Bail Application No. 533/2020 State Vs. Mohd. Samse Alam FIR No. 229/2019 PS Moti Nagar U/s. 302/307/323/354/506/509/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Mohd. Samse Alam for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Superintendent, Central Jail No.01, Tihar, has failed to mention that the accused has been in judicial custody for the offence of murder and other offences U/s. 302/307/354/323/506/509/34 IPC.

Contd..2..

State Vs. Mohd. Samse Alam FIR No. 229/2019 PS Moti Nagar

IO SI Sudhir Rathi has reported that this case pertains to date of incident of 12/05/2019 and the accused has been in custody for the offence U/s. 302/307/354/323/506/509/34 IPC.

The present application is not covered under criteria laid down by Hon'ble High Powered Committee of Delhi High Court. Hence, the interim bail application is dismissed.

The interim bail application is disposed of accordingly.

Copy of this order be given dasti to Ld. DLSA Counsel for applicant/accused, as prayed for.

Bail Application No. 532/2020 State Vs. Saheed FIR No. 340/2015 PS Uttam Nagar U/s. 302 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Saheed for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Uttam Nagar.

Contd..2.

State Vs. Saheed FIR No. 340/2015 PS Uttam Nagar

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2015.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Accused Saheed is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

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The application is disposed of accordingly.

Copy of this order be given to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.



State Vs. Sudhir Tyagi FIR No. 643/17 PS Ranhola U/s. 302/120-B/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Deepak Sharma. Counsel for applicant/accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Vivek for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Reply to the application received from IO.

In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

The interim bail granted to the accused Sudhir Tyagi is extended for 25 more days, till 03.07.2020 upon the personal bond already furnished to satisfaction of concerned Jail Superintendent. The interim bail is extended subject to following conditions:-

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 25 days or 03.07.2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be given Dasti to Ld. Counsel for accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

Bail Application No. 322/2020 State Vs. Tejpal @ Bhure FIR No. 382/2015 PS Nihal Vihar U/s. 302/397/411/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Jitender Kumar, Ld. Counsel for applicant/accused.

Report still not received from IO/SHO PS Nihal Vihar regarding previous involvement, if any, of the accused and threat perception to the victim / witnesses.

Issue notice to SHO PS Nihal Vihar to appear in person and explain why he failed to report about threat perception to victim/witnesses from the accused and regarding his previous involvement.

Put up for consideration on 10/06/2020.

Bail Application No. 629/2020 State Vs. Subhash @ Gaurav FIR No. 285/2017 PS Khyala U/s. 302/394/397/411/201 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Jaidev Solanki, Ld. Counsel for applicant/accused.

Case file received by transfer vide order dated 08/06/2020 of Ld. ASJ-07 (POCSO), Vacation Judge, West, upon the understanding that the present application falls under criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Issue notice to SHO PS Khyala to file proper report about threat perception to victim/witnesses from the accused and regarding his previous involvement.

Issue notice to concerned Jail Superintendent to report about conduct of the accused during custody in jail.

Contd..2..

State Vs. Subhash @ Gaurav FIR No. 285/2017 PS Khyala

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Trial Court file not received from the concerned Court.

Put up with trial court record on 12/06/2020.

Bail Application No. 531/2020 State Vs. Mustafa Tyagi FIR No. 397/2019 PS Hari Nagar U/s. 3 & 4 of MCOC Act

08.06.2020

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Mahesh Kumar Patel, Ld. Counsel for applicant /

accused.

SI Pankaj Parashar on behalf of IO ACP Ram Singh, Sub-Division Rajouri Garden is present and has filed report on behalf of the IO.

This is an application for cancellation of proceeding filed U/s. 82 CrPC, grant of stay of arrest, joining of investigation and for bail on behalf of applicant accused.

The accused is stated to be wanted as suspect in present case, being a member of an organized crime syndicate run by kingpin Salman Tyagi, who is in J/c since the year 2018 in case FIR No. 100/2018, PS Hari Nagar, U/s. 21 NDPS Act. As per charge sheet some witnesses have given the statement that applicant / accused

Contd..2..

