No. 3394  
FIR No. 171/2019  
PS: Wazirabad  
State Vs. Santosh Kumar  
U/s 498A/406/34 IPC

05.11.2020

Fresh applications received. Be registered.

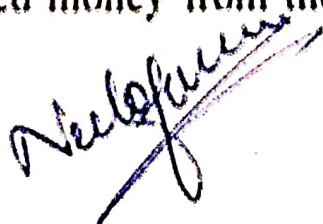
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Milan Kumar Verma, counsel for accused-applicants (through video conferencing)

Hearing is conducted through video conferencing.

These are two applications under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicants Om Prakash and Santosh Kumar in case FIR No.171/2019

Ld. counsel for the accused-applicants submits that the accused-applicants have been falsely implicated in the present case. That accused-applicants were served with notice under Section 41A CrPC on 25.06.2020 and accused-applicants and their family members have joined the investigation on 30.07.2020. That accused-applicants were subjected to beatings by the police of PS Wazirabad who demanded money from them. That accused-applicants have




made a complaint dated 07.08.2020 to the SHO in this regard. That applicants and their family members are receiving threats from the police officials. That the allegations leveled in the FIR are false and baseless.

Ld. Addl. PP on the other hand submits that at this stage notice under Section 41A CrPC has been issued to the applicants, however, they are not cooperating in the investigation and thereby hampering the progress of the investigation and also levelling baseless allegations instead of joining investigation only as a pretext and that at this stage as only notice under section 41A has been issued there as such is no apprehension of their arrest.

Heard.

Taking into consideration that the allegations pertain to commission of offences under section 498A/406 arising out of a matrimonial dispute and as at this stage the investigating agency has served notice in terms of section 41A not finding enough grounds for the immediate arrest of the accused-applicants and in order to advance the further progress of the investigation into the allegations levelled in the FIR in question against the accused-applicants, **interim protection is granted to the accused-applicants Om Prakash and Santosh Kumar till the next date of hearing with the direction to both the accused-applicants to join the investigation in case FIR No.171/2019 on 07.11.2020, 10.11.2020, 13.11.2020, 17.11.2020, 20.11.2020 and 24.11.2020 and as and when called upon to do so by the IO.**

For report and consideration, put up on 26.11.2020.

  
**(Neelofer Abida Perveen)**  
**ASJ (Central)THC/Delhi**  
**05.11.2020**

**B. A. No. 3408**  
**FIR No. 541/2020**  
**PS: Burari**  
**State Vs. Parvez**  
**U/s 356/379/411/34 IPC**

05.11.2020

Fresh application received. Be registered.

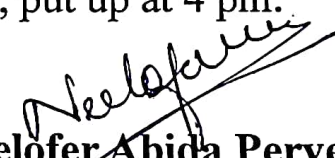
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Anil Srivastava, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Parvez in case FIR No.541/2020.

Arguments heard. For orders, put up at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**At 4 pm**  
**ORDER**

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Parvez in case FIR No.541/2020.

Ld. counsel for the accused-applicant contended that applicant is innocent person and the police of the PS Burari are frequently visiting at



the house of the applicant and he has apprehension of his arrest in a false case at the hands of the police of PS Burari. That Shahzad, who is friend of the applicant took motorcycle of the applicant and committed the offence. That accused has nothing to do with the present offence. That accused-applicant is ready to join the investigation as and when directed.

Ld. Addl. PP submits that the accused-applicant has committed the offence alongwith his accomplices. That accused-applicant managed to flee from the spot while his accomplice was apprehended by the public persons and handed over to the police. That co-accused disclosed that accused-applicant was also involved in the commission of offence.

Heard.

Present case came to be registered on the statement of complainant Ankit Kumar to the effect that on 26.10.2020 at about 8.30 pm, complainant was returning from his job and when he reached under Burari flyover, outer ring road and took out his mobile phone, two boys on a motorcycle bearing no. DL4SCL 0402 came from behind and snatched his mobile phone. Complainant pushed the pillion rider due to which motorcycle fell down and one of the offenders, whose name later on was revealed as Shahzad, was apprehended at the spot, however, one of the offender managed to escape. During interrogation co-accused Shahzad disclosed name of his accomplice as Parvez, who was with him at the time of commission of offence.

