

FIR No.876/17
PS: Ranhola
State Vs. Manjit Dabas @ Kalu
U/s 302/308/323/148/149/174A/34 IPC

25.07.2020

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

This application as filed on behalf of applicant/accused Manjit Dabas @ Kalu for extension of interim bail, is listed today for consideration.

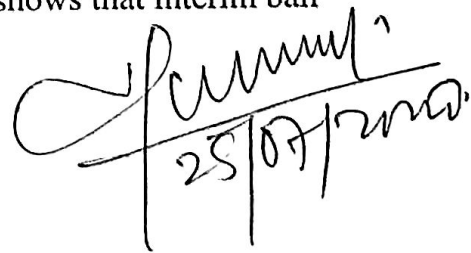
Report already received from the Jail Superintendent, Central Jail No.8/9, Tihar, Delhi, mentioning therein that the custody period of applicant/accused is 02 years 02 months and 13 days, as on 13.07.2020.

Also the conduct report was already received on previous date as per which the conduct of the applicant/accused was found to be satisfactory in the jail.

Despite of the notice issued to IO/SHO concerned to file report regarding the DD No.27/18 u/s 41.1 (A) Cr.P.C., dated 15.03.18, no report has been filed today by IO/SHO concerned.

Ld. Counsel for the applicant/accused submits that the interim bail granted to the applicant/accused may be further extended.

Perusal of order dated 01.07.2020 shows that interim bail


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was granted to the applicant/accused for a period of 15 days on 16.06.2020 and thereafter on 01.07.2020 interim bail of applicant/accused was further extended till 07.07.2020 and after that on 07.07.20 interim bail was further extended till today i.e. 25.07.2020.


Vide order dated 13.07.2020 in W.P. (C) 3037/2020 titled as Court On Its Own Motion Vs. State & Ors., the Hon'ble High Court of Delhi has clarified that the order of extension of bail/interim bail/parole shall be applicable to all the under trials/convicts, who are on bail/interim bail or parole as on date irrespective of the fact that they were released on bail/interim bail or parole before or after 16.03.2020.

Vide above order dated 13.07.2020, the Hon'ble High Court of Delhi has further extended the implementation of directions contained in order dated 25.03.2020, 15.05.2020 and 15.06.2020 till 31.08.2020 with the same terms & conditions.

Thus, as such, in view of the above, the interim bail of the applicant/accused already stand extended till 31.08.2020 in terms of above directions of the Hon'ble High Court of Delhi.

Thus, the present application is accordingly disposed of.

Copy of this order be sent to concerned jail Superintendent, for information.


(Lal Singh)
ASJ-05(W)/THC/Delhi
25.07.2020

FIR No.211/17
PS: Moti Nagar
State Vs. Aas Mohd. @ Ashu
U/s 392/397/411/34 IPC

25.07.2020

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

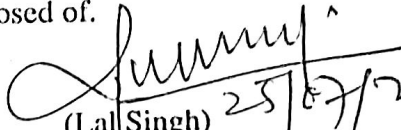
This application has been filed on behalf of applicant/accused for calling medical report as well as prescription/medical investigation report or any other medical report related to the disease related applicant/accused.

Reply to the above application has been received on behalf of SI Naresh Kumar.

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

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

The application is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020

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FIR No.211/17
PS: Moti Nagar
State Vs. Aas Mohd. @ Ashu
U/s 392/397/411/34 IPC

25.07.2020

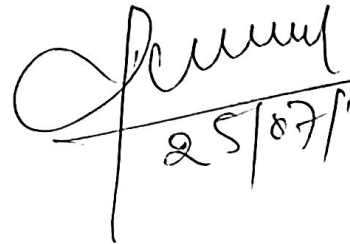
Present : Sh. M.A. Khan, Ld.Addl. PP for the State through VC.
Sh. Salim Malik, Ld. Counsel for applicant/accused
through VC.

This application has been filed on behalf of the applicant/accused for giving permission to wife of the applicant/accused for attending the applicant/accused in D.D.U. hospital.

