

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

FIR No. 859/20

PS: Nangloi

**U/s 376/506/509/34 IPC & 6/12 POCSO Act
State Vs. Rajab Ali**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. R.K Saini proxy for Mr. B.S Sharma, counsel for the applicant.
IO WSI Reena is present.

Proxy counsel seeks an adjournment stating that the main counsel is not feeling well. Heard. Allowed.

On request, put up for arguments on **06.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 704/20
PS: Rajouri Garden
U/s 420/34 IPC
State Vs. Raju @ Mango**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

None for the applicant.

IO SI Arvind is present.

Reply filed.

None has appeared on behalf of applicant despite repeated calls since morning.

Put up for arguments on **06.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 807/20
PS: Rajouri Garden
U/s .376 IPC
State Vs. Desraj**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Ashish Upadhyay counsel for the applicant.
IO SI Asha also present.

Prosecutrix is not present. This is the matter under Section 376 IPC. IO submits that despite making five calls, prosecutrix has not picked up the call.

On request of counsel, put up for arguments on **06.10.2020**.
Meanwhile, on request of counsel, IO is directed to remain present with prosecutrix on the next date.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 608/13
PS: Rajouri Garden
U/s 326/324/34 IPC
State Vs. Jai @ Joo @ Nepali**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Gautam Kumar counsel for the applicant.

Reply not filed.

Issue notice to IO to file reply on the next date, returnable for
07.10.2020. On request of counsel, TCR be also called for the next date.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 656/20
PS: Nihal Vihar
U/s 307/506/34 IPC & 25/27 Arms Act
State Vs. Varun**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Ashok Kumar counsel for the applicant.

Counsel for applicant has requested that chargesheet has been filed and before addressing arguments, he would like that IO as well as chargesheet be brought before this court for better arguments.

So, issue notice to the IO to remain present on the next date. Also issue directions to the concerned Ahlmad to produce chargesheet on the next date, returnable for **07.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**E-FIR No. 021094/20
PS: Hari Nagar
U/s 379 IPC
State Vs. Offer @ Karan**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Rajan Aggarwal, counsel for the applicant.

Reply not filed.

Issue notice to IO to file reply on the next date, returnable for

05.10.2020.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 152/20
PS: Nangloi
U/s 323/341/308/506/34 IPC
State Vs. Sumit Sharma @ Kala**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Proxy counsel on behalf of Mr. Bhisham Dutta, Ld. LAC for the applicant.

Proxy counsel seeks an adjournment stating that the main counsel is not feeling well. Heard. Allowed.

On request, put up for arguments on **07.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 446/20
PS: Mundka
U/s 25 Arms Act
State Vs. Bunty**

03.10.2020

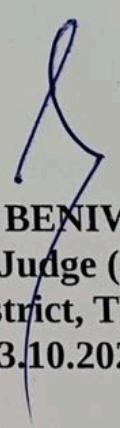
Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Sandeep Gupta counsel for applicant through VC.

Counsel has submitted that as per marksheet of applicant, he is below 18 years of age but the report of IO in this respect is silent. Therefore, issue notice to the IO to verify the documents of age of the applicant and file report with respect to age of applicant on the next date.

Meanwhile, keeping in view the submissions of counsel, applicant is admitted to interim bail till 12.10.2020 on his furnishing bail bond in the sum of Rs.10,000/- with one surety of like amount to the satisfaction of concerned court and subject to the condition that applicant shall appear before the court either physically or through VC on the next date.

Put up for arguments on **12.10.2020**.


**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 98/20
PS: Kirti Nagar
U/s 498-A/406/34 IPC
State Vs. Amit Gupta**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Rathi counsel for applicant through video conferencing.

On request of counsel, put up for arguments on **07.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 98/20
PS: Kirti Nagar
U/s 498-A/406/34 IPC
State Vs. Sushma Mahajan**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Rathi counsel for applicant through video conferencing.

On request of counsel, put up for arguments on **07.10.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 98/20
PS: Kirti Nagar
U/s 498-A/406/34 IPC
State Vs. Ankita Bhatia**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Rathi counsel for applicant through video conferencing.

On request of counsel, put up for arguments on **07.10.2020.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 98/20
PS: Kirti Nagar
U/s 498-A/406/34 IPC
State Vs. Nikita Bhatia**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Rathi counsel for applicant through video conferencing.