Accused-applicant is alleged to have fled away from the


*Neel Kumar*

spot after the incident and the co-accused who was apprehended at the instance of the complainant from the spot had disclosed the name of the accused-applicant as his accomplice. The motorcycle used in the commission of the offence also belongs to him. The prosecution requires custody of the accused-applicant for the purposes of conducting TIP proceeding, recoveries are also yet to be effected.

It is contended for the accused-applicant that there is no material against the accused except for the disclosure recorded of the co-accused which in itself is a weak piece of evidence. It is however too early in the day to begin to appreciate the nature of the material collected against the accused-applicant. The FIR is registered under sections 356/379/411/34 IPC, and TIP proceedings in respect of the accused-applicant is yet to be conducted. Disclosures recorded though not material piece of evidence in itself sufficient enough to raise a prima facie case against the accused or to substantiate the charge and support a conviction but for the purposes of investigation it is a significant development for leading the investigation in a particular direction. The investigative agency is to be accorded some leeway in the process and is to be afforded all opportunity to dig out the truth and all material pertaining to the commission of an offence. It would be too presumptuous to make any observation on the sufficiency or otherwise of the material yet to be collected in the course of investigation. Any assessment of the evidence can be undertaken and sufficiency of the material can be commented upon reasonably and effectively once the chargesheet after conclusion of all

*Arulokan*

investigative process is filed in the court. The accused-applicant is also connected to the vehicle used in the commission of the offence. In such facts and circumstances as the investigation is underway, as the chargesheet is yet to be filed and taking into consideration that the accused-applicant is alleged to be one of the offenders who fled away from the spot after committing the offence of robbery alongwith the co-accused and the investigative agency requires the custody of the accused-applicant in order to conduct TIP proceedings, and as recovery is yet to be effected, it would impede the further progress of the investigation if anticipatory bail were to be granted to the accused-applicant. No ground is made out to grant anticipatory bail to accused Parvez in case FIR No.541/2020. The application at hand accordingly stands dismissed.

  
**(Neelofer Abida Perveen)**  
**ASJ (Central) THC/Delhi**  
**05.11.2020**

**FIR No. 113/2016**  
**PS: Pahar Ganj**  
**State Vs. Rupesh Kumar Gupta**  
**U/s 302 IPC**

05.11.2020

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

Sh. J. A. Chaudhary, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for surrender/extension of interim bail on behalf of accused Rupesh Kumar Gupta under Section 439 CrPC in case FIR No. 113/2016.

Ld. counsel for the accused-applicant has contended that on 10/07/2020, the applicant / accused was granted bail for a period of 45 days and he is still on interim bail upto 01/11/2020 as per order of Hon'ble High Court of Delhi at New Delhi and as per direction of Hon'ble High Court of Delhi at New Delhi, the applicant/ accused has to surrender himself on 02/11/2020 before this Hon'ble Court and in compliance of said order, the applicant/accused is ready to surrender himself before this Hon'ble Court. That the applicant / accused is an innocent person and is not previously involved in any criminal case. That true facts are that the applicant / accused was in Judicial Custody since the day of alleged Incident. The applicant / accused is neither criminal nor having any such criminal background in his whole life. The applicant / accused is / wa

*Rupesh Kumar Gupta*

suffering from the disease namely Paranoid Schizophrenia and he was under the treatment the Lady Harding Medical College and Smt. Sucheta Kripalani Hospital New Delhi as well as Institute of Human Behavior and Allied Science (IHBAS) Delhi (Psychiatry Department since a long back). The photocopy of OPD Cards of both institution as well as discharge summary from the department of Psychiatry of Lady Harding Medical College as well as medicines prescriptions are already on record. That the applicant / accused is not capable to understand regarding the right or wrong and also incapable to know the consequences of the act allegedly committed by him. The applicant accused is in the state of unsoundness of mind and he is suffering from Insomnia and other psychiatry disease and is unable to defend himself. That at the time of alleged murder / incident, the applicant / accused was not in the sound mind but he was suffering from such disease and present the applicant /accused is suffering from such disease and he was facing a lot of hardship in J.C, since the applicant / accused is unsound mind and hence the applicant / accused is incapable of making his defence before this Hon'ble Court. That the applicant / accused has already moved an application U/s. 328/329 Cr.P.C. for his medical treatment and the same is pending for disposal before this Hon'ble Court. That initially the applicant /accused was granted interim bail for a period of 45 days and the same was extended by the order of Hon'ble High Court of Delhi at New Delhi but till date the applicant accused is getting medical treatment and he has not done any illegal act.

