

CR-510/2019
Ramesh Gandhi v. Sudesh Sethi & Ors.

07.08.2020

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular dates of hearing were 17.01.2020, 17.04.2020 and 09.06.2020.

On 09.06.2020, matter was adjourned for 07.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned as far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: None.

It is submitted by Reader of this court that despite sending link to counsel for revisionist, he has not joined through VC. Further, details of respondent is not available on record.

As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

**Put up for purpose fixed/further proceedings on
07.10.2020.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

FIR No.: 134/2018
PS: Subzi Mandi
State v. Parmod Kumar

07.08.2020

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular dates of hearing were 10.02.2020, 17.04.2020 and 09.06.2020

On 09.06.2020, matter was adjourned for 07.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned as far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the state through VC.
Accused Parmod Kumar through VC. His counsel is not present today.

None for complainant.

Complainant as well as counsel for accused is not present today. As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

As such, put up for purpose fixed on 07.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

: 1 :

INTERIM BAIL APPLICATION

State Vs. Adnan Hussain s/o Inayat Hussain

FIR No.: 02/2014

PS: Jama Masjid

U/S: 302, 394, 411, 34 IPC

07.08.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Asgar Khan, learned LAC counsel for Accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Vide this order interim bail application dated 28/07/2020 is disposed off.
3. It is argued on behalf of the accused that he is in JC since 05/03/2014. It is further stated that as far as involvement in the another matter FIR No.131/13 PS Kashmere Gate Metro Station is concerned, he is already acquitted in the same. It is further submitted that there is issue of overcrowding of prisoners and there is pandemic situation at present due to corona virus. It is further stated that such accused was granted interim bail earlier also in 2017 to 2019 on many occasions and he timely surrendered thereafter. Mother of the accused expired in 2018 and his father is a chronic heart patient and is suffering

: 2 :

from paralysis. It is further stated that now even the brother of the accused got paralysis attack and is admitted in RML Hospital. It is further stated that even the sister of accused requires surgery for removal of cyst. It is further stated that there is no other male member to take care of such father, brother and sister. It is further stated that earlier he was granted interim bail and he timely surrendered after availing the same. As such, it is prayed that he be granted interim bail for 45 days.

4. On the other hand, it is argued by the learned Addl.PP for the State that no ground is made out to grant him interim bail again. That in any case he does not fall in the criteria of 18/05/2020 passed by Hon'ble High Court as there is involvement in another matter and whether he was acquitted later or not is not relevant as far as criteria dated 18/05/2020 is concerned. It is further stated that on merit also no case is made out for grant of interim bail again. It is further stated that vide reasoned order dated 08/07/2020 his application for interim bail on similar grounds is already rejected by this court. It is further stated that still on one excuse or the other the accused is moving multiple interim bail applications. It is further stated that offence alleged against the accused is very serious including section 302 as well as 394 IPC.

5. I have heard both the sides and gone through the record.

6. On a reading of previous interim bail order dated 08/07/2020 passed by this court, it is clear that most of the grounds which are taken in the present bail application were already taken in the previous application also, except the illness of brother. Further, although factum of illness of brother is not in dispute but at the same time the nature of case against the accused and role played by him cannot be ignored also. It may further be noted that earlier interim bail application was rejected on 08/07/2020 and at that stage the clarification

: 3 :

dated 13/07/2020 by Hon'ble High Court was not there. Further, the case of the present accused do not fall in the relaxed interim bail criteria dated 18/05/2020. Further, recently he is already granted benefit of interim bail by learned bail roster judge vide order dated 23/05/2020. As such, this court do not find sufficient reason to grant interim bail to such accused as prayed for.

7. The present application stands dismissed accordingly. Both sides are at liberty to collect the order through electronic mode. ***Further a copy of this order be sent to the IO/SHO concerned by electronic mode. Further a copy of this order be also sent to concerned Superintendent of Jail. Copy of order be uploaded on the website.***

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**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
07.08.2020**

CA: 192/2019
Miarajuddin Gilkar v. Wild Life Crime Control Bureau

07.08.2020

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 05.02.2020,17.04.2020,09.06.2020.