On request of counsel, put up for arguments on **07.10.2020.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 98/20
PS: Kirti Nagar
U/s 498-A/406/34 IPC
State Vs. Pooja Gupta**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Sanjay Rathi counsel for applicant through video conferencing.

On request of counsel, put up for arguments on **07.10.2020.**

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 677/20
PS: Rajouri Garden
U/s 498A/406/34 IPC
State Vs. Sanjukta Hazra

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mukesh Kumar, counsel for the applicant through VC.
Mr. Kanishk Arora, counsel for complainant through VC.

Counsel for applicant has submitted that since the matter is part heard by Ld. ASJ on 21.09.2020, so it would be better if the matter is heard by the same Ld. ASJ. Moreover, he has further submitted that complainant has moved an application filing objection to the present bail application, of which, copy has not been supplied to him. He has requested that one copy of objections alongwith annexures be supplied to him.

On request, the matter be placed before the same Ld. ASJ who had part heard the arguments, returnable for 07.10.2020.

At this stage, Ms. Reema Vishwas (mob. 8287673719), complainant has appeared and produced two printouts and one CD and has requested that the same be taken on record. Let copy of the same be supplied by the complainant to the counsel for applicant before next date of hearing.

Meanwhile, interim protection to continue till next date of hearing.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 677/20
PS: Rajouri Garden
U/s 498A/406/34 IPC
State Vs. Manas Kumar Ghosh

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mukesh Kumar, counsel for the applicant through VC.
Mr. Kanishk Arora, counsel for complainant through VC.

Counsel for applicant has submitted that since the matter is part heard by Ld. ASJ on 21.09.2020, so it would be better if the matter is heard by the same Ld. ASJ. Moreover, he has further submitted that complainant has moved an application filing objection to the present bail application, of which, copy has not been supplied to him. He has requested that one copy of objections alongwith annexures be supplied to him.

On request, the matter be placed before the same Ld. ASJ who had part heard the arguments, returnable for 07.10.2020.

At this stage, Ms. Reema Vishwas (mob. 8287673719), complainant has appeared and produced two printouts and one CD and has requested that the same be taken on record. Let copy of the same be supplied by the complainant to the counsel for applicant before next date of hearing.

Meanwhile, interim protection to continue till next date of hearing.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 677/20
PS: Rajouri Garden
U/s 498A/406/34 IPC
State Vs. Sulekha Rani Ghosh

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mukesh Kumar, counsel for the applicant through VC.
Mr. Kanishk Arora, counsel for complainant through VC.

Counsel for applicant has submitted that since the matter is part heard by Ld. ASJ on 21.09.2020, so it would be better if the matter is heard by the same Ld. ASJ. Moreover, he has further submitted that complainant has moved an application filing objection to the present bail application, of which, copy has not been supplied to him. He has requested that one copy of objections alongwith annexures be supplied to him.

On request, the matter be placed before the same Ld. ASJ who had part heard the arguments, returnable for 07.10.2020.

At this stage, Ms. Reema Vishwas (mob. 8287673719), complainant has appeared and produced two printouts and one CD and has requested that the same be taken on record. Let copy of the same be supplied by the complainant to the counsel for applicant before next date of hearing.

Meanwhile, interim protection to continue till next date of hearing.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 677/20
PS: Rajouri Garden
U/s 498A/406/34 IPC
State Vs. Dr. Saroj Kumar Ghosh**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mukesh Kumar, counsel for the applicant through VC.
Mr. Kanishk Arora, counsel for complainant through VC.

Counsel for applicant has submitted that since the matter is part heard by Ld. ASJ on 21.09.2020, so it would be better if the matter is heard by the same Ld. ASJ. Moreover, he has further submitted that complainant has moved an application filing objection to the present bail application, of which, copy has not been supplied to him. He has requested that one copy of objections alongwith annexures be supplied to him.

On request, the matter be placed before the same Ld. ASJ who had part heard the arguments, returnable for 07.10.2020.

At this stage, Ms. Reema Vishwas (mob. 8287673719), complainant has appeared and produced two printouts and one CD and has requested that the same be taken on record. Let copy of the same be supplied by the complainant to the counsel for applicant before next date of hearing.

Meanwhile, interim protection to continue till next date of hearing.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 677/20
PS: Rajouri Garden
U/s 498A/406/34 IPC
State Vs. Birender Nath Ghosh

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Mukesh Kumar, counsel for the applicant through VC.
Mr. Kanishk Arora, counsel for complainant through VC.