Ld. Addl. PP has pointed that one application seeking

*Neelofar*



protection on behalf of the wife of the deceased has also been filed in which it is alleged against the accused-applicant that he has been threatening and harassing the wife of the deceased.

Heard.

The accused-applicant is granted interim bail of 45 days on 10.07.2020 in accordance with the guidelines issued by the High Powered Committee of H'ble the High Court of Delhi towards decongestion of prisons in Delhi which was subsequently extended from time to time in terms of orders passed by H'ble the High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. dated 04.08.2020. Subsequently vide orders dated 18.9.2020 passed in the same writ petition by way of a blanket order all the interim bails for a period of 45 days granted to the UTP's in view of the recommendations of the HPC which were going to expire on 21.9.2020 and thereafter were further extended by a period of 45 days.

Full Bench of Hon'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as **Court on Its Own Motion v. Govt of NCT of Delhi & Ors.** vide order dated 20.10.2020 has observed and directed as under on the aspect of further extension of interim bails and orders:-

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*Neelakrishna*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter; the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".*

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*7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24" August, 2020 as under:*

*(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following*

*Neelgagan*

*phased manner:*

*(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.*

*(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3d November, 2020.*

*(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.*

*(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,*

*(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,*

*(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.*

*(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,*

*(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.*

*(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.*

*(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.*

*(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.*

*(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.*

*(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.*

*(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.*



Subsequent to the above referred order of the H'ble Full Bench, the High Powered Committee of Hon'ble High Court of Delhi in its Minutes of Meeting dated 24.10.2020 has observed and resolved as under regarding extension of interim bails granted to UTPs as per the guidelines issued from time to time:

.....  
*Members of the Committee have considered that as on date against this capacity, there already are 15887 inmates. Even if the additional accommodation of 1800 inmates in the newly created 'temporary jail' is taken into consideration, it would be highly inconvenient for the jail authorities to accommodate UTPs/convicts released on 'interim bail/emergency parole' under the criteria laid down by this Committee, alongside those who would be surrendering in terms of orders dated 20.10.2020 passed by Full Bench of Hon'ble Delhi High Court.*

*Considering the fact that UTPs/convicts who would be surrendering as per orders passed by Full Bench of Hon'ble High Court are required to be kept in Isolation Cells for a period of 14 days from their respective dates of surrender, Members of the Committee, therefore, found the contention raised by D.G. (Prisons) to be reasonable.*

*Members of the Committee are of the opinion that it would be appropriate to prevent any chaos or inconvenience to the jail authorities, if the UTPS/convicts granted 'interim bail/emergency parole' on the basis of criteria laid down by this Committee are asked to surrender from December, 2020. As by that time the quarantined/Isolation period of UTPs/convicts surrendering as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court, would be over.*

*Taking into account the cumulative effect of all these*

*Neelgauri*

relevant factor i.e.:

(a) Actual holding capacity of Delhi Prison,

(b) Present occupancy,

(c) No. of UTPs/convicts surrendering from 02.11.2020 till 13.11.2020, as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court and

(d) Period of of 14 days keeping them in Isolation Cells before sending them to regular jail.

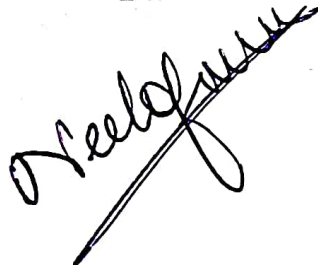
Members of the Committee are of the opinion that interim bail granted to 3337 UTPs under HPC criteria needs to be extended for a further period of 30 days.

Member Secretary, DSLSA has further apprised the Committee that Special Bench so constituted by Hon'ble the Chief Justice, which had earlier extended interim bail vide order dated 18.09.2020 has listed the said matter on 03.11.2020

The Committee is of the opinion that in this regard, a judicial order would be required from Hon'ble High Court of Delhi and recommends accordingly.