It is mentioned in the application that the applicant/accused is in custody since 23.08.2017. It is further mentioned that the applicant/accused is not feeling well and his treatment is going on in the jail hospital since long but the accused could not get any relief and his position became very critical and the jail authorities has admitted the applicant/accused in D.D.U. hospital on 18.07.2020 and from that day the position of the applicant/accused is not very much improved and the applicant/accused is still admitted in the hospital. It is further mentioned in the application that on 21.07.2020 the wife of the applicant/accused moved application before the jail authorities to meet with her husband and the said application was allowed for 30 minutes and wife of applicant/accused was permitted to meet with her husband in D.D.U. hospital.

Ld.Counsel for the applicant/accused submits that there is no

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attendant of applicant/accused in D.D.U. hospital and hence, the applicant/accused is unable to attend his nature calls etc.

Reply to the above application has been received on behalf of SI Naresh Kumar, P.S. Moti Nagar and as per which the applicant/accused was hospitalized in D.D.U. hospital since 18.07.2020. It is reported in the reply that on further enquiry from concerned doctor, he (doctor) has given in writing that the patient does not require any attendant to look after him in the hospital.

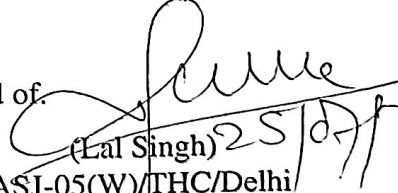
Ld. Addl. PP for the State submits that the present application is not maintainable as there is no provision in this regard.

I have considered the above submissions of Ld. Counsel for the applicant/accused as well as Ld. Addl. PP for the state and perused the reply of SI Naresh Kumar.

Perusal of the reply, it is amply clear that the concerned doctor has given in writing that applicant/patient does not require any attendant in the hospital. Moreover, the applicant/accused can move such application before the concerned authority in jail, if permissible, in terms of jail manual.

Therefore, in view of the above facts & circumstances, the present application is dismissed.

The application is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020

FIR No.554/17
PS: Ranhola
State Vs. Amit Yadav @ Rajnesh
U/s 452/307/354D/323/506/34 IPC

25.07.2020

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

This application u/s 439 Cr.P.C., as filed on behalf of
applicant/accused for grant of interim bail for a period of 45 days.

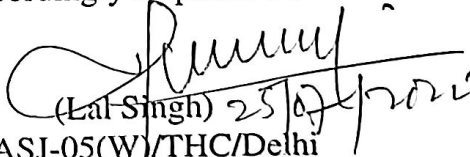
Reply to the above application has been received on
behalf of WSI Shalini Jadon, P.S. Ranhola, however, the said reply is
without any signature of W SI Shalini Jadon.

Heard for some time.

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

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

Application u/s 439 Cr.P.C., is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020

FIR No.278/18
PS: Nangloi
State Vs. Dharmender @ Rahul
U/s 392/397/395/412/120B IPC

25.07.2020

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

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

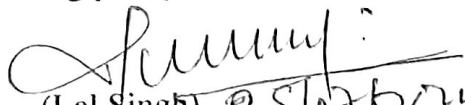
Reply to the above application has been received on
behalf of SI Amit, P.S. Nangloi.

Perusal of the application shows that some paragraphs of
the application are not legible.

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

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

Application u/s 439 Cr.P.C., is accordingly disposed of.


(Lal Singh) ASJ-05(W)/THC/Delhi
25.07.2020

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FIR No.636/19
PS: Nihal Vihar
State Vs. Sahil @ Parshant
U/s 307/34 IPC & Sec. 25/27 Arms Act

25.07.2020

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

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

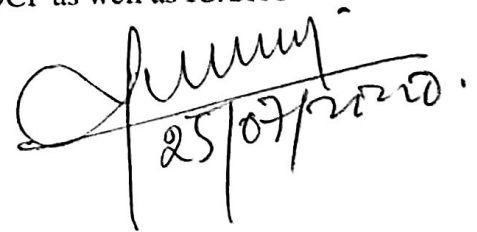
Reply to the above application has been received on behalf of SI Amit Nara, P.S. Nihal Vihar and as per which the medical documents were got verified and found correct.