Mustafa Tyagi is a relative and member of the extortion gang/syndicate run by co-accused Salman Tyagi and several other accused persons who are in J/c in this case. It is also alleged against the accused that he has amassed several immovable and movable properties obtained by illegal means as a member of the organized crime syndicate. Earlier, the applicant/accused had been evading arrest because of which NBW and process U/s. 82 CrPC was initiated against him.

To the contrary, the accused states that he is neither the member of alleged organized crime syndicate run by arrested co-accused persons, nor was evading arrest. In fact, he applied for anticipatory bail in this case, which was not found maintainable as per provisions of MCOC Act.

Ld. Counsels for accused has submitted that there has been no criminal case against applicant/accused Mustafa Tyagi since the year 2012 i.e. for around eight years. The cases earlier instituted against him were not related to any gang activity. Applicant/accused Mustafa Tyagi and his wife have been income tax payee since year 2013. They have two immovable properties – one first floor flat (100 sqr. yards) in WZ-19, Meenakshi Garden, Delhi, and other in WZ-267, Tihar Village, Delhi, (60 sqr. Yards). *Contd..3.*



The property situated in Tihar Village was purchased by father of applicant/accused Mustafa Tyagi in the year 2002. The property situated at Meenakshi Garden, was purchased jointly by accused Mustafa Tyagi and his wife by obtaining home loan of Rs.44.9 lakh, in the year 2014.

Applicant/accused Mustafa Tyagi is stated to have furnished the detail of his two properties to the IO. Applicant/accused Mustafa Tyagi purchased a Hyundai Creta Car in the year — from one Mr. 'K' on hire-purchase basis but he had to return it to Mr. 'K' due to inability to pay the installment amount of the car. He had one Tata Nano Car that he has already sold out.

Considering the stringent provisions of MCOC Act that prescribe very strict rules regarding grant of bail to the accused, this court needs to be assured of credibility of allegations against the accused and be prima facie satisfied that there is reasonable ground to arrest the accused under MCOC Act. Indeed, earlier the accused had applied for grant of anticipatory bail on the ground of innocence, but the application was not found maintainable under the Act and was dismissed. The accused has been able to show that he was trying to avail of all legal remedies available to him, and was not trying to evade the criminal justice system.

If the averments of the applicant/accused have any substance, it will have a bearing on his submission that he is not involved in the alleged organized crime syndicate run by the arrested co-accused persons. Therefore, by way of abundent caution, in view of submissions made by the applicant/accused, he is given opportunity to join the investigation forthwith, as and when required by the IO. In the meantime, the operation of NBW and process U/s. 82 CrPC issued against him shall remain in abeyance.

IO and SHO PS Hari Nagar shall not take any coercive action against applicant/accused Mustafa Tyagi till further orders.

Applicant/accused Mustafa Tyagi shall follow the following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

On request of Ld. Counsels for applicant/accused, it is ordered that applicant/accused Mustafa Tyagi may avail of the services of an advocate of his choice at the time of interrogation, as permitted by law.

Contd..5..

Put up on 14/07/2020.

Copy of this order be given to Ld. Counsel for applicant/accused and to the IO, as prayed for.

Bail Application No. 207/2020 State Vs. Santosh Kumar FIR No. 310/2018 PS Ranhola U/s. 302/201 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Manoj Khatri, Ld. Counsel for applicant/accused has appeared through video conferencing, through Whatsapp video call at his mobile no. 9811383828 called through mobile no. 9958227234 of Court Reader Sh. Rajesh Kumar.

Ld. Counsel for applicant/accused could not be contacted through WEBEX due to connectivity issue. For this reason, video conferencing has been conducted through Whatsapp video call.

The video call conference has been conducted on speaker mode so that the submissions made by Ld. Counsel for applicant/accused is visible and audible to all the persons present in the court room.

Contd..2..



State Vs. Santosh Kumar FIR No. 310/2018 PS Ranhola

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Ranhola.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since 17/04/2018.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Accused Santosh Kumar is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

Contd..3..

State Vs. Santosh Kumar --3--FIR No. 310/2018 PS Ranhola

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to Ld. Counsel for applicant/accused through Whatsapp for intimation.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

Bail Application No. 223/2020 State Vs. Pankaj Kumar FIR No. 236/2016 PS Khyala U/s. 302/341/452/324/120B/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Kanhaiya Singhal, Ld. Counsel for applicant/accused has appeared through video conferencing, through Whatsapp video call at his mobile no. 9718648725 called through mobile no. 9958227234 of Court Reader Sh. Rajesh Kumar.