Counsel for applicant has submitted that since the matter is part heard by Ld. ASJ on 21.09.2020, so it would be better if the matter is heard by the same Ld. ASJ. Moreover, he has further submitted that complainant has moved an application filing objection to the present bail application, of which, copy has not been supplied to him. He has requested that one copy of objections alongwith annexures be supplied to him.

On request, the matter be placed before the same Ld. ASJ who had part heard the arguments, returnable for 07.10.2020.

At this stage, Ms. Reema Vishwas (mob. 8287673719), complainant has appeared and produced two printouts and one CD and has requested that the same be taken on record. Let copy of the same be supplied by the complainant to the counsel for applicant before next date of hearing.

Meanwhile, interim protection to continue till next date of hearing.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 607/18
PS: Rajouri Garden
U/s 20 NDPS Act
State Vs. Rajesh Kumar**

03.10.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Kunal Manav counsel for the applicant through VC.

Counsel submits that he wants to withdraw both his pending applications i.e. application for grant of interim bail of 30 days or son on as well as application seeking bail of applicant. Heard.

In view of the submissions of counsel, both the applications are dismissed as withdrawn.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/03.10.2020**

State Vs. Birender Singh
FIR No. 240/16
PS Nihal Vihar
U/s 304-B/498-A/34 IPC

03.10.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri R.R Jha, LAC for applicant/accused.

By this order, I shall decide the present application moved on behalf of applicant/accused Birender Singh. Facts stated in the application are as follows :

It is submitted that the applicant is in judicial custody since 14.06.2016. That applicant was granted bail on the condition to furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount. That applicant belongs to downtrodden stratum of society and not able to arrange surety. That applicant/accused continued detention in jail may be avoided if he is permitted to be released on personal bond. That applicant undertakes to abide-by with any terms and conditions if released. It is, therefore, prayed that applicant be released on personal bond.

Learned Addl. Public Prosecutor has opposed the application in view of reply filed by the IO.

I have heard the application from both the sides.

Ld. Addl. PP has submitted that this is a case U/s 304-B IPC and the applicant is the husband of the deceased. It is submitted that considering the gravity of offence, the seriousness of the charges and the evidence against the applicant, it would not be advisable to release the applicant only on a personal bond as it would be nearly impossible to ensure presence of applicant in case he jumps bail and runs away.

Contd...

State Vs. Birender Singh
FIR No. 240/16
PS Nihal Vihar
U/s 304-B/498-A/34 IPC

03.10.2020

The court is inclined to agree with the submissions of Learned Addl. Public Prosecutor. Applicant is the main accused for offence U/s 304-B IPC alongwith other offences. If the applicant jumps bail, there would be no way to secure to presence of the applicant during the trial. Therefore, the present application is rejected. The application stands disposed of accordingly.

One copy of this order be sent to counsel for applicant through proper channels.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020^{VP}

State Vs. Kuldeep Chand Bhasin
FIR No. 71/2020
PS Maya Puri
U/s 498-A/406/34 IPC

03.10.2020

Arguments on bail application heard through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Dr. M.K. Gahlaut, counsel for applicant through videoconferencing.
IO ASI Inder Pal also in person.

By this order, I shall decide the present application requesting for grant of anticipatory bail to applicant Kuldeep Chand Bhasin. Facts as stated in the bail application are as follows :

It is submitted that applicant is a senior citizen of 72 years and has gone through Bypass surgery and suffering from heart problems. It is submitted that the present case is a false case and applicant has nothing to do with the present offence. It is submitted that applicant has genuine apprehension that the complainant shall falsely implicate the applicant in the present case in order to put pressure upon the applicant and his family to compromise on the terms of the complainant. It is submitted that if the applicant is arrested in this age, he shall have no face to show to the society and his arrest may even lead to complications to his heart problems, thereby endangering his life. It is submitted that applicant is innocent and if the complainant levels false allegations against the applicant, the applicant shall prove his innocence during the course of the proceedings but at this stage, applicant should not be victimized considering his age.

Contd...