Ld. Counsel for the applicant/accused submits that the father of the applicant/accused is suffering from heart ailment and for which the applicant/accused has filed the application for grant interim bail.

However, perusal of the reply of the SI Amit Nara shows that no proper report has been filed by SI Amit Nara as to whether there is any surgery of father of the applicant/accused has to be taken place or whether the father of the applicant/accused is admitted in the hospital or whether there is any other family member or not in the family of applicant/accused to lookafter the father of the applicant/accused.

As such proper report has not been filed by SI Amit Nara.

Therefore, issue notice to concerned DCP as well as IO/SHO

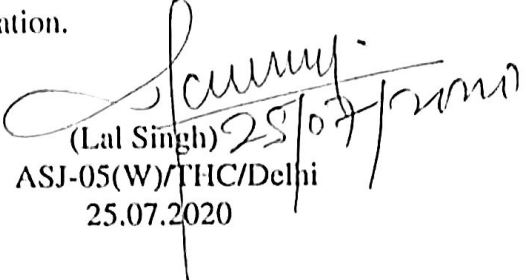

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concerned to file proper medical verification report of father of the applicant/ accused as well as the family details of the applicant/accused as to whether there are any other family members or not to look after the father of the applicant/accused, returnable for 28.07.2020.

Copy of this order be sent to DCP concerned as well as to IO/SHO concerned, for compliance.

Put up on 28.07.2020 for consideration.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020

(1)

FIR No.318/18
PS: Patel Nagar
State Vs. Lakhwinder @ Suresh
U/s 186/353/307/147/148/149/34 IPC & Sec. 25/27 Arms Act

25.07.2020

Present : Sh. M.A. Khan, Ld.Addl. PP for the Statethrough VC.
Sh. Prashant Yadav, Ld. Counsel for applicant/accused
through VC.

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

Fresh report/reply to the above application has been received on behalf of SI Satyavir Singh, P.S. Patel Nagar.

In the reply/report of SI Satyavir Singh, it is mentioned that he has verified the facts of marriage of applicant/accused going to be solemnized with one girl namely Anjali Ghosh and recorded her statement and in the said statement the girl Anjali stated that she knows Lakhwinder @ Suresh since last 7-8 years and she has friendship with Lakhwinder @ Suresh and she is going to solemnize marriage with Lakhwinder @ Suresh on 30.07.2020 in a temple. Further, in the report/reply it is also mentioned that he has conducted verification from Smt. Shayara Khatoon W/o Affaq Alam (neighbour of accused Lakhwinder) who stated that one girl namely Anjali used to visit the house of the Lakhwinder and the parents of Lakhwinder has told her that marriage of Lakhwinder @ Suresh with Anjali is to be held on 30.07.2020 in a temple.

S. Prashant Yadav
25/07/2020

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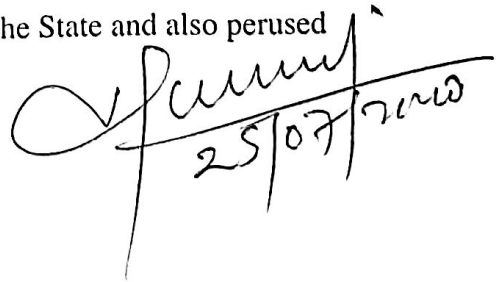
It is further mentioned in the report/reply of SI Satyavir Singh that it has been revealed that the accused Lakhwinder @ Suresh has to solemnize marriage with Anjali Ghosh D/o Sh. Sanatan Ghosh on 30.07.2020 in a temple. Alongwith report of SI Satyavir Singh, the statements of Anjali, Smt. Shayara Khatoon have also been annexed, with copies of their ID.

Ld. Counsel for the applicant/accused submits that this application has been filed on behalf of the applicant/ accused for grant of interim bail as he wanted to marry with one girl namely Anjali and now the marriage has been fixed by the parents of the applicant/accused for 30.07.2020.

Ld. Counsel for the applicant/accused submits that the marriage of the applicant/accused with said girl namely Anjali has been fixed by the parents of the applicant/accused after 13.07.2020. Ld. Counsel for the applicant/accused submits that the applicant/accused is going to solemnize marriage with above named girl on 30.07.2020, if this court grants interim bail to the applicant/ accused.