Ld. Counsel for applicant/accused could not be contacted through WEBEX due to connectivity issue. For this reason, video conferencing has been conducted through Whatsapp video call.

The video call conference has been conducted on speaker mode so that the submissions made by Ld. Counsel for applicant/accused is visible and audible to all the persons present in the court room.

State Vs. Pankaj Kumar FIR No. 236/2016 PS Khyala

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Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Khyala.

Report received from the Central Jail No.10, Rohini Jail, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2016.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Accused Panakj Kumar is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- The accused shall not attempt to contact, threaten 2. or otherwise influence the witnesses.
- The accused shall maintain good and peaceful 3. behaviour.

State Vs. Pankaj Kumar FIR No. 236/2016 PS Khyala

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to Ld. Counsel for applicant/accused through Whatsapp for intimation.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

Bail Application No. 443/2020 State Vs. Sanjay Sahu FIR No. 313/2016 PS Khyala U/s. 302/201/34 IPC

08.06.2020

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This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Khyala.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

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The accused has been in J/c since the year 2016.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Contd..2..

State Vs. Sanjay Sahu

FIR No. 313/2016

PS Khyala

Accused Sanjay Sahu is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- The accused shall not leave NCT of Delhi. 1.
- The accused shall not attempt to contact, threaten 2. or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier. The application is disposed of accordingly.

TCR be sent back to the concerned trial court alongwith copy of this order.

Copy of this order be given to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

> (VISHAL SINGH) SPECIAL DESIGNATED COURT, DELHI

Bail Application No. 549/2020 State Vs. Manjeet Saini FIR No. 381/2019 PS Nihal Vihar U/s. 307/120B/34 IPC & Section 25/27/54/59 Arms Act.

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Neeraj Kumar Jha, Ld. Counsel for applicant/accused has appeared through video conferencing, through Whatsapp video call at his mobile no. 8447470366 called through mobile no. 9999453111 of Court Orderly/Peon Sh. Sumit Kumar.

Ld. Counsel for applicant/accused could not be contacted through WEBEX due to connectivity issue. For this reason, video conferencing has been conducted through Whatsapp video call.

The video call conference has been conducted on speaker mode so that the submissions made by Ld. Counsel for applicant/accused is visible and audible to all the persons present in the court room.

Report received from the Jail Superintendent, Central Jail No.8/9, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

Contd..2..

State Vs. Manjeet Saini FIR No. 381/2019 PS Nihal Vihar --2--

Reply received from ASI Heera Lal, PS Nihal Vihar is perused, which reflects that the case pertains to gang activity and shoot out in pursuance of gang rivalry between the victim and accused.

SHO PS Nihal Vihar has strongly opposed the grant of interim bail to the accused with the submissions that grant of interim bail to the accused is a potential menace to the society and he may threaten the witnesses of this case if granted interim bail.

At this stage, on request of Ld. Counsel for applicant/accused, the present application is hereby dismissed as withdrawn.

The application is disposed of accordingly.

Copy of this order be sent to Ld. Counsel for applicant/accused through Whatsapp for intimation.

Bail Application No. 675 & 676 of 2020 State Vs. 1. Sunil & 2. Amit @ Sumit FIR No. 377/2016
PS Khyala
U/s. 452/326/307/323/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. C.B. Garg, Ld. Counsel for applicant/accused.

The present application is received by transfer.

This is an application for extension of interim bail granted to the accused by other Court of Ld. ASJ, Tis Hazari Courts. This court does not have the copy of the order of grant of interim bail to the applicant/accused, neither has the accused filed copy of any such order. As such, the application is deficient and not maintainable.

Moreover, this court can deal with application for extension of interim bail in only those cases in which the interim bail has been granted by this court, in view of directions of Hon'ble High Powered Committee of Delhi High Court.

Contd..2..

FIR No. 377/2016 PS Khyala

This is not the case in present application. Hence, the present application is dismissed.

Copy of this order be given dasti to Ld. Counsel for applicant/accused, as prayed for.