On 09.06.2020, matter was adjourned for 07.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: None for Appellant.

Sh. Kunal Rawat (Mobile no. 9312012009), learned counsel for Respondent.

It is stated by Reader of this court that when he contacted Ld. counsel Dr. Ashutosh (011-23385380) for Appellant over phone for the purpose of hearing through VC, he submitted that he wants physical hearing. Link was also sent him. Further, learned counsel for respondent submitted that he will argue after the arguments of counsel for Appellant.

As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

Put up for purpose fixed/arguments in terms of previous orders for 07.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

CR-36/2020
Anurag Goel Vs State

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 17/03/2020. On 17/03/2020, the matter was adjourned for 17/04/2020 and thereafter case was adjourned for 09/06/2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Dated :07.08.2020

Present: Mr. Vikas Arora, learned counsel for the Revisionist through VC.

Mr. Pawan Kumar, learned Addl.PP for State / respondent no.1 through VC.

Put up for arguments / further proceedings in terms of previous order for **07/10/2020**. Let Trial Court Record be also summoned for the next date of hearing.

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(Naveen Kumar Kashyap)

ASJ-04/Central/07.08.2020

CR: 35/2020
VIJAY AHUJA V. STATE OF NCT OF DELHI

07.08.2020

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 13.03.2020, 17.04.2020 and 09.06.2020.

On 09.06.2020, matter was adjourned for 07.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: Sh. Sanjeev Aggarwal (mobile no. 9717911621), learned counsel for revisionist through VC.

Sh. Pawan Kumar, learned Addl. PP for the state/
respondent no.1.

None for respondent no.2 Payal Ahuja/complainant.

Issue fresh notice to such respondent no.2 Payal Ahuja in terms of previous order dated 13.03.2020 for NDOH.

As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

In the meanwhile, interim order to continue till next date of hearing in view of the directions already passed by Hon'ble High Court.

Put up for purpose fixed on 07.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

07.08.2020

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 25.02.2020,17.04.2020,09.06.2020.

On 09.06.2020, matter was adjourned for 07.08.2020.

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Present: None for revisionist.

Sh. Pawan Kumar, learned Addl. PP for the state/
respondent no.1.

Sh. Anurag Malik, learned counsel for respondent no.2
through VC.

None for respondent no.3 to 5.

Be awaited for revisionist and respondent no.3 to5
/Chander Shekhar.

(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

At 11.45

Present: Sh. G.K. Chauhan (mobile no. 9999723271), learned
counsel for revisionist through VC.

Sh. Pawan Kumar, learned Addl. PP for the state/
respondent no.1.

None for Respondent no.2 and 5.

Respondent no.3 Puneet Kumar and Respondent no. 4 Manoj Kumar are yet not served. As such, they be served in terms of previous. **Steps be taken within one week.**

As such, today matter could not be proceeded further on merit through VC .

Parties are advised to download Webex and get familiar with the same by NDOH so that hearing can be held through Webex/electronic mode.

Put up for purpose fixed on 07.10.2020.

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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020

Application for extension of Interim bail

State Vs. Ajay
FIR No.: 264/2015
PS: Subzi Mandi
U/S: 393, 397, 302 IPC

07.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.
Mr. Jabbar Hussain, learned counsel for the applicant / accused through VC.

Put up for reply by the IO by the next date of hearing regarding whether accused has complied or not with the conditions subject to which he was granted interim bail in question.

Put up for reply, arguments and appropriate order for

13/08/2020.

In the meanwhile, under these circumstances, interim bail of the accused is extended till the next date of hearing.

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(Naveen Kumar Kashyap)

ASJ-04/Central/THC

Central District/07.08.2020

Application for extension of Interim bail

State Vs. Deepak Kumar

FIR No.: 34/2014

PS: Prashad Nagar

U/S: 302, 394, 411 IPC

07.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.

Mr. Yogesh Swaroop, learned counsel for the applicant / accused through VC.

Put up for reply by the IO by the next date of hearing regarding whether accused has complied or not with the conditions subject to which he was granted interim bail in question.