.....  
In the event of passing of any such order by Hon'ble High Court of Delhi on the basis of recommendations of this Committee, it is made clear that jail administration shall inform such UTPS about extension of their "interim bail" for a further period of 30 days from the date, the earlier period of interim bail is expiring, telephonically. D.G. (Prisons) assures that jail administration shall do the needful and shall inform all such UTPs about the exact date of their surrender.

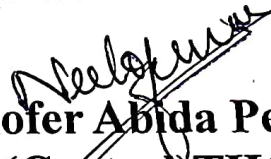
.....  
Needless to add that no further extension of interim bail shall be made by this Committee. All such UTPs are at liberty to move their respective Courts seeking regular bail through their private counsel or by panel lawyer of DSLSA, as the case may be, and all such Courts shall consider the bail application so filed on merits, de



*hors the criteria laid down by this Committee."*

In the wake of the recommendations embodied in the minutes of meeting dated 24.10.2020 of the High Powered Committee, as reproduced supra, and awaiting further orders and direction of the H'ble High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors, in respect of further extension of interim bails allowed to the UTP's based upon the guidelines of the HPC, at this stage the interim bail granted to the accused-applicant, as such interim bail was granted in the first instance as per the guidelines of the HPC, is extended further till 17.11.2020 on the same terms and conditions.

Put up on **17.11.2020** for consideration alongwith the application of the complainant for grant of protection.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
**05.11.2020**

**FIR No. 19/2018**  
**PS: Crime Branch**  
**State Vs. Iqbal Ali**

05.11.2020

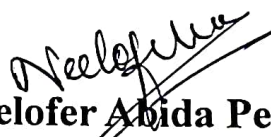
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. U. K. Giri, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for extension of interim bail on behalf of accused Iqbal Ali in case FIR No. 19/2018.

Arguments heard. For orders, put up at 4 pm.

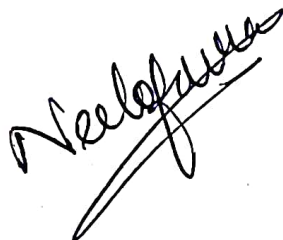
  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**At 4 pm**  
**ORDER**

This is an application under Section 439 CrPC for extension of interim bail on behalf of accused Iqbal Ali in case FIR No. 19/2018.

Ld. counsel for the accused-applicant contended that accused-applicant was granted interim bail vide order dated 15.04.2020 on the ground of pregnancy of his wife. That interim bail of the accused-applicant was extended from time to time in pursuance of directions passed by Hon'ble High Court in Writ Petition No. 3037/2020.

Heard.



Interim Bail in the first instance was granted to the accused applicant on the ground of pregnancy of wife and was extended as per the directions passed by the Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the H'ble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a*

*Neelofar*



*party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".*

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*7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24<sup>th</sup> August, 2020 as under:*

*(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:*

*(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.*

*(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3rd November, 2020.*

*(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.*

*(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,*

*(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,*

*(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.*

A handwritten signature in black ink, appearing to read 'Nandkumar', is written over a horizontal line.

*(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,*

*(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.*

*(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.*

*(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.*

*(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.*

*(l) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.*


*(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.*

*(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.*

The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Full Bench of H'ble the High Court of Delhi however came to be stayed by H'ble the Supreme Court of India in SLP (CIVIL) No.23367/2020 titled as National Forum of Prison Reforms vs. Government of NCT of Delhi & others on 29.10.2020 till the next date of hearing ie 26.11.2020. Moreover, the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order

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dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**FIR No. 122/2020**  
**PS: Crime Branch**  
**State Vs. Nizamuddin Ansari**  
**U/s 21 NDPS Act**

05.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Deepak Dewan, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

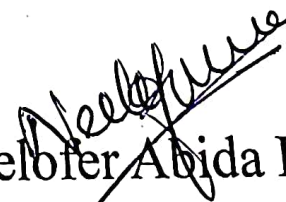
This is an application under Section 439 CrPC for grant of bail on behalf of accused Nizamuddin Ansari in case FIR No. 122/2020.