State Vs. Kuldeep Chand Bhasin
FIR No. 71/2020
PS Maya Puri
U/s 498-A/406/34 IPC

03.10.2020

Learned Addl. Public Prosecutor has submitted that even the IO of this case (ASI Inder Pal who is present today in the court) has submitted that the police does not intend to arrest the applicant in the present case. This fact is also stated in the reply of bail application filed by IO. Therefore, considering the totality of the circumstances and the reply of IO that applicant shall not be arrested, the present bail application is allowed and the applicant is granted anticipatory bail subject to the following terms & conditions :

- i. That the applicant shall co-operate with the investigation as and when directed by the IO;
- ii. That the applicant shall furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount subject to the satisfaction of the IO/SHO if and when an arrest is effected upon the applicant.

The application stands disposed of accordingly.

Copy of this order be sent to counsel for applicant, IO/SHO concerned, Ld. Additional Public Prosecutor and Jail Superintendent concerned on their e-mail IDs if provided and found to be correct, through proper channels.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020^{VP}

State Vs. Sudha Bhasin
FIR No. 71/2020
PS Maya Puri
U/s 498-A/406/34 IPC

03.10.2020

Arguments on bail application heard through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Dr. M.K. Gahlaut, counsel for applicant through videoconferencing.
IO ASI Inder Pal also in person.

By this order, I shall decide the present application requesting for grant of anticipatory bail to applicant Sudha Bhasin. Facts as stated in the bail application are as follows :

It is submitted that applicant is a senior citizen of 70 years and is suffering from heart problems. It is submitted that the present case is a false case and applicant has nothing to do with the present offence. It is submitted that applicant has genuine apprehension that the complainant shall falsely implicate the applicant in the present case in order to put pressure upon the applicant and her family to compromise on the terms of the complainant. It is submitted that if the applicant is arrested in this age, she shall have no face to show to the society and her arrest may even lead to complications to her heart problems, thereby endangering her life. It is submitted that applicant is innocent and if the complainant levels false allegations against the applicant, the applicant shall prove her innocence during the course of the proceedings but at this stage, applicant should not be victimized considering her age.

Contd...

State Vs. Sudha Bhasin
FIR No. 71/2020
PS Maya Puri
U/s 498-A/406/34 IPC

03.10.2020

Learned Addl. Public Prosecutor has submitted that even the IO of this case (ASI Inder Pal who is present today in the court) has submitted that the police does not intend to arrest the applicant in the present case. This fact is also stated in the reply of bail application filed by IO. Therefore, considering the totality of the circumstances and the reply of IO that applicant shall not be arrested, the present bail application is allowed and the applicant is granted anticipatory bail subject to the following terms & conditions :

- i. That the applicant shall co-operate with the investigation as and when directed by the IO;
- ii. That the applicant shall furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount subject to the satisfaction of the IO/SHO if and when an arrest is effected upon the applicant.

The application stands disposed of accordingly.

Copy of this order be sent to counsel for applicant, IO/SHO concerned, Ld. Additional Public Prosecutor and Jail Superintendent concerned on their e-mail IDs if provided and found to be correct, through proper channels.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020^{VP}

State Vs. Ajay Kumar
FIR No. 179/2019
PS Ranjit Nagar
U/s 392/394/397/411/34 IPC

03.10.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Counsel for applicant Ms. Reena Singh.

Ld. Addl. PP has submitted that IO has not filed a complete report with respect to the educational status and requirements as requested in the application.

Issue notice to the IO to appear in person alongwith complete report including educational status verification to be filed by the IO and also issue Show Cause Notice to the IO to explain as to why complete & detailed report has not been filed.

Court notice be also issued to SHO concerned that in case IO does not appear on the next date of hearing, SHO shall appear in person alongwith complete report and shall explain as to why complete & detailed report has not been filed by the IO. One copy of this order be sent to the DCP concerned for compliance.

Re-list the matter on **15.10.2020**. Date given on request of counsel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020

State Vs. Manish
FIR No. 182/20
PS Nihal Vihar
U/s 392/397/411/34 IPC &
25/54/59 Arms Act

03.10.2020

Arguments on bail application heard through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Akshay Kumar, counsel for applicant through videoconferencing.

By this order, I shall decide the present bail application moved on behalf of applicant Manish.