Bail Application No. 482/2020 State Vs. Rakesh Kumar FIR No. 162/2015 PS Ranhola U/s. 302/307/147/149/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

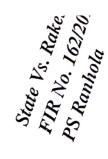
Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.K. Bali, Ld. Counsel for applicant/accused has appeared through video conferencing, through Whatsapp video call at his mobile no. 9871121187 called through mobile no. 9999453111 of Court Orderly/Peon Sh. Sumit Kumar.

Ld. Counsel for applicant/accused could not be contacted through WEBEX due to connectivity issue. For this reason, video conferencing has been conducted through Whatsapp video call.

The video call conference has been conducted on speaker mode so that the submissions made by Ld. Counsel for applicant/accused is visible and audible to all the persons present in the court room.

Contd..2..



State Vs. Rakesh Kumar --2--FIR No. 162/2015 PS Ranhola

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Rakesh Kumar for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

As per report received from concerned Jail Superintendent, the conduct of the accused in the jail is unsatisfactory and he has been given punishment ticket for violating the jail rules twice.

As per report, the accused persons who were members of unlawful assembly, caused heinous offence punishable U/s. 302/307/147/149/34 IPC. IO SI Amit Rathee, PS Ranhola, has reported that accused Rakesh Kumar has previous criminal history of involvement in three other following case FIR nos.

- 1. 140/1994, PS Mansarovar Park, U/s. 25 Arms Act.
- 2. 274/1994, PS Vivek Vihar, U/s. 25 Arms Act.
- 3. DD No.7/2015, PS Crime Branch.

The case pertains to offence U/s. 302/307/147/149 IPC. IPC, that includes offence of rioting, which is not covered under the criteria laid down by Hon'ble High Powered Committee of Delhi High Court.

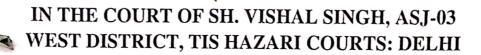
Contd..3..

State Vs. Rakesh Kumar --3--FIR No. 162/2015 PS Ranhola

The present interim bail application is, therefore, dismissed as not maintainable and it is not deemed safe to enlarge the accused on interim bail.

The application is disposed of accordingly.

Copy of this order be sent to Ld. Counsel for applicant/accused through Whatsapp for intimation.



Bail Application No. 434/2020 State Vs. Jagdish @ Sanjay @ Judi FIR No. 835/2015 PS Nihal Vihar U/s. 302/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. P.K. Garg, Ld. Counsel for applicant/accused.

As per report received from concerned Jail Superintendent, the conduct of the accused in the jail is unsatisfactory and he has been given punishment ticket for violating the jail rules on multiple occasions.

As per report received from SHO PS Nihal Vihar as well as Superintendent, Central Jail No.01, Tihar, accused has been involved in multiple criminal cases of violence.

The present application is not covered under criteria laid down by Hon'ble High Powered Committee of Delhi High Court. Hence, the interim bail application is dismissed.

Contd..2...



State Vs. Jagdish @ Sanjay @ Judi --2--FIR No. 835/2015 PS Nihal Vihar

The interim bail application is disposed of accordingly.

Copy of this order be given dasti to Ld. Counsel for applicant/accused, as prayed for.

Bail Application No. 450/2020 State Vs. Mohd. Salim FIR No. 23/2018 PS Khyala U/s. 302/323/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Notice of appearance not served upon complainant/victim by SHO PS Khyala despite order.

Issue notice to SHO PS Khyala to appear and show cause why he failed to serve notice upon complainant/victim.

Put up for consideration on 12/06/2020.

Bail Application No. 451/2020 State Vs. Ramu FIR No. 53/2017 PS Kirti Nagar U/s. 302/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant/accused.

Report still not received from IO/SHO PS Kirti Nagar regarding previous involvement, if any, of the accused and threat perception to the victim / witnesses.

Issue notice to SHO PS Kirti Nagar to appear in person and explain why he failed to report about threat perception to victim/witnesses from the accused and regarding his previous involvement.

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Put up for consideration on 12/06/2020.

Bail Application No. 483/2020 State Vs. Rohit FIR No. 81/2015 PS Mundka U/s. 302/307/34 IPC & Section 25/27/54/59 Arms Act.