Ld. counsel for the accused-applicant submits that he has been forwarded reply of the IO. Ld. Addl. PP however, submits that he has not received reply of the IO and it has been intimated by Naib Court that the copy of the order was not served upon the IO and therefore he has not been able to file reply in terms of previous order for today. Reader of the Court also confirms that reply in this bail application has not been received in terms of the previous order.

Summons be issued to the IO to join proceedings through video conferencing on the next date of hearing.

Reply be filed on or before the next date of hearing.

For consideration, put up on **12.11.2020**.

  
(Neelofar Abida Perveen)  
ASJ (Central)THC/Delhi  
**05.11.2020**

**FIR No. 224/2018**  
**PS: Crime Branch**  
**State Vs. Babloo Kumar Nagar etc (applicant Rakesh Mishra)**  
**U/s 22/29 NDPS Act**

05.11.2020

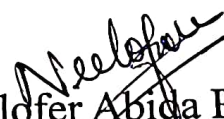
Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

Sh. Anand Verdhan Maitreya, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application for extension of interim bail for 60 days moved on behalf of accused Rakesh Mishra in case FIR No. 224/2016.

Arguments heard. For orders, put at 4 pm.

  
(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
05.11.2020

**At 4 pm**  
**ORDER**

This is an application for extension of interim bail for 60 days moved on behalf of accused Rakesh Mishra in case FIR No. 224/2016.

It is submitted by Ld. Counsel for accused-applicant that accused-applicant was granted interim bail of 15 days vide order dated 30.06.2020 and was released from jail on 01.07.2020. That further the interim bail of the accused-applicant was extended from time to time in terms of orders passed by the Hon'ble High Court of Delhi and extended



till 31.10.2020. That wife of the accused-applicant is seriously ill and there is no one to look after wife of the accused-applicant. That accused-applicant has complied all the terms and conditions imposed vide order dated 30.06.2020.

Heard.

Interim Bail in the first instance was granted to the accused applicant to enable him to arrange for the treatment of his wife and was extended as per the directions passed by the Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the H'ble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire*

*Neelofar*

*thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".*

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*7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24" August, 2020 as under:*

*(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:*

*(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November. 2020.*

*(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3d November, 2020.*

*(c) The prisoners of Patiala House Courts, New Delhi*

*Neelgaur*

*District shall surrender on 4 November, 2020.*

*(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,*

*(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,*

*(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.*

*(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,*

*(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.*

*(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.*

*(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.*

*(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.*

*(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.*

*(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.*

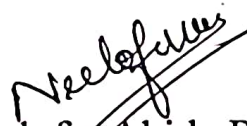
*(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.*

The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Full Bench of H'ble the High Court of Delhi however came to be stayed by





H'ble the Supreme Court of India in SLP (CIVIL) No.23367/2020 titled as National Forum of Prison Reforms vs. Government of NCT of Delhi & others on 29.10.2020 till the next date of hearing ie 26.11.2020. Moreover, the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**FIR No. 20/2019**  
**PS: Chandni Mahal**  
**State Vs. Mohd. Nadeem etc.**  
**U/s 392/397/394/411/34 IPC**

05.11.2020

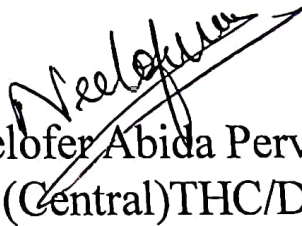
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Rashid Hashmi, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of bail on behalf of accused-applicant Nadeem in case FIR No. 20/2019

Arguments heard in part. Ld. Addl. PP seeks time to go through the file in order to be able to assist the Court properly and submits that the matter may be taken up on the physical hearing date of the Court.

In view thereof, for arguments, put up on 17.11.2020, on the physical date hearing of the Court.

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

**05.11.2020**

**FIR No.327/2019**  
**PS: Crime Branch**  
**State Vs. Inder Singh**  
**U/s 21/29 NDPS Act**


05.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Vinod Kumar Verma, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is fifth application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Inder Singh in case FIR No. 327/2019.

Ld. counsel for accused-applicant seeks a pass over of half an hour as he is travelling in a metro. Put up after half an hour.

