

BAIL APPLICATION

**FIR No. : 117/2017
PS: Dariya Ganj
STATE v. Lootan Yadav @ Raju
U/S: 302, 34 IPC**

09.07.2020.

Present: Sh. Pawan Kumar, Addl. PP for the State through VC.
Mr. Praveen Kumar, learned counsel for applicant through VC.

Put up for reply, argument on this application for

13/07/2020 with case file.

In the meanwhile, if period of extension expires, then accused has to surrender to the Jail Superintendent concerned as per order already passed.

Further put up for clarification whether the case is already committed to the sessions court or not. As such, IO to file report in this regard also. Issue notice to IO accordingly.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

BAIL APPLICATION

FIR No. : 303/2014

PS: Subzi Mandi

STATE v. Ravi Dhika s/o Late Hans Raj

U/S: 302, 307, 120B IPC

09.07.2020.

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

Mr. Rajesh Kaushik, learned counsel for the accused through VC.

Fresh application seeking extension of interim bail on behalf of applicant / accused Ravi Dhika filed through counsel.

Put up for filing of further documents including relating to medical treatment of wife of applicant from May, 2020 till date and further appropriate order for **10/07/2020**.

(Naveen Kumar Kashyap)

ASJ-04/Central/THC

09.07.2020

ANTICIPATORY BAIL APPLICATION

State V. Sachin Tyagi S/o Late Chaman Lal Tyagi
FIR No. Not Known
PS.: Paharganj
U.S: Not disclosed

09.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Mr. Manoj Sharma, learned counsel for accused through VC.

It is stated that applicant/alleged accused Sachin Tyagi is working in Delhi Police. Ms. Laxmi Chahar is her friend. It is further claimed on behalf of accused side that police is investigating the matter on a complaint of children of such Laxmi Chahar.

Part arguments heard.

Reply filed to such application u/s 438 Cr.P.C.

Put up for further arguments in the matter on

15.07.2020.

Further, applicant Sachin Tyagi also join on next date through VC at the time of further arguments.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

FIR NO: 25/2017
PS: Maurice Nagar
State v. Shahnawaj @ Shanu Imran & Anr.

09.07.2020

File taken up today in terms of order No. Endst. No. 1734-66/DHC/2020 dated 27.06.2020 r/w other earlier order passed in this regard as mentioned in this order itself.

Present: Sh. Pawan Kumar, Ld. Addl. PP for the State through VC.
Sh. S.N. Shukla, Amicus Curaie for accused (Mobile no. 8588853448).

Accused Shahnawaj@ ShanuImran not produced from JC in person or through VC.

This court is also discharging emergency Roster bail duty since 20.05.2020 and on an average hearing 15-20 matters through VC.

This case is pending at the stage of final arguments. As such, same is proposed to be taken up today for hearing.

Issue P/w of accused Shahnawaj @ Shanu Imran for his appearance through VC through Jail Superintendent concerned for next date of hearing.

Further, part final arguments heard.

At request, put up for further arguments, if any/clarifications, if any/final judgment on 21.07.2020.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

Crl. Revision : 323/2019
Deepak Kumar Mangotra v. Shameen Ahmed

09.07.2020

File taken up today in terms of order No. Endst. No. 1734-66/DHC/2020 dated 27.06.2020 r/w other earlier order passed in this regard as mentioned in this order itself.

Present: Sh. Satish Aggarwal, Ld. Counsel for petitioner (Mobile no. 9899816666).
None for respondent Shameem Ahmed. (As reported by concerned staff, there is no e-mail or mobile phone available of respondent. As such, he could not be joined for arguments or could be reached through any electronic mode).

This court is also discharging emergency Roster bail duty since 20.05.2020 and on an average hearing 15-20 matters through VC.

This case is pending at the stage of final arguments. As such, same is proposed to be taken up today for hearing.

It is further submitted by counsel for petitioner Sh. Satish Aggarwal that even he does not have any mobile number or e-mail address of respondent side.

Heard.