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. B.S. Rana, Ld. Counsel for applicant/accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Rohit for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Reply to the bail application alongwith report regarding previous involvement of the accused received from IO/SHO PS Mundka.

Contd..2.

State Vs. Rohit FIR No. 81/2015 PS Mundka

As per report, accused Rohit has previous criminal history of involvement in case FIR no. 116/2015, PS Ranhola, U/s. 392/34 IPC & Section 25/27 Arms Act.

As per report received from concerned Jail Superintendent, the conduct of the accused in the jail is unsatisfactory and he has been given punishment ticket for violating the jail rules.

Considering previous involvement of the accused in another similar offence, this case is not covered under the criteria laid down by Hon'ble High Powered Committee of Delhi High Court.

The present application for interim bail is, therefore, dismissed as not maintainable.

Copy of this order be given dasti to Ld. Counsel, as prayed for.

Bail Application No. 452/2020 State Vs. Kanta Prasad FIR No. 49/2011 PS Tilak Nagar U/s. 302/323/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Tilak Nagar. As per report, the IO has reported that the accused has not been involved in any other criminal case.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

State V. Amily

State Vs. Kanta Prasad --2--FIR No. 49/2011 PS Tilak Nagar

The photocopy of custody warrants reflects Delhi address of the accused.

The accused has been in J/c since the year 2012.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Accused Kanta Prasad is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Contd..3..

State Vs. Kanta Prasad FIR No. 49/2011 PS Tilak Nagar

--3--

Copy of this order be given to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.



Bail Application No. 578/2020 Bail Application No. 577/2020 State Vs. Rajdev & Ajay FIR No. 258/2013 PS Nihal Vihar U/s. 302/120B/506/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. U.K. Giri, Ld. Counsel for applicant/accused.

This is an application filed U/s. 439 CrPC on behalf of applicant/accused Rajdev for grant of interim bail in view of criteria laid down by Hon'ble High Powered Committee of Delhi High Court for grant of interim bail.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Nihal Vihar. Inspector Jitender Dagar, ATO PS Nihal Vihar has reported that the accused has not been involved in any other criminal case.

Contd..2..

State Vs. Rajdev & Ajay FIR No. 258/2013 PS Nihal Vihar

Issue notice to SHO PS Nihal Vihar to report about the fresh (Delhi address) of the accused, the period of stay of the accused at the said address before going into custody and nature of relationship of the accused with the addressee.

Issue notice to concerned Jail Superintendent to report about conduct of the accused during custody in jail.

Put up with trial court record on 12/06/2020.



Bail Application No. 468/2020 State Vs. Rajesh Jha FIR No. 236/2016 PS Khyala U/s. 302/341/452/324/120B/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. B.C. Joshi and Sh. Anurag, Ld. Counsels for applicant /

accused.

SHO PS Khyala has not served notice upon complainant/victim Smt. Vidya Devi despite order.

Issue notice to SHO PS Khyala to appear and show cause why he failed to serve notice upon complainant/victim.

Put up for consideration on 12/06/2020.

Bail Application No.740 & 741/2020 State Vs. Sapna Behl & Sanjeev @ Vicky Behl FIR No. 64/2020 PS Patel Nagar U/s. 387/506 IPC

08.06.2020

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Sahil Malik, Ld. Counsel for applicant/accused.

IO SI Kamal Sharma is present.

IO has reported that weapon of offence (pistol) is yet to be recovered from accused Sanjeev @ Vicky Behl and his custodial interrogation is required for the purpose of further investigation of the case. IO has reported that the accused persons have not co-operated in the investigation so far and there is a likelihood that the accused persons may attempt to threaten the witness.

In this regard, Ld. Counsel for applicant/accused has submitted that the accused persons are husband and wife, who have been falsely implicated by the complainant. He has submitted that although the complainant has handed over an audio recording of a conversation between accused and one of the witnesses of this case, there is no element of threat in the audio recording.



State Vs. Sapna Behl & Sanjeev @ Vicky Behl --2--FIR No. 64/2020 PS Patel Nagar

The IO has availed of around one month of investigation and interrogated accused Vicky Behl twice and accused Sapna Behl once.

It does not seem to be a case in which there is perceptible continued threat element to the complainant and witnesses from the accused persons.