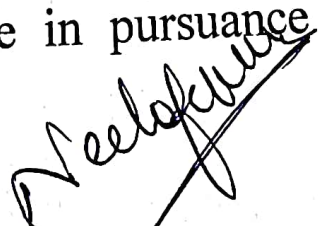
  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
**05.11.2020**

**At 1 pm**  
Present:

Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Vinod Kumar Verma, Counsel for accused-applicant (through video conferencing)

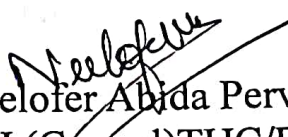
Hearing conducted through Video Conferencing.

Ld. counsel for accused-applicant submits that application at hand in fact is an application for extension of interim bail which in the first instance was granted to the accused-applicant on 09.07.2020 which was extended time to time in pursuance of the directions passed by



Hon'ble High Court in Writ Petition No. 3037/2020. Ld. counsel submits that inadvertently in the prayer clause word regular bail has been mentioned whereas in the body of the application and as established from the annexures it is infact an application for extension of interim bail and the same may be treated as such. In view of the submission made and considering the contents except for the prayer clause as also the annexures filed present application is being heard for disposal as an application for extension of interim bail.

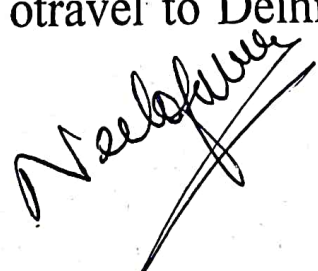
Arguments heard. For orders put up at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**At 4 pm**  
**ORDER**

This fifth application under Section 439 CrPC on behalf of accused-applicant Inder Singh in case FIR No. 327/2019 has been heard and taken up for disposal as an application for extension of interim bail.

Ld. counsel for the accused-applicant contended that accused-applicant was granted interim bail vide order dated 09.07.2020 for 15 days on the ground illness. That interim bail of the accused-applicant was extended from time to time in pursuance of directions passed by Hon'ble High Court in Writ Petition No. 3037/2020 and that further extension is being sought as the accsued-applicant due to lockdown and Covid situation for not able to obtain the adequate treatment which is still going on and it is now difficulkt for him t otravel to Delhi as he is in his native place in



Himachal Pradesh due to sever cold conditions and snowfall.

Heard.

Interim Bail in the first instance was granted to the accused applicant on the ground of his illness and was extended as per the directions passed by the Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the H'ble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the*

*Neelofar*

*intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".*

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*7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24<sup>th</sup> August, 2020 as under:*

*(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:*

*(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.*

*(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3rd November, 2020.*

*(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.*

*(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,*

*(e) The prisoners of North East District, Karkardooma*

*Neelesh*

*Courts shall surrender on 6 November, 2020,*

*(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.*

*(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,*

*(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.*

*(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.*

*(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.*

*(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.*

*(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.*

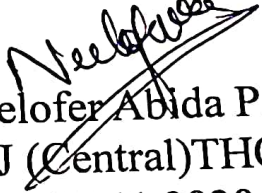
*(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.*

*(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.*

The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Full Bench of H'ble the High Court of Delhi however came to be stayed by H'ble the Supreme Court of India in SLP (CIVIL) No.23367/2020 titled National Forum of Prison Reforms vs. Government of NCT of Delhi & others on 29.10.2020 till the next date of hearing ie 26.11.2020. More

*Neelofar*

the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**05.11.2020**



**FIR No. 122/2019**  
**PS: Crime Branch**  
**State Vs. Suman Kumar**  
**U/s20/25/29 NDPS Act**

14.10.2020

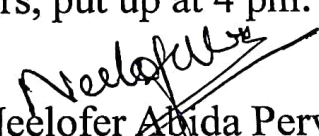
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Pradeep Kumar, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for extension of interim bail moved on behalf of accused-applicant Suman Kumar in case FIR No. 122/2019.

Arguments heard. For orders, put up at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**05.11.2020**

**At 4 pm**  
**ORDER**

This is an application under Section 439 CrPC for extension of interim bail moved on behalf of accused-applicant Suman Kumar in case FIR No. 122/2019.