Ld. Addl. PP for the State submits that when the application was filed on behalf of the applicant/accused, no date of marriage has been fixed. Further, it is submitted that interim bail on the ground of marriage is not an urgent matter.

I have considered the submissions of Ld. Counsel for the applicant/accused as well as Ld. Addl. PP for the State and also perused

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the reply/ copies documents annexed with the reply.

Perusal of the application shows that at the time of filing of the application no date of marriage was fixed between the applicant/accused and said girl Anjali. On last date of hearing i.e. 13.07.2020, Ld. Counsel for the applicant/accused submitted that the applicant/accused wanted to solemnize marriage with one girl namely Anjali, however, till then no date of marriage was fixed. Moreover, in the application, the place where the marriage is to be solemnized has not been

*mentioned,
annexed*

In reply of SI Satyavir Singh also it is mentioned that the marriage has to be solemnized in a temple, however, no address of the temple has been mentioned as to in which temple the marriage is going to be solemnized. Moreover, the statement of temple authorities have not been recorded to the effect whether actually the marriage of accused with said girl Anjali is going to be held in temple or not.

In the statement of said girl namely Anjali also there is no mention of temple where she is going to solemnize marriage with applicant/accused. Further, the statements of parents of the applicant/accused has not been recorded to the effect whether they have fixed the marriage of applicant/accused with a girl namely Anjali for 30.07.2020.

Further, in the reply of SI Satyavir Singh dated 13.07.2020, alongwith said reply, previous involvement report qua applicant/accused

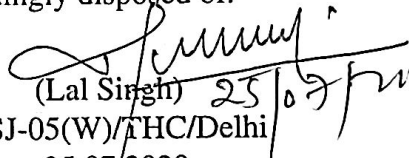
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was annexed and as per which the applicant/accused is shown to be involved in 06 cases including the present case.

Considering the fact that when the application was moved on behalf of applicant/accused, no date for marriage was fixed and moreover, no reliable/stconvincing documentst hasst been shown as to in which temple marriage is going to be solemnizest and suchst the court does consider it appropriate to grant interim bail to the applicant/accused. Otherwise also, it appears that just to get interim bail the development regarding the proposed marriage has been taken place, as it is amply clear from the fact that at the time of filing of the application no date of marriage was fixed. Therefore, in the above facts & circumstances, the application for grant of interim bail is dismissed.

Application u/s 439 Cr.P.C., is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07/2020

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

25.07.2020

Present : Sh. M.A. Khan, Ld.Addl. PP for the State through VC.
SI Vikash Fageria, P.S. Rajouri Garden through VC.


This request/application to cancel the bail granted to accused Ravi @ Ronit, has been filed by SI Vikash Fageria, P.S. Rajouri Garden.

Perusal of the application shows that the application has not been filed properly. Moreover, the application has not been filed through prosecution.

At this stage, SI Vikash Fageria, P.S. Rajouri Garden submits that he is withdrawing the present application and he may be permitted to withdraw the same, with liberty to file afresh through proper channel.

In view of the above facts & circumstances as well as submissions SI Vikash Fageria, the present application is dismissed as withdrawn with liberty to file afresh in accordance with law.

Application is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020

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

25.07.2020

Present : Sh. M.A. Khan, Ld.Addl. PP for the State through VC.
SI Vikash Fageria, P.S. Rajouri Garden through VC.


This request/application to cancel the bail granted to accused Akash @ Mogli, has been filed by SI Vikash Fageria, P.S. Rajouri Garden.

Perusal of the application shows that the application has not been filed properly. Moreover, the application has not been filed through prosecution.

At this stage, SI Vikash Fageria, P.S. Rajouri Garden submits that he is withdrawing the present application and he may be permitted to withdraw the same, with liberty to file afresh through proper channel.

In view of the above facts & circumstances as well as submissions SI Vikash Fageria, the present application is dismissed as withdrawn with liberty to file afresh in accordance with law.

Application is accordingly disposed of.


(Lal Singh) 25/07/2020
ASJ-05(W)/THC/Delhi
25.07.2020