The offence reported is punishable upto seven years. Subject to joining of investigation by the accused persons as and when required by their IO, in the event of arrest accused Sapna Behla and Sanjeev @ Vicky Behl are admitted to anticipatory bail subject to furnishing personal bonds in the sum of Rs.30,000/- each with one surety of like amount to the satisfaction of IO/SHO PS Patel Nagar. The anticipatory bail shall be subject to following conditions:

- 1. The accused persons shall not attempt to contact, threaten or otherwise influence the complainant/witnesses.
- 2. The accused persons shall maintain good and peaceful behaviour.

The application is disposed of accordingly.

(VISHAL SINGH)
ASJ-03, WEST,
THC/08 06 2020

Bail Application No. 444/2020 State Vs. Satish FIR No. 541/2017 PS Ranhola U/s. 302/201/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Ranhola. As per reply, the accused has not been involved in any other criminal case.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2017.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Contd..2..



State Vs. Satish FIR No. 541/2017 PS Ranhola

Accused Satish is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be given to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

Bail Application No. 576/2020 State Vs. Sonu Bansal FIR No. 648/2017 PS Ranhola U/s. 302/34 IPC

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. B.L. Madhukar. Ld. Counsel for applicant/accused.

TCR seen.

As per report received from concerned Jail Superintendent, the conduct of the accused in the jail is unsatisfactory and he has been given punishment ticket for violating the jail rules twice.

The present application is not covered under criteria laid down by Hon'ble High Powered Committee of Delhi High Court. Hence, the interim bail application is dismissed.

The interim bail application is disposed of accordingly.

TCR be sent back to the concerned trial court alongwith copy of this order.

Copy of this order be given dasti to Ld. Counsel for applicant/accused, as prayed for.

Bail Application No. 487/2020 State Vs. Shahnaz Begum FIR No. 23/2018 PS Khyala U/s. 302 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant/accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Khyala. Inspector Arvind Kumar, PS Khyala has reported that the accused has not been involved in any other criminal case.

Report received from the Central Jail No.06, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

Contd., 2...

State Vs. Shahnaz Begum --2--FIR No. 23/2018 PS Khyala

Issue notice to SHO PS Khyala to report about threat perception to victim/witnesses from the accused.

Also issue notice to complainant/victim through SHO PS Khyala, for 12/06/2020.

Bail Application No. 445/2020 State Vs. Satish @ Lala FIR No. 284/2015 PS Anand Parbat U/s. 302/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

SHO PS Anand Parbat has reported that families of accused as well as victim and eye witness live in close vicinity. Family of accused has threatened the victim's family and witness Babita many times and there is perceptible threat to their lives.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Anand Parbat.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

*Contd..2.**

V

State Vs. Satish @ Lala FIR No. 284/2015 PS Anand Parbat --2--

In view of report of SHO PS Anand Parbat, issue notice appearance to complainant Babita, for 15/06/2020.

Bail Application No. 534/2020 State Vs. Nazrul @ Ali FIR No. 293/2014 PS Kirti Nagar U/s. 302/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

As per record, accused Nazrul Hasan @ Ali has already been granted interim bail of 30 days vide order dated 03/06/2020 of this court. The present application is dismissed as not maintainable.

The application is disposed of accordingly.

State Vs. Harish FIR No. 326/2016 PS Vikas Puri U/s. 302/307/452/427/147/148/149/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Parasnath, Ld. Counsel for applicant/accused.

The case pertains to offence U/s. 302/307/452/427/147/148/149/34 IPC, that includes offence of rioting, which is not covered under the criteria laid down by Hon'ble High Powered Committee of Delhi High Court.

At this stage, Ld. Counsel for applicant/accused has given statement on the application that he wants to withdraw the present application as the same is not covered under the criteria laid down by Hon'ble High Powered Committee of Delhi High Court.

In view of statement of Ld. Counsel for applicant/accused, the present application is dismissed as withdrawn.

Contd..2..

FIR No. 326/2016 PS Vikas Puri

The present application is disposed of accordingly.

Copy of this order be given dasti to Ld. Counsel for

accused, as prayed for.