Ld. counsel for the accused-applicant submits that accused-applicant was granted interim bail on medical ground by the Hon'ble High Court of Delhi vide order dated 24.07.2020, however he could not arrange for surety and was released from custody only on 14.08.2020. That



interim bail of the accused-applicant was further extended till 31.10.2020 vide order dated 14.10.2020.

Heard.

Interim Bail in the first instance was granted to the accused applicant for purposes of treatment and was extended as per the directions passed by the Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the H'ble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme*

*N. S. Jaiswal*

*Court of India in any particular matter, during the intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".*

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*7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24" August, 2020 as under:*

*(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:*

*(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.*

*(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3d November, 2020.*

*(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.*

*(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,*

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*(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,*

*(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.*

*(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,*

*(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.*

*(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.*

*(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.*

*(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.*

*(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.*

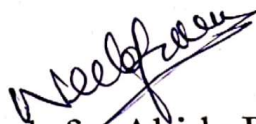
*(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.*

*(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.*

The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Full Bench of H'ble the High Court of Delhi however came to be stayed by H'ble the Supreme Court of India in SLP (CIVIL) No.23367/2020 titled as National Forum of Prison Reforms vs. Government of NCT of Delhi &



others on 29.10.2020 till the next date of hearing ie 26.11.2020. Moreover, the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**FIR No. 32/2019**  
**PS: Prasad Nagar**  
**State Vs. Deepanshu**  
**U/s 302/323/341/147/34 IPC**

05.11.2020

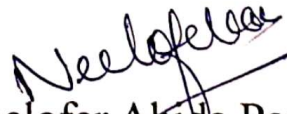
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Santosh Kumar, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Deepanshu in case FIR No.32/2019.

Ld. Addl. PP submits that family status of the accused-applicant is verified to the effect that father and younger brother of the accused-applicant are there to take care of mother of accused-applicant, however, medical record is yet to be verified and IO has sought some more time to verify the same. The medical record pertains to Delhi itself. Medical record be verified by 07.11.2020.

For report and consideration, put up on **07.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**05.11.2020**

**B. A. No. 3407**

**FIR No. 271/2020**

**PS: Burari**

**State Vs. Vikrant @ Bony**

**U/s 420/411/34 IPC**

**05.11.2020**

Fresh application received. Be registered.


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

Sh. Kapil Jain, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Vikrant @ Bony in case FIR No. 271/2020.

Arguments heard. For orders, put up on **11.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**05.11.2020**

**B. A. No. 3227**  
**FIR No. 204/2020**  
**PS: Roop Nagar**  
**State Vs. Mohan Lal**  
**U/s 409/420/467/468/471/34 IPC**

05.11.2020

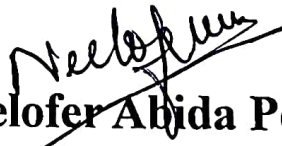
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Ashish Balyan, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohan Lal in case FIR No.204/2020

Arguments heard. For orders, put up on 10.11.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
05.11.2020



**B. A. No. 2929**  
**FIR No. 69/2014**  
**PS: Gulabi Bagh**  
**State Vs. Rahul**  
**05.11.2020**

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

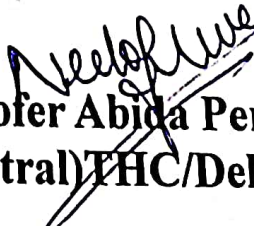
Sh. Deepak Kumar, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application for release of the accused-applicant on furnishing personal bond in case FIR No.69/2014

Ld. counsel for the accused-applicant submits that accused-applicant has been granted bail on 13.08.2020 and he is in custody for more than one year and that he belongs to weaker section of the society and he is not in a position to furnish bonds in terms of order granting bail.

Taking into consideration the submissions made as accused-applicant is stated to belong to the under privileged section of the society, however also taking into consideration that accused-applicant does not have clean antecedents and has shown himself to be the flight risk as he had misused the concession on earlier occasion, the order granting bail to the accused-applicant is modified only to the extent that surety amount is reduced from Rs.15000/- to Rs.10000/-, however, it is directed that accused-applicant shall furnish one local surety and subject to the conditions already mentioned in order granting bail to the accused-applicant. Application stands disposed of accordingly

  
(Neelofer Abida Perveen)  
ASJ(Central)THC/Delhi 05.11.2020

**B. A. No. 2630**  
**FIR No. 13/2020**  
**PS: Burari**  
**State Vs. Shamshad**  
**U/s 376/506/34 IPC**

05.11.2020


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

Sh. Kuldeep Sharma, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Shamshad in case FIR No.

