FIR No.134/2017 PS: Nihal Vihar State Vs. Manish and another U/s. 392/394/397/411/34 IPC

29.06.2020

# Proceedings of this matter has been conducted through Video <u>Conferencing</u>

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Sanjeev Kumar, Ld. Counsel for accused.

Ld. Counsel for accused seeks adjournment on personal

ground. Heard. Allowed.

Put up for consideration on 04.07.2020.

FIR No. 481/2010 PS: Hari Nagar State Vs. Jagdish @ Babloo U/s 392/397/174-A/34 IPC

29.06.2020

This is the application u/s 439 Cr.P.C. for grant of regular bail moved on behalf of accused/applicant Jagdish@Babloo.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Prashant Kumar, Ld Counsel for the applicant/accused Jagdish@Babloo.

Reply to the bail application has been received alongwith previous involvement of applicant/accused.

I have heard arguments on the bail application from both the sides.

It is argued on behalf of applicant that he is in J.C for the last four years. It is further argued that the wife of applicant is ill and there is no one to look after her. It is also argued that no recovery was made at the instance of applicant and he has been falsely implicated in this case. It is further argued that charge has already been framed against the applicant and matter is at the stage of evidence and applicant is no more required for any custodial interrogation. Therefore, he may be granted bail. He is ready to abide by any condition imposed by this court.

Per contra, Ld. State Counsel has opposed the bail

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application on the ground that the allegations against the applicant are serious in nature. It is further argued that as per the report of IO, applicant has criminal antecedents and he is involved in 08 criminal cases. It is further argued that in case the applicant is enlarged on bail, he may influence and threaten the witnesses.

I have considered rival submissions as well as perused the record. The applicant was arrested after he was declared proclaimed offender.

Considering the facts and circumstances of the case, the gravity of offences and his involvement in many criminal cases and his past conduct, I am not inclined to grant him bail. Application is accordingly dismissed.

Dasti copy be given.

FIR No. 402/2013 PS : Ranhola State Vs. Pramod Rawat etc. U/s 307/308/147/148/149/427/506/34 IPC

29.06.2020

This is the application u/s 439 Cr.P.C. seeking extension of interim bail for a period of 60 days moved on behalf of accused/applicant Raghuvir @ Naresh.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Naveen Gaur, Ld LAC for the applicant/accused Raghuvir @ Naresh

I have heard arguments on the application from both the sides.

By way of present application, applicant is seeking extension of interim bail for a period of 60 days on the ground that the condition of his wife is not good and she requires regular medical treatment and care. It is also argued that applicant is having two minor children and there is no one to look after the applicant's wife and his minor children. The medical documents have been annexed with the application in support of contentions.

Ld. State Counsel has opposed the application

due to the gravity of offence.

I have considered rival submissions.

The medical documents of the applicant's wife have been verified. Considering the facts and circumstances and the requirement of applicant to take care of his wife and minor children, the interim bail of applicant stands extended for a further period of 60 days on the bonds already furnished before the Jail Superintendent. Application stands disposed off. Applicant shall surrender after the expiry of 60 days before the concerned Jail authorities.

Copy of this order be sent to Jail Superintendent, Central Jail, Tihar for information and compliance.

Dasti copy be given.

FIR No. 08/2019 PS: Ranhola State Vs. Suraj Tiwari U/s 302/34 IPC & 25/27 Arms Act

29.06.2020

This is the application u/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Suraj Tiwari.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State

Sh. Arvind Kumar Mishra, Ld Counsel for the

applicant/accused Suraj Tiwari.

I have heard arguments on the interim bail application from both the sides.

By way of present application, applicant is seeking interim bail of 45 days on the ground that his minor child is ill and there is no male member in his family to look after and get him treated in hospital. It is further argued that challan has already been filed and applicant is no more required for any custodial interrogation. Therefore, he may be granted interim bail in these difficult circumstances due to pandemic COVID-

Per contra, Ld. State Counsel has opposed the bail application on the ground that the allegations against the applicant are very serious in nature. It is further argued that matter is at the initial stage and charge has not yet been framed. It is further argued that in case the applicant is

enlarged on bail, he may influence and threaten the witnesses.

