

State V/s Anita  
FIR NO. 252/20  
P.S. Sadar Bazar  
U/s 33/38/58 Delhi Excise Act

23.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

*None has joined the meeting through vedio conferencing.*

Present : Ld. APP for State has joined the meeting through Cisco Webex.

None on behalf of applicant has joined the meeting through Cisco Webex.

The present application has been filed on behalf of applicant Anita for releasing the vehicle i.e. scooty bearing registration No. DL 8S BX 7773 on superdari.

Reply to the present application has been filed by IO electronically. Copy of the same has also been sent to Ld. Counsel for applicant electronically.

Since the present matter has been registered u/s 33/38/58 Excise Act, the present application is not maintainable. Hence, the present application stands dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

Digitally  
signed by  
SHIVLI  
TALWAR  
Date:  
2020 11 23  
15:47:17  
+0530

**(SHIVLI TALWAR)**

MM-06(C)/THC/Delhi/23.11.2020

State V/s Sunny @ Haqla @ Upesh  
e-FIR No. 490/20  
P.S. Sadar Bazar  
U/S 379/411/34 IPC

23.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***This is the third bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Sunny @ Haqla @ Upesh s/o Sh. Jagdish.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Parveen Garg, ld. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that nothing material has been recovered from the possession or at the instance of the accused and the recovery has been planted by the police officials. It is further submitted that co-accused, Jitender @ Naresh has already been granted bail by this Court vide order dated 14.10.2020. It is further submitted that accused is not a previous convict in any criminal case. It is further submitted that the accused is in J/C since 06.10.2020 and investigation qua him is already complete. Therefore, it has been prayed that applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of reply shows that Rs. 20,000/- were recovered from the possession of accused and the accused was arrested on the spot during investigation. It is stated that the accused may abscond and commit similar type of offences again, if enlarged on bail.

Ld. APP for the State has vehemently opposed the bail application on the ground that the recovery of Rs. 20,000/- has been made from the accused. It is further submitted that the accused is a habitual offender and involved in several other cases. It is

**Contd:-**

:: 2::

FIR No. 490/20 PS Sadar Bazar

submitted that the accused is likely to commit similar type of offences, if released on bail.

Heard. Perused. Recovery has been effected from the applicant/accused and he is a habitual offender and involved in more than 30 cases. Thus, considering the past antecedents of the applicant/ accused, there is propensity to commit the crime again if accused is released on bail. Thus, this Court is not inclined to grant bail to the applicant/ accused and the present bail application is hereby rejected.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

Digitally  
signed by  
SHIVLI  
TALWAR  
Date:  
2020.11.  
16:04:  
+0530

(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/23.11.2020

State V/s Sahjad  
e-FIR NO. 015726/19  
P.S. Sadar Bazar  
U/s 379/411/34 IPC

23.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

Joined through Video conferencing.

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Accused Sahjad has joined the meeting through Cisco Webex from Meerut Jail.

IO HC Mithun Kumar has also joined the meeting through Cisco Webex.

IO concerned has moved an application seeking 14 days judicial custody of the accused electronically on the ground that investigation of the case is still in progress and judicial custody of the accused is required to prevent him from committing any further offence, tampering with evidence and to ensure the presence of the accused before the Court. The application is taken on record.

Arguments heard. Record perused.

Considering the fact that the investigation is still continuing and the custody of the accused is necessary for proper investigation, the application is allowed and the accused is remanded to Judicial Custody till 07.12.2020.

Concerned Jail Superintendent is directed to ensure the presence of accused on the next date through V.C.

Application stands disposed off accordingly.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar. The printout of the application, reply and order be kept for records and be tagged with the final report.

SHIVLI  
TALWAR  
Digitally  
signed by  
SHIVLI  
TALWAR  
Date:  
2020.11.23  
16:04:17  
+05:30

(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/23.11.2020

23.11.2020

State V/s Rahul @ Hemant @ Aman  
FIR No. 294/20  
P.S. Sadar Bazar  
U/S 356/379/411 IPC

*Vide Office Order No. 1146/36956-37126 D1(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*  
**Joined through Video conferencing.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Rahul @ Hemant @ Aman s/o Sh. Dilawar.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. M.P.S. Kasana, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from the possession of the accused and the recovery has been planted by the police. It is submitted that the mobile phone of the complainant was stolen by some other person but police arrested the accused instead. It is further submitted that the accused is a young boy aged 27 years and is not a previous convict. It is further submitted that the accused is in J/C since 15 days and investigation qua him is already complete and he is no more required for any custodial investigation. Therefore, it has been prayed that applicant/accused be released on bail.