Put up for reply, arguments and appropriate order for

13/08/2020.

In the meanwhile, under these circumstances, interim bail of the accused is extended till the next date of hearing.

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(Naveen Kumar Kashyap)

ASJ-04/Central/THC

Central District/07.08.2020

Application for Extension of Interim Bail

FIR No. :112/2019

PS: Wazirabad

STATE v. Karan Bhardwaj s/o Naresh Kumar

U/S: 392, 397, 411, 34 IPC

07.08.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through VC.
Mr. Piyush Pahuja, learned counsel for the applicant / accused through VC.

1. Vide this order, application dated 06.08.2020 for extension of interim bail filed by accused through counsel is disposed off.

2. It is stated that earlier he was granted interim bail vide order dated 02/05/2020 by learned bail duty Judge which was extended vide order dated 23/05/2020 by the Learned Bail Duty Judge and was again extended on 22/06/2020 for 45 days by learned bail duty Judge. Now, it is prayed that there is another order dated 13.07.2020 passed by Hon'ble High Court as well as another order dated 04/08/2020, and in view of the same, interim bail of the accused be extended further.

3. Reply filed by the IO through electronic mode. Copy supplied to accused side.

4. Arguments heard from both the sides and I have gone through the record including original order for interim bail order dated 02/05/2020. On bare perusal of the same it is clear that accused was admitted to interim bail vide such order in view of the criteria dated 07/04/2020.

5. At this stage it may be noted that Full bench of Hon'ble

FIR No. :112/2019

PS: Wazirabad

STATE v. Karan Bhardwaj s/o Naresh Kumar

U/S: 392, 397, 411, 34 IPC

High Court of Delhi in its order dated 13/07/2020 in W.P.(C) 3037/2020 titled as “Court on its own motion v. Govt. of NCT of Delhi & Anr. Held as under :

“.....5. In view of the above, we hereby further extend the implementation of the directions contained in our order dated 25th March, 2020 and 15th May, 2020 and 15th June, 2020, till 31st August, 2020 with the same terms and conditions.

6. The Hon’ble Single Bench of this Court in CrI.A.193/2020 titled as Harpreet Singh vs. State vide order dated 1st July, 2020 sought clarification to the following effect:

“7. The queries that the Hon'ble Full Bench may consider and decide for the guidance of all concerned are as follows:

a. Whether the orders made by the Hon'ble Full Bench in W.P. (C) No.3037/2020, **including last order dated 15.06.2020**, apply to all interim orders, whether made in civil or criminal matters, and regardless of whether such orders were made on or before 16.03.2020 or thereafter?

b. Where interim bail or interim suspension of sentence has been granted by a Bench of this court exercising discretion and based upon specific facts and circumstances of a given case, would such orders also stand automatically extended by operation of orders made by the Full Bench in W.P.(C) No.3037/2020?

8. While deciding the issue, the Hon'ble Full Bench may consider the aspect of parity, namely that, on a plain reading of the orders in W.P.(C) No.3037/2020, interim orders granted on or before 16.03.2020 appear to be getting extended by general directions; but those made after 16.03.2020 appear not to be covered thereby.”

7. In this regard, we make it clear that all the directions issued from time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these directions have been issued keeping in view the fact that the jail authorities have limited space to keep the inmates and in case of spread of Covid-19 pandemic in the jail, it would not be in a position to maintain physical distancing amongst jail inmates. Looking to this aspect and the possible threat of spreading of viral infection by those persons who are on interim bail/bail/parole granted by this Court **or the Courts subordinate to this Court**, to other inmates of the jail on their return to the jail, the decision of extension of interim bail/bail/parole has been taken from time to time. ***It is clarified that this order of extension of bail/interim bail/parole shall be applicable to all undertrials/ convicts, who are***

on bail/interim bail or parole as on date irrespective of the fact that they were released on bail/interim bail or parole before or after 16th March, 2020.

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9. List this matter on 24th August, 2020 for further directions.”.