I have considered rival submissions.

Considering the facts and circumstances of the case and the gravity of offences and the fact that charge has not yet been framed in this matter, no ground is made out for grant of interim bail to the applicant at this stage. Application is accordingly dismissed.

Dasti copy be given.

FIR No. 499/2018 PS: Ranhola State Vs. Sahil@ Pradeep U/s 302/34 IPC

29.06.2020

This is the application u/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Sahil@ Pradeep.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Vikas Kumar, Ld Counsel for the applicant/accused Sahil@ Pradeep.

Reply to the bail application has been received alongwith previous involvement of applicant/accused.

I have heard arguments on the bail application from both the sides.

By way of present application, applicant is seeking interim bail of 45 days on the ground that his mother is facing mental health issues and she requires immediate neurosurgery as suggested by medical practitioner. It is further argued that brother of applicant has been found COVID positive and hence he is unable to take his mother for medical treatment. Therefore, it is prayed that on humanitarian grounds, applicant may be enlarged on interim bail.

Per contra, Ld. State Counsel has opposed the bail

application on the ground that the allegations against the applicant are very serious in nature. It is further argued that as per the report of IO, applicant has criminal antecedents and he is facing trial in a case of murder. It is further argued that in case the applicant is enlarged on bail, he may influence and threaten the witnesses.

I have considered rival submissions as well as perused the record as well as report of IO.

Considering the facts and circumstances of the case and the serious allegations against the applicant, I am not inclined to grant him interim bail at this stage. Application is accordingly dismissed.

Dasti copy be given.

FIR No.336/2019

PS: Khyala

State Vs. Iqbal Singh and others

U/s. 3(1) (S)/3(1)(W)(I)SC/ST Act 323/354(B)/506/509/34 IPC

29.06.2020

This is the bail application u/s. 439 Cr.PC seeking grant of bail on behalf of applicant/accused Iqbal Singh.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. R.S. Juneja and Sh. Shiv Kumar, Ld. Counsel for

accused/applicant.
Complainant in person.

Ld. Counsel for applicant/accused seeks to withdraw the present bail application.

In view of the submissions and endorsement made on the application by Ld. Counsel for applicant/accused, the present bail application is dismissed as withdrawn.

Copy of order be given dasti, as prayed.

FIR No.258/2013 PS: Nihal Vihar State Vs. Pintu Kumar and others U/s. 302/120B/506/34 IPC

29.06.2020

# <u>Proceedings of this matter has been conducted through Video</u> <u>Conferencing</u>

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Atul Bansal, Ld. Counsel for applicant/accused.

Present application is filed for seeking extension of interim bail for further period of 45 days on the basis of reasons mentioned in the application that is COVID-19 Pandemic spread across the city, in view of the criteria given in High Powered Committee (HPC) of the Hon'ble High Court.

Hon'ble High Court in WC(C)3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & Anr. vide its order dated 22.06.2020 extended the interim bail of 2961 Under-Trial Prisoners for further 45 days w.e.f. 22.06.2020. Perusal of record shows that the initially applicant/accused was granted bail under the criteria of HPC of Hon'ble High Court.

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In view of the directions of Hon'ble High Court in the above writ, no further order is required to be passed in the present application, hence same is disposed off.

FIR No.236/2016

PS: Khyala

State Vs. Uday and others

U/s. 303/341/324/452/120B/34 IPC

29.06.2020

# Proceedings of this matter has been conducted through Video Conferencing

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Ajay Kumar Prasanna, Ld. Counsel for applicant/accused.

Present application is filed for seeking extension of interim bail for further period of 45 days on the basis of reasons mentioned in the application that is COVID-19 Pandemic spread across the city, in view of the criteria given in High Powered Committee (HPC) of the Hon'ble High Court.

Hon'ble High Court in WC(C)3080/2020, Court on its own motion Vs. Govt. of NCT of Delhi & Anr. vide its order dated 22.06.2020 extended the interim bail of 2961 Under-Trial Prisoners for further 45 days w.e.f. 22.06.2020. Perusal of record shows that the initially applicant/accused was granted bail under the criteria of HPC of Hon'ble High Court.