Ld. counsel for accused-applicant seeks a pass over. Put up at the end of the list.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
05.11.2020

**At 12.30 pm**

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

IO SI Sushila through video conferencing


Sh. Kuldeep Sharma, counsel for accused-applicant (through video conferencing)

Prosecutrix through video conferencing.

Hearing is conducted through video conferencing.

Ld. counsel for accused-applicant seeks an adjournment.

For further consideration, put up on 18.11.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
05.11.2020

**B. A. No. 3409**  
**FIR No. 340/2020**  
**PS: Wazirabad**  
**State Vs. Naimuddin**  
**U/s 420 IPC**

05.11.2020

Fresh application received. Be registered.

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


Mohd. Bilal, counsel for accused-applicant (through video conferencing)

Sh. Varun Dhingra, counsel for the complainant (through video conferencing.)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Mohd. Naimuddin in case FIR No.340/2020.

Arguments heard. For orders, put up on 06.11.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**B. A. No. 3396**  
**FIR No. 337/2020**  
**PS: Subzi Mandi**  
**State Vs. Saleem**  
**U/s 25 Arms Act**

05.11.2020

Fresh application received. Be registered.

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

Sh. S. K. Shukla, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Saleem in case FIR No.337/2020.

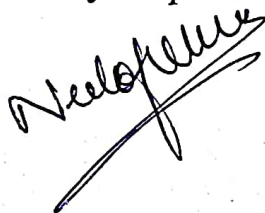
Arguments heard. For orders, put up at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
05.11.2020

**At 4 pm**  
**ORDER**

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Saleem in case FIR No.337/2020.

Ld. counsel for the accused-applicant submits that the accused-applicant has been falsely implicated in the present case. That



accused-applicant is in JC since 24.09.2020. That one buttondar knife is alleged to have been recovered from the possession of the accused-applicant though nothing is recovered and the accused-applicant was picked up from his home and thereafter whatever recovery is alleged is falsely planted upon him. That accused-applicant is the sole bread earner for his family. That mother of the accused-applicant is a heart patient. That accused-applicant belongs to poor family and used to work as a labourer.

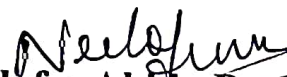
Ld. Addl. PP submits that the accused-applicant was found in possession of the buttondar knife and his antecedents are not clean. That there are about 40 criminal cases as per the report filed by the IO and he is a habitual offender and does not deserve any leniency.

Heard.

The accused-applicant on 24.02.2020 is apprehended by the police in the ordinary course of regular patrolling duty as he was found moving in a suspicious manner and when the police officials called him to stop he started to run away at which he was chased and overpowered and from his cursory search, on buttondar knife was recovered. The accused-applicant does not have clean antecedents however, taking into consideration the nature of accusations in the case at hand, and the period of custody undergone, and as further custody of the accused-applicant is not required for the purposes of investigation and without in any manner commenting upon the merits of the case, accused Saleem is granted regular bail in case FIR No.337/2020 subject to his furnishing personal bond with

*Neelofar*

one surety in the sum of Rs. 20,000/- each to the satisfaction of the Ld. Trial Court/Duty MM and upon the condition that he shall not indulge in criminal activities, that he shall appear scrupulously before the Ld. Trial Court on each and every date of hearing and shall not in any manner delay, defeat or interfere with the Trial, and shall not threaten intimidate or influence witnesses nor tamper with evidence in any manner, he shall mention the mobile phone number to be used by him in the bond which mobile phone number shall be kept on switched on mode with location activated and shared with the IO at all times, he shall not leave the territorial limits of NCT Delhi without prior intimation to the IO. The surety shall also intimate the IO in the event of change in Mobile phone number and address as mentioned in the bond. The application stands disposed accordingly.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
05.11.2020