At the outset, it should be mentioned that counsel for applicant Manish has appeared before the court and in order to avoid any confusion, he has given statement At Bar that he has advanced arguments on behalf of applicant/accused Manish because in the title of the application, he has typed the name Madhav Solanki. Facts as stated in the bail application are as follows :

It is submitted that applicant was arrested in two FIRs on the same day and has been falsely implicated by the police. It is submitted that even charge-sheet has been filed in the present case and IO has reprimanded by the Ld. MM for filing the charge-sheet beyond statutory period because of which other accused have even obtained the bail. It is submitted that even as per the case of the IO, nothing has been recovered from the possession of the applicant in the present case and on the ground of parity, the applicant should be granted bail.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO. It is submitted that applicant was actively involved in the commission of the present offence and if bail is granted to the applicant, then he may jump bail and may threaten the prosecution witnesses.

03.10.2020

I have heard arguments from both the sides.

On behalf of the prosecution, it is submitted that a punch was used by the present applicant for commission of the robbery. The present applicant was formally arrested by the police and it is not the case of the prosecution that the applicant was arrested red-handed on the spot. No recovery has been effected from the applicant in the present case. All the accused were arrested in the present case and some of them have already been granted bail as per the report of the IO. No purpose would be served by keeping the accused in custody further as charge-sheet has already been filed. Therefore, keeping in view the totality of the circumstances discussed above and the fact that some accused persons have already been granted bail, applicant is granted bail subject to the following terms & conditions :

1. That applicant shall furnish a bail bond in the sum of Rs. 25,000/- with one surety of like amount to the satisfaction of the concerned MM/Duty MM/CMM;
2. That the applicant shall not contact any of the prosecution witnesses during the trial;
3. That the applicant shall attend the court on each and every date of hearing.

Copy of this order be given to all concerned through proper channels.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020^{VP}

State Vs. Gayatri Devi W/o Dhirendra Singh
FIR No. 516/2020
PS Hari Nagar
U/s 4/5/6/23 PC & PNDT Act

03.10.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Deepak Ghai, counsel for applicant/accused.

By this order, I shall decide the regular bail application filed on behalf of applicant Gayatri Devi W/o Dhirendra Singh. Facts as stated in the bail application are as follows :

This is the third bail application. It is submitted that applicant has been falsely implicated in the present case. That co-accused persons namely Sonia, Sahib Kumar, Gayatri Devi W/o Krishan and Mohit have already been released on bail. That alleged role of applicant is on similar footing and all the offences are punishable with imprisonment of less than 7 years. That applicant is not a previous convict. That offence alleged against the applicant is punishable with upto 7 years and hence, case of the applicant is squarely covered by judgment titled as ***Shobha Gupta & Ors. Vs. Union of India*** passed by Hon'ble High Court of Delhi and guidelines given on 07.04.2020 by the Hon'ble High Powered Committee of Hon'ble High Court of Delhi. That investigation qua the applicant is almost complete and applicant is no more required for judicial custody for investigation purpose. That applicant belongs to a respectable family and has deep roots in the society. That there is no chance of her absconding and tampering with the prosecution evidence. That applicant shall not misuse the concession of bail, if released. That no purpose will be served by keeping the applicant in judicial custody. That applicant will abide-by all the terms & conditions of bail if released. It is, therefore, prayed that applicant be released on bail.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

IO has opposed the bail application further on the ground that investigation is at initial stage and one co-accused namely Devender is still absconding with the remaining

amount. It is submitted that applicant/accused may hamper the investigation if she is enlarged on bail at this stage. That she can threaten the witnesses and may disturb the evidences. It is further submitted that allegations against the applicant are very grave and serious in nature.

I have heard arguments from both the sides.

Ld. Addl. PP has fairly submitted that on the ground of parity, the court may consider grant of bail to the applicant. On behalf of applicant, it has been submitted that the applicant is innocent and has been falsely implicated. Almost all the accused persons have already been granted bail and the present applicant is alleged to be a tout. All the machinery used for the commission of the alleged offence, has already been seized and locked by the investigating agency. No purpose would be served by keeping the applicant in judicial custody further. Therefore, keeping in view the above-mentioned discussions and the fact that most of the accused persons have already been granted bail, present applicant is admitted to bail subject to the following terms & conditions :

1. That she will not tamper with the evidence or contact any of the prosecution witnesses;
2. That applicant shall furnish a bail bond in the sum of Rs. 10,000/- with one surety of like amount to the satisfaction of the concerned MM/Duty MM/CMM;
3. That applicant shall co-operate with further investigation, if any and shall appear before the IO as & when directed;
4. That applicant shall furnish her fresh address on record if and when she changes the same.

Copy of this order be given to all concerned through proper channels.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District/THC/Delhi
03.10.2020^{VP}