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In view of the directions of Hon'ble High Court in the above writ, no further order is required to be passed in the present application, hence same is disposed off.

FIR No.430/2016 PS: Tilak Nagar State Vs. Rajan U/s. 302/34 IPC

29.06.2020

## <u>Proceedings of this matter has been conducted through Video</u> <u>Conferencing</u>

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Vineet Jain, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused submits that he has filed the present application under the criteria given in HPC of Hon'ble High Court. Record perused.

Reply as well as previous conduct report filed from the concerned Police Station. But no conduct report from the concerned Jail filed.

Ld. State Counsel submits that before granting bail to the applicant, conduct report is required to be called.

In view of the submissions, let conduct report in respect of applicant/accused be called from the concerned jail for next date.

Put up for report and hearing of the bail application on 04.07.2020.

FIR No.293/2018 PS: Patel Nagar State Vs. Dhiraj Puri U/s. 394/398/511/34 IPC

29.06.2020

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Manish Kumar Singh, Ld. Proxy Counsel for Sh. M.S.

Bammi, Ld. Counsel for applicant/accused.

Adjournment sought on behalf of applicant/accused on the ground that the main counsel is not available today. Heard. Allowed.

Put up for arguments on the bail application on 04.07.2020.

#### Criminal Revision No. Karan Chandela Vs. State

29.06.2020

Present:

Sh. P.K. Chaudhary, Ld. Counsel for revisionist.

Sh. Rajat Kalra, Ld. Addl. PP for the state/respondent.

Trial Court Record received. Same be tagged with this file.

Ld. Counsel for revisionist seeks adjournment on the ground that he is not feeling well as he is suffering from back pain and he has to go to hospital. Heard. Allowed.

Put up for arguments on revision petition on 04.07.2020.

FIR No. 1064/2015 PS: Punjabi Bagh State Vs. Jatin Sachdeva U/s 302/411/34 IPC

29.06.2020

This is the application u/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Jatin Sachdeva in view of the guidelines of HPC dated 18.05.2020 of Hon'ble High Court of Delhi.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Jitender Kumar, Ld Counsel for the applicant/accused.

I have heard arguments on the interim bail application from both the sides and perused the record.

By way of present application, applicant is seeking interim bail of 45 days in view of the guidelines issued by High Powered Committee of Hon'ble High Court of Delhi on 18.05.2020 as the case of the applicant falls under the category enlisted in the HPC.

Applicant is facing charges u/s 302 IPC besides other charges and is in custody since 14.10.2015. Therefore, the case of the applicant is covered under the categories listed in the guidelines of HPC dated 18.05.2020

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and hence, can be considered.

The conduct of the applicant has been reported as Satisfactory as per the conduct report received from Jail Supdt. As regards previous involvement, as per the report of the IO, applicant is involved in two other criminal cases.

I have perused the report of the IO as well as report received from jail.

As per the report of the jail, he is detained in only one case. Therefore, the report of the IO is not correct. Ld. Counsel for accused has also argued that in those two other cases, one case has been disposed off and in the other case, he is on bail.

Therefore, in view of the guidelines of High Powered Committee dated 18.05.2020 of Hon'ble High Court of Delhi, applicant is granted interim bail of 45 days subject to furnishing of personal bond in the sum of Rs. 40,000/- to the satisfaction of the concerned Jail Superintendent. Application stands disposed off. The period of 45 days shall be counted from the date of release of applicant from jail. Applicant shall surrender after the expiry of 45 days before the Jail authorities.

Copy of this order be sent to Jail Superintendent, Central Jail, Tihar for information and compliance.

Dasti copy be given.

(POORAN CHAND) ASJ-02/West/Delhi

29.06.2020

FIR No.336/2019

PS: Khyala

State Vs. Iqbal Singh and others

U/s. 3(1) (S)/3(1)(W)(I)SC/ST Act 323/354(B)/506/509/34 IPC

29.06.2020

This is the bail application u/s. 439 Cr.PC seeking grant of bail on behalf of applicants/accused persons Vinay Kumar @ Vicky and Ashu.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. R.S. Juneja and Sh. Shiv Kumar, Ld. Counsel for

accused persons/applicants. Complainant in person.