IO has filed two replies to the present bail application, one dated 19.11.2020 and another reply dated 23.11.2020. The contents of both the replies are the same. Both the replies have been filed electronically. Copies of the same have been sent to Ld. Counsel for the applicant/accused electronically.

Perusal of replies filed by the IO shows that the accused was caught red handed on the spot and the mobile phone of the complainant snatched by the accused was recovered by the police. It is further stated that the accused is wanted in other similar type of cases.

Contd:-

Ld. APP for the State has opposed the bail application on the ground that the accused was caught red handed on the spot and recovery was effected from him. It is further submitted that snatching by young boys is a huge menace in the area of Sadar Bazar and the accused may commit further offences of similar type, if enlarged on bail.

Heard. Perused. Considering the submissions and the circumstances that past antecedents of the accused are clean, recovery has already been effected and accused is no more required for any custodial interrogation. I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused Rahul @ Hemant @ Aman is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.  
One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

State V/s Rahul @ Dinesh  
FIR No. 222/20  
P.S. Sadar Bazar  
U/S 380/454/11/34 IPC

23.11.2020

*Vide Office Order No. 1146/36956-37126 DI(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

*This is the second bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Rahul @ Dinesh s/o Sh. Kanhaiya.*

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Rajendra Pratap Singh, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that nothing incriminating has been recovered from the possession of the accused or at his instance. It is further submitted that the accused belongs to a respectable family, the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the accused is in J/C since 20.10.2020 and investigation qua him is already complete. Therefore, it has been prayed that applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of the same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused was arrested at the instance of his co-accused, Vicky @ Punjabi and case property (two iron rods [gatter]) was recovered from the possession of the accused. It is stated that the accused played an active role in the commission of the offence and he is previously involved in criminal cases.

Ld. APP for the State has opposed the bail application on the ground that the case property has been recovered from the possession of the accused and the accused committed similar offence before also. It is submitted that the accused may commit

Contd:-

∴2∴

FIR No. 222/20 PS Sadar Bazar

similar type of offences again, if released on bail.

Heard. Perused. Considering the submissions and the circumstances that past antecedents of the accused are clean, recovery has already been effected and accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused Rahul @ Dinesh is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

1. That the accused person(s) shall join investigation as and when called.
2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.
3. That the accused person(s) shall not commit similar offence and;
4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Id. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

Digitally signed

by SHIVLI

TALWAR

SHIVLI  
TALWAR (SHIVLI TALWAR)  
Digitally signed by SHIVLI TALWAR  
16.05.23 16:05:53 +0530  
MM-06(C)/THC/Delhi/23.11.2020



23.11.2020

State V/s Ashwani  
FIR No. 343/20  
P.S. Civil Lines  
U/S 393/394/34 IPC

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***The present application for grant of bail u/s 437 Cr.P.C. has been moved on behalf of applicant/accused Ashwani s/o Madan Lal.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Ranjeet Kumar Singh, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that nothing has been recovered from the possession or at the instance of the accused. It is further submitted that the past antecedents of the accused are clean and he is not involved in any other case. It is further submitted that the accused is in J/C since 24.08.2020, investigation qua accused is already complete and charge-sheet has already been filed in the Court. Therefore, it has been prayed that applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. IO, in his reply, has stated that both the victims suffered simple injuries as per the MLCs. It is stated that the accused has committed a heinous offence and he may commit similar type of offences again, if enlarged on bail.

Ld. APP for the State has vehemently opposed the bail application on the ground that the accused has committed a heinous offence u/s 394 IPC which is punishable up to imprisonment for life and thus, in view of the gravity of the offence, he should not be granted bail. It is further submitted that no recovery was made from the accused since the accused had been apprehended by the police officials while he was

attempting to commit robbery.

Submissions heard. Charge-sheet perused.

Accused has been apprehended from the spot by the police officials. Accused gave beating to the complainant and one other person and tried to rob them. There is specific allegation against the accused. There are chances that if the accused is released on bail, he may threaten the complainant/ witness. Considering the gravity of the offence and seriousness of the allegations, this Court is not inclined to grant bail to the applicant/accused and the present bail application is hereby rejected.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

Digitally  
signed by  
SHIVLI  
TALWAR

Date: 2020.11.16  
16:06:14 (SHIVLI TALWAR)

MM-06(C)/THC/Delhi/23.11.2020