6. Further there is order dated 04/08/2020 passed by the Hon'ble High Court in WP(C)3080 / 2020.

7. In view of such order and clarification dated 13.07.2020 and 04/08/2020 by Hon'ble High Court, there is no need to pass any specific order in the present application. Same is disposed off accordingly.

8. Both sides are at liberty to collect the order through electronic mode. **A copy of this order be sent to Jail Superintendent concerned. Further a copy of this order be given to IO through electronic mode.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
07.08.2020

INTERIM BAIL APPLICATION

**FIR No. : 146/2018
PS: Timar Pur
State v Raja Babu @ Gandhi
U/S: 304 IPC**

07.08.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through
V.C.
None for applicant / accused.

None has appeared on behalf of applicant / accused
despite waiting through VC.

As such, put up for consideration / appropriate order
for **10/08/2020**.

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**(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District
07.08.2020**

INTERIM BAIL APPLICATION

State Vs. Suresh Kumar Nayak s/o Durga Ram

FIR No.: 213/2018

PS: Lahori Gate

U/S: 395, 412, 120B, 34 IPC

07.08.2020.

Present: Mr. Pawan Kumar, learned Addl. PP for the State
through VC.

Ms. Swati Verma, learned counsel for applicant /
accused through VC.

An application seeking interim bail on behalf of
applicant / accused Suresh Kumar Nayak through counsel filed. It
be checked and registered separately.

Issue notice to IO to file reply by the next date of
hearing.

Put up for reply by the IO, arguments and appropriate
order for 11/08/2020.

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(Naveen Kumar Kashyap)

ASJ-04/Central/THC

Central District/07.08.2020

INTERIM BAIL APPLICATION

**FIR No. : 200/2010
PS: Pahar Ganj
State v Vicky
U/S: 307, 34 IPC**

07.08.2020.

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State through
V.C.

Mr. A.K.Sharma, learned counsel for applicant /
accused through VC.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 ,Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly , present application is taken up.*

2. **As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, IO / SHO concerned to file reply, including on the following aspect apart from any other point which IO wants to raise:-**

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC) ,a report that present accused is **not involved**, in any other case;

(iii) Date, since when accused is in JC in present case

(iv) What are **all** the Offences under IPC or other

FIR No. : 200/2010
PS: Pahar Ganj
State v Vicky
U/S: 307, 34 IPC

law, which are alleged against present accused in present case .

3. Further (in view of direction by Hon'ble HC), **Jail Superintendent concerned** to file:

- (i) Copy of **custody warrant** of present accused;
- (ii) A **certificate regarding good conduct**, if any,

of the accused during his custody period so far.

4. As such, issue notice of present application to the IO/ SHO as well as to Jail Superintendent concerned.

5. The concerned IO/ SHO to file its reply preferably in electronic form/email.

6. **Counsel for accused is advised to collect the order online through electronic mode as requested.**

7. **Put up for report, arguments and further appropriate orders on 13/08/2020, preferably through V.C.**

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(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Central District
07.08.2020

State Vs. Zuhaid @ Makku @ Danish
FIR No.: 170/2019
PS: Lahori Gate

File taken up today in terms of order No. 26/DHC/2020 dated 30.07.2020 and circular no. 19209-308/Rules/Gaz./2020 dated 31.07.2020 r/w other order received from time to time.

In view of the above-mentioned orders/directions, file is taken up through Webex.

In the present case, last regular date of hearing was 02/03/2020. On 02/03/2020, the matter was adjourned for 17/04/2020 and thereafter matter was adjourned for 09/06/2020 .

Thereafter, as per directions from Hon'ble High Court, matter was adjourned was far due to lock-down.

But in view of latest directions, matter is taken up today for hearing today through VC.

Dated :07.08.2020

Present: Mr. Pawan Kumar, learned Addl. PP for the State through VC.
Mr. Sandeep Yadav, learned counsel for accused through VC.

Learned counsel has stated that he is not the counsel for trial in the present matter and he has not been engaged by the accused.

Accused in the present case is stated to be on bail.

Put up for further proceedings / appropriate order for
07/10/2020.

NAVEEN KUMAR
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(Naveen Kumar Kashyap)
ASJ-04/Central/07.08.2020