Ld. Counsel for applicants/accused persons seeks to withdraw the present bail application.

In view of the submissions and endorsement made on the application by Ld. Counsel for applicants/accused persons, the present bail application is dismissed as withdrawn.

Copy of order be given dasti, as prayed.

FIR No. 28/18 PS: Moti Nagar State Vs. Rattan Singh Rainu etc. U/s 395/394/397/411/34 IPC

29.06.2020

This is the application U/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Gurjinder Singh.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Mujeeb Khan, Ld Counsel for the applicant/accused Gurjinder Singh.

Reply to the application filed through mail.

By way of this application, the applicant is seeking interim bail of 30 days on the ground that applicant's mother is old aged and is seriously ill. Applicant's father has already expired and applicant is the only son to look after her and there is no one to look after her except the applicant. The medical documents have been annexed with the application. It is, therefore, prayed that on humanitarian ground, applicant may be granted interim bail.

Per contra, Ld. State Counsel has opposed the application on the ground that the allegations against the applicant are serious in nature. Therefore, it is prayed that

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applicant may not be granted interim bail.

I have considered rival arguments as well as report with regard to the medical illness of mother of applicant.

Considering the facts and circumstances of the case and the gravity of offence, no ground is made out for grant of interim bail to the applicant/accused. Application is accordingly dismissed.

Copy of this order be given dasti.

FIR No.1375/14 PS: Rajouri Garden State Vs. Pooja @ Rakhi Kapoor U/s. 302/301 IPC

29.06.2020

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. L.S. Saini, Ld. Counsel for applicant/accused.

Report from jail authorities received. Copy of report alongwith all the annexures supplied to Ld. Counsel on his Whatsapp by Ahlmad of this court today.

Thereafter, I have heard Ld. Counsel for applicant/accused on this application as well as allegations mentioned therein against Jail staff. Ld. Counsel for applicant/accused seeks one week time to consult with the applicant/accused.

Put up for passing the appropriate order on 04.07.2020.

(POORAN CHAND) ASJ-02/West/Delhi

29.06.2020

FIR No.560/18

PS: Hari Nagar

State Vs. Neeraj Kumar Gupta

U/s. 307/324/34 IPC r/w. 25/27 Arms Act.

29.06.2020

File taken up on two misc. applications of applicant Neeraj Kumar Gupta regarding release of case property and personal search articles of the accused.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Applicant Neeraj Kumar Gupta, accused in person.

Report from SHO received wherein IO/SI Pankaj Parashar has specifically mentioned that during the investigation of this case, one motor cycle bearing registration no. DL9SR-2850, Bullet was recovered and seized in this case vide seizure memo dt. 23.02.2019 and has also seized a cash amount of Rs. 8200/- as the personal search memo dt. 01.12.2018. In his report, IO has also mentioned that the present FIR has been quashed vide order dt. 02.03.2020 of the Hon'ble High Court and abovesaid articles are no longer required and he has no objection if same may be released to the rightful owner.

Record perused. This court has received order dated 02.03.2020 from Hon'ble High Court by which all the proceedings

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emanating from present FIR are quashed. Since FIR has been quashed, SHO concerned is directed to immediately released the above mentioned vehicle (case property) as well as cash of Rs. 8200/- (personal search) to the applicant Neeraj Kumar Gupta. Both the applications are disposed off accordingly.

Copy of this order be given dasti to applicant. Another copy be sent to SHO for compliance.

After the CORONA Pandemic, no effective hearing was done in the above case and present case was adjourned *en-block* and is fixed for 27.08.2020. Since present FIR has been quashed. No further order is required to be passed in this case. Hence, present case is pre-poned for today in view of the above reasons and bail bond and surety bond, if any, for all the accused persons are cancelled. Sureties are discharged. Original document, if any be returned back to the concerned on proper receipt.

File be consigned to records after due compliance.