Under these circumstances, further arguments cannot be heard on merit through Webex.

Interim order/stay, if any already granted be extended till next date of hearing only in view of order dated 15.06.2020 passed by Hon'ble High Court in WP(C) 3080/2020.

Put up for arguments through Webex or otherwise, as per the directions from higher authority, if any received in the meanwhile, on 19.09.2020, as requested by counsel for petitioner.

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


(Naveen Kumar Kashyap)
ASJ-04/Central/09.07.2020

Crl. Revision : 322/2019
G.K. Sarkar v. Shameen Ahmed

09.07.2020

File taken up today in terms of order No. Endst. No. 1734-66/DHC/2020 dated 27.06.2020 r/w other earlier order passed in this regard as mentioned in this order itself.

Present: Sh. Satish Aggarwal, Ld. Counsel for petitioner (Mobile no. 9899816666).
None for respondent Shameem Ahmed. (As reported by concerned staff, there is no e-mail or mobile phone available of respondent. As such, he could not be joined for arguments or could be reached through any electronic mode).

This court is also discharging emergency Roster bail duty since 20.05.2020 and on an average hearing 15-20 matters through VC.

This case is pending at the stage of final arguments. As such, same is proposed to be taken up today for hearing.

It is further submitted by counsel for petitioner Sh. Satish Aggarwal that even he does not have any mobile number or e-mail address of respondent side.

Heard.

Under these circumstances, further arguments cannot be heard on merit through Webex.

Interim order/stay, if any already granted be extended till next date of hearing only in view of order dated 15.06.2020 passed by Hon'ble High Court in WP(C) 3080/2020.

Put up for arguments through Webex or otherwise, as per the directions from higher authority, if any received in the meanwhile, on 19.09.2020, as requested by counsel for petitioner.

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

(Naveen Kumar Kashyap)
ASJ-04/Central/09.07.2020

EXTENSION OF INTERIM BAIL APPLICATION

**State V. Ankit Agarwal S/o Sh. Dilip Kumar
FIR No. 221/2015
PS.: Karol Bagh
U.S: 302,392,394,397,342,411,120B,34 IPC &
25,27 Arms Act**

09.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Mr. Vikas Padora, learned counsel for accused through VC.

1. Vide this order, application dated 08.07.2020 filed by accused through counsel for extension of interim bail is disposed off.
2. Arguments heard.
3. It is stated that he was earlier in JC and thereafter he was granted interim bail for 45 days vide order dated 04.06.2020 based on the criteria for interim bail given by Hon'ble High Court High Power Committee, by learned ASJ-02, Central as Bail Duty Judge. Now, further extension of such interim bail is prayed. It is submitted that allegations against the accused are baseless. That he was falsely implicated in the present case. That he belongs to a respectable family. That there is no chance of fleeing from justice.
4. A reply is filed to the present application. Arguments in detail addressed by learned Addl. PP for the state.
5. I have heard both the sides and gone through the record, including interim bail order dated 04.06.2020. It appears that earlier such accused was granted interim bail based on

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relaxed criteria for interim bail prescribed by Hon'ble High Court.

6. As such, the case of the present accused is covered by the order of Hon'ble High Court of Delhi in its Division Bench order dated 22.06.2020 in W.P.(C) 3080/2020 titled as "Court on its own motion v. Govt. of NCT of Delhi & Anr.

7. In view of such order dated 22.06.2020 by Hon'ble High Court, there is no need to pass any specific order in the present application for extension. Same is disposed off accordingly.

8. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. **A copy of this order be sent to Jail Superintendent concerned.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

INTERIM BAIL APPLICATION

State Vs. Varun @ Tarun s/o Nand Lal Yadav

FIR No. : 14/2019

PS: Subzi Mandi Railway Station

U/S: 394, 397, 34 IPC

09.07.2020

Present: Mr. Pawan Kumar, Ld. Addl. PP for the State
through VC
Mr. Sanjay Kumar, learned 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, 18.05.2020 and 20.06.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Reply filed by IO.
3. Arguments heard.
4. In nutshell, It is submitted in this interim bail application dated 30/06/2020 by the applicant / accused that this is second interim bail application after filing of chargesheet. First interim bail was dismissed as withdrawn vide order dated 30/06/2020 due to incomplete name of the Police Station. It is

further stated that applicant is the bread earner of his family. It is further argued that his mother has suffered fracture in feet. Further his wife and children are unable to survive due to financial problem. It is further stated that he has deep roots in society. It is further claimed that accused falls under the relaxed interim bail criteria. As such, it is prayed that he be granted interim bail on appropriate terms.

5. On the other it is argued by learned Addl. PP for the state that present offence is very serious in nature and offences charged against the accused are punishable upto imprisonment for life. It is further stated that such offence is nuisance to public at large. As such, present bail application is strongly opposed.

6. The type of cases/offences with which accused is charged are discussed by **Hon'ble High Court in its meeting dated 18.04.2020**. For the present type of offences, a relaxed criteria for interim bail is recommended by Hon'ble High Court on such date but it was further subject to such accused is suffering from HIV, cancer, chronic kidney dysfunction (requiring dialysis), Hepatitis B or C, Ashtma and T.B.

It is not the case of accused that he himself is suffering from any of the disease. As such, the case of the present accused does not fall under the relaxed criteria given by the Hon'ble High Court.

7. Even otherwise on merit, although mother of the accused is found to be suffering from certain medical condition, but this court do not find the ground on merit stated by the accused sufficient to admit him to interim bail. Further, it is not the case that he is or anybody in his barrack is suffering from

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corona virus. Further, offence is very serious in nature. As such, this court is not inclined to grant interim bail to the present accused. With these observations, present interim bail application is dismissed.

8. Counsel for accused/applicant is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020.

BAIL APPLICATION

State V. Shadab@Dabdi S/o Shehzad Ahmed
FIR No. :51/2018
PS.: Kotwali
U.S: 392,394,411,34 IPC

09.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State
through VC.
Mr. N.K. Dhama, learned counsel for accused
in person.

Reply filed by IO.

Part arguments heard.

It is stated that chargesheet is already filed and
matter is in trial before Ld. MM Ms. Pragya Gupta. **As such, let
TCR be summoned at the time of further arguments.**

Put up for arguments and appropriate orders on

15.07.2020.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

Criminal Appeal: 129/2019
Yogesh Deshwal v. State of NCT & Anr.

09.07.2020

File taken up today in terms of order No. Endst. No. 1734-66/DHC/2020 dated 27.06.2020 r/w other earlier order passed in this regard as mentioned in this order itself.

Present: Sh. Aseem Naeem, Ld. counsel for Appellant/
convict (Mobile no. 9811056644).
Sh. Pawan Kumar, Ld. Addl. PP for the State/
Respondent no.1 through VC.

This court is also discharging emergency Roster bail duty since 20.05.2020 and on an average hearing 15-20 matters through VC.

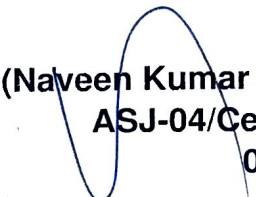
This case is pending at the stage of final arguments. As such, same is proposed to be taken up today for hearing.

As reported by concerned staff, when learned counsel for Respondent no.2 was contacted on phone, he stated that he is out of Delhi. As such, he seeks adjournment to address arguments.

Part final arguments heard.

As counsel for respondent no.2 is not available, at request, put up for further final arguments from both sides on 09.09.2020.

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


(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

EXTENSION OF INTERIM BAIL APPLICATION

State Vs Shahjada Irfan s/o Shafiquddin

FIR No. 27/2014

PS.: Jama Masjid

U.S: 364A, 368, 395, 397, 412 IPC & 25, 27 Arms Act

09.07.2020

Present: Mr. Pawan Kumar, Learned Addl. PP for State through VC.
Mr. M. Sufian Siddiqui, learned counsel for accused through VC / electronic mode.

1. Vide this order, application dated 07.07.2020 filed by accused through counsel for extension of interim bail for 45 days is disposed of.
2. Arguments heard in detail. Further this court has gone through the judgment passed by the Hon'ble High Court as relied by the learned counsel for the applicant / accused.
3. In nutshell, it is submitted on behalf of the accused that he is covered by the judgment of Hon'ble High Court of Delhi in Shobha Gupta vs Union of India, WP(C) No. 2945/2020 dated 23/03/2020 read with judgment passed by the Hon'ble Supreme Court in Suo Moto writ petition (C) 1/2020. It is further submitted that due to outbreak of corona virus in order to decongest the jail, certain directions are passed by the Hon'ble High Court and case of the accused is covered by the same. Even otherwise, it is submitted that such corona virus is highly infectious in nature. It is further stated that earlier accused was in JC for more than 6 years till 28/05/2020 when he was released on interim bail. That he has not breached any condition during interim bail. That he is not required for any investigation and matter is already pending at PE stage. It is further stated that earlier vide order dated 23/05/2020 he was granted interim

State Vs Shahjada Irfan s/o Shafiquddin

FIR No. 27/2014

PS.: Jama Masjid

U.S: 364A, 368, 395, 397, 412 IPC & 25, 27 Arms Act

bail considering all such facts and relying such judgment of Hon'ble High Court in Shobha Gupta (Supra). As such, it is prayed that his interim bail be extended for another period of 45 days commencing from 12/07/2020.

4. On the other hand present application for extension is strongly opposed by the prosecution. It is further stated by the learned Addl.PP for the State that case of the accused do not fall in the order dated 15/06/2020 or 22/06/2020 of Hon'ble High Court of Delhi for extension of interim bail. Further, it is stated that his case is not covered in minutes of meeting dated 18/04/2020 of Hon'ble High Power Committee which specifically deals with the offences of the nature with which accused is charged in the present case.

5. I have heard both the sides and gone through the record, including interim bail order dated 23.05.2020.

6. On a bare reading of such order, it is clear that such interim bail was **not granted only in terms of** criteria of Hon'ble High Court of Delhi regarding relaxed condition read with judgment of Shobha Gupta (Supra), but on merit on the facts of the present case.

7. The type of cases/offences with which accused is charged are discussed by **Hon'ble High Court in its meeting dated 18.04.2020**. For the present type of offences, a relaxed criteria for interim bail is recommended by Hon'ble High Court in such minutes dated 18/04/2020, but it was inter-alia subject to such accused himself is suffering from HIV, cancer, chronic kidney dysfunction (requiring dialysis) , Hepatitis B or C, Ashtma and T.B.

8. It is not the case of accused that he himself is suffering from any of the disease. As such, the case of the present accused does not fall under the relaxed criteria given by

the Hon'ble High Court dated 18/04/2020.

9. Not only that in the judgment of Shobha Gupta (Supra) case titled as Shobha Gupta And Ors vs Union Of India And Ors on 23 March, 2020, IN THE HIGH COURT OF DELHI AT NEW DELHI + W.P.(C) 2945/2020:

The present PIL seeks directions to the respondent No.1/Ministry of Law and Justice, respondent No.2/Ministry of Health and Family Welfare, respondent No.3/Chief Secretary, GNCTD, respondents No.4 and 5/Delhi Police and the respondent No.6/Lieutenant Governor, GNCTD, to take steps to temporarily release all the under trials and convicts, who are accused of offences where the maximum period of imprisonment prescribed under the I.P.C and other Statutes is upto 5 years and fine, i.e., for non-heinous crimes, and are lodged in Tihar, Mandawali and Rohini Jails in Delhi. Further, directions are prayed for, to segregate those inmates, who are ailing and provide them proper medical facilities.

Learned counsel also states that in respect of the under trial prisoners (UTPs), who are booked in only 1 case in which the maximum sentence is 7 years or less and who have completed minimum 3 months in jail, it is proposed that they shall be granted interim bail for 45 days upon a request made by them, preferably on a personal bond. However, the mechanism in respect of the same has yet to be formalized by the concerned authorities.

In view of the submissions made by learned counsel for the respondents No.3 to 6 above, it is directed that the Govt. of

State Vs Shahjada Irfan s/o Shafiquddin

FIR No. 27/2014

PS.: Jama Masjid

U.S: 364A, 368, 395, 397, 412 IPC & 25, 27 Arms Act

NCT of Delhi and the Delhi Police shall take immediate steps, preferably within two days to implement its decisions, as recorded hereinabove.

Needless to state that the under trial prisoners shall be at liberty to apply for interim bails on account of the current situation, which shall also be taken into consideration by the appropriate courts and the said petitions shall be decided in accordance with law.

10. As such, on a bare reading of such judgment of Hon'ble High Court in Shobha Gupta, it is applicable to offences with maximum punishment of 7 years or less, as mentioned in para 7 of the same. Present offence is punishable upto life as such, learned counsel wrongly relied that he was granted interim bail earlier based on such Shobha Gupta Judgment only.

11. It may be specifically noted that the case of the present accused is not covered by the order of Hon'ble High Court of Delhi in its Division Bench order dated 22.06.2020 in W.P.(C) 3080/2020 titled as "Court on its own motion v. Govt. of NCT of Delhi & Anr., as the same is applicable only to the interim bail granted under the relaxed criteria for interim bail given by Hon'ble High Court.

12. Likewise, it may further be specifically noted that the case of the present accused is not covered even by the order of Hon'ble High Court of Delhi in its full bench order dated 15.06.2020 in W.P.(C) 3037/2020 titled as "Court on its own motion v. state & Ors. in re. *Extension of Interim Orders, as such order is applicable only to the extension of interim bail / stay granted before lockdown during regular hearing by court concerned. Same is not the case of the present accused.*

13. Further, for reasons stated in interim bail application, the

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accused is already granted interim bail for 45 days. No further leniency is required in the considered view of this court. As such, having regard to the nature of the case and he has already given opportunity to avail interim bail for 45 days, this court is not inclined to extend the same. **With these observations, present application is dismissed.**

14. Accordingly, accused is directed to surrender before the Jail Superintendent concerned in terms of original interim bail order dated **23.05.2020**.

15. The present application stands disposed off accordingly. Both side are at liberty to collect the order dasti or through electronic mode. ***Further a copy of this order be sent to the IO/SHO concerned through electronic mode.***


(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020

Cancellation of Bail Application

State Vs Mohd. Naved @ Pilla s/o Mohd. Parvez
FIR No. 964/2015
PS.: Sarai Rohilla
U.S: 302, 34 IPC

09.07.2020

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

1. Vide this order the application dated 19/06/2020 moved by SHO Sarai Rohilla for cancellation of bail granted to accused / non applicant Naved @ Pilla in the year 2018 by the learned Predecessor of this court, is disposed of.

2. In nutshell, it is stated in such application, as also argued by learned Addl.PP for the State that after grant of bail the accused started misusing the bail and after grant of bail he again started involving himself in serious offences. It is further alleged that he has committed the offence of robbery and attempt to murder and one FIR No.210/2020 u/s 186, 353, 307 r/w 34 IPC and section 27 Arms Act has been registered. Further another FIR No. 211/2020 u/s 394 / 34 has been registered for committing offence under these sections. As such, it is stated that accused has become a terror in the area and has flouted the bail conditions given to him and he is disobeying the terms of such bail granted in such bail vide order dated 10/10/2018 by learned predecessor of this court. It is further stated that he is a habitual offender and likely to commit more offences while on bail in the present case. As such, it is prayed that bail granted to him be cancelled and he be sent back to the judicial custody.

3. On the other hand although no written reply is filed by non applicant / accused despite opportunity given. But it is argued by learned counsel for non applicant / accused that there is no violation of the bail condition as far as present case is concerned. It is further argued that the SHO and other police officials of concerned Police Station themselves took law in their own hand and threatened and beaten the present accused and his relatives. It is further alleged that police has committed brutality upon such accused and his relatives in which accused side is even injured. Still no appropriate action is taken by police. It is further stated that in any case such false FIR bearing No. 210/2020 and 211/2020 has nothing to do with the present case and are independent allegations and as such cannot be considered for the purpose of cancellation of bail in present case. As such, it is submitted that present application for cancellation of bail be dismissed with warning to the concerned police officials.

4. I have heard both the sides and gone through the record including the original bail order dated 10/10/2018 passed by my learned Predecessor.

5. At this stage, it may be noted that in Dolat Ram and others vs. State of Haryana 1995 (1) SCC 349, the distinction between the factors relevant for rejecting bail in a non-bailable case and cancellation of bail already granted, was brought out :

"Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent and overwhelming circumstances are necessary for an order directing the cancellation of the bail, already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are: interference or attempt to interfere with the due course of administration of

justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. The satisfaction of the court, on the basis of material placed on the record of the possibility of the accused absconding is yet another reason justifying the cancellation of bail. However, bail once granted should not be cancelled in a mechanical manner without considering whether any supervening circumstances have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial."

6. Grounds for cancellation of bail may be based on satisfaction of court on: chances of accused absconding, interference or attempt to interfere with due course of administration of justice and abuse in any manner of bail etc.

7. When a person to whom bail has been granted either tries to interfere with the course of justice or attempts to tamper with evidence or witnesses or threatens witnesses or indulges in similar activities which would hamper smooth investigation or trial, bail granted can be cancelled.

8. For cancellation of bail granted to an accused u/s 437 or 439 Cr.P.C., post bail conduct of the accused and supervening circumstances can also be taken into consideration. (*See--In S.N. Bhattacharjee vs. State of West Bengal 2004 (11) SCC 165 and also State Through CBI Vs. Amarmani Tripathi, 2005 (53) ACC 484 (SC)*).

9. In *Panchanan Mishra vs. Digambar Mishra, 2005 (3) SCC 143*, Hon'ble Sc observed:

"The object underlying the cancellation of bail is to protect the fair trial and secure justice being done to the society by preventing the accused who is set at

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liberty by the bail order from tampering with the evidence in the heinous crime. It hardly requires to be stated that once a person is released on bail in serious criminal cases where the punishment is quite stringent and deterrent, the accused in order to get away from the clutches of the same indulge in various activities like tampering with the prosecution witnesses, threatening the family members of the deceased victim and also create problems of law and order situation."

10. In this background of law we come back to the present case. It is not the case of prosecution that present accused has threatened any of the witness of the present case or tried to tamper with the evidence relating to present case or that he has not appeared in court after granted bail or has left the country without permission from this court. Thus, none of such condition as mentioned in order of bail dated 10/10/2018 is alleged to be violated by the present non applicant / accused. It may further be noted that after considering the arguments of both side, my learned predecessor vide order of bail dated 10/10/2018 observed that PW12, the alleged eye witness has been declared hostile and that was the main reason for granting the bail in present case. Further, perusal of record reveals that apart from such PW12 there is no other public witness and rest of the witnesses police officials only and most of them are also already examined. Further, submissions made in the present application for cancellation that such accused is a habitual offender and likely to commit further offences was also considered by my learned predecessor at the time of grant of such bail order dated 10/10/2018. Further, it may be noted that in the Indian Criminal Justice system, there is presumption of innocence unless proved guilty. Trial of the present case is still pending



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thereafter and the stage of final verdict one way or the other is yet to come.

Further, as far as new FIR number 210/2020 and 211/2020 / offences alleged against the present non applicant / accused are concerned, needless to say that this court is not even supposed to comment on the same and it is for the court concerned to take a call as per law on all related aspect on such new FIRs including on bail aspect. Therefore, in view of the such facts and circumstances, this court do not find sufficient ground to allow the prayer made in the present application