Bail Application No. 513/2020 State Vs. Sandeep Sehrawat FIR No. 840/2016 PS Ranhola U/s. 302/201 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Ravi Soni, Ld. Counsel for applicant/accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Ranhola.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2016.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Accused Sandeep Sehrawat is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

Contd..2..

State Vs. Sandeep Sehrawat FIR No. 840/2016 PS Ranhola

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be given to Ld. Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.



Bail Application No. 345, 350 & 584 of 2020 State Vs. Pintoo Kumar FIR No. 258/2013 PS Nihal Vihar U/s. 302/120B/201/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Nihal Vihar.

Report received from the Central Jail No.10, Rohini Jail, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2013.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Contd..2..

C. B.

State Vs. Pintoo Kumar FIR No. 258/2013 PS Nihal Vihar

Accused Pintoo Kumar is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

Bail Application No. 446/2020 State Vs. Sandeep Kumar FIR No. 840/2016 PS Ranhola U/s. 302/201/120B IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. R.R. Jha, Ld. Remand Advocate from DLSA for the applicant / accused.

Reply to the bail application alongwith report regarding no previous involvement of the accused received from IO/SHO PS Ranhola.

Report received from the Central Jail No.01, Tihar, regarding satisfactory conduct of the accused during his custody in jail.

The accused has been in J/c since the year 2016.

Accordingly, In view of prevailing threat from pandemic Covid-19, directions of Hon'ble High Powered Committee of Delhi High Court and to ensure social distancing in the jail, the application is allowed.

Contd..2..

State Vs. Sandeep Kumar FIR No. 840/2016 PS Ranhola

Accused Sandeep Kumar is admitted to interim bail of 30 days, subject to furnishing personal bond of Rs.25,000/- to satisfaction of concerned Jail Superintendent. The interim bail shall be subject to following conditions:

- 1. The accused shall not leave NCT of Delhi.
- 2. The accused shall not attempt to contact, threaten or otherwise influence the witnesses.
- 3. The accused shall maintain good and peaceful behaviour.

The accused shall surrender before the concerned Trial Court/concerned Jail Superintendent on expiry of interim bail of 30 days or 09/07/2020, whichever is earlier.

The application is disposed of accordingly.

Copy of this order be given to Ld. DLSA Counsel for applicant/accused, as prayed for.

Copy of this order be also sent to the concerned Jail Superintendent for compliance.

State Vs. Sonu @ Chironjee Lal FIR No. 876/2017 PS Ranhola U/s 302/308/323/148 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present:

Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Rishab Kumar, Ld. Counsel for the applicant/accused has appeared through video conferencing, through Whatsapp video call his mobile no. 9582099257 called from mobile no. 9999453111 of court orderly/peon, Sh. Sumit Kumar.

Ld. Counsel for applicant/accused could not be contacted through WEDEX due to connectively issue. For this reason, video-conferencing has been conducted through Whatsapp video call.

Proper report not filed by the IO. Notice be issued to the IO/SHO of PS Ranhola to file previous involvement report of the applicant/accused on NDOH.

Report received from the concerned jail Superintendent regarding satisfactory conduct of the accused during his custody in jail.

Put up for filing the report on 10.06.2020.

State Vs. Chanderpal FIR No. 585/17 PS Ranhola U/s 302/34 IPC

08.06.2020

This court is on duty as Designated Court to hear applications for interim bail preferred on the basis of criteria laid down by Hon'ble High Powered Committee of Delhi High Court, as per office order dated 19/05/2020 of Ld. District & Sessions Judge, West.

Present: Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Bijender Singh, Ld. Counsel for the applicant/accused has appeared through video conferencing, through Whatsapp video call his mobile no. 9810042699 called from mobile no. 9958227234 of court staff namely Sh. Rajesh.

Ld. Counsel for applicant/accused could not be contacted through WEDEX due to connectively issue. For this reason, video-conferencing has been conducted through Whatsapp video call.

Ld. Counsel for the applicant/accused has sought regular bail on merit, not interim bail and therefore, cannot be entertained in this court. This court deals with only those application for grant of interim bail that are covered by direction of the Hon'ble High Powered Committee of Delhi High Court. The present application is transferred to the Roster Court of Ld. ASJ, West, THC, Delhi for 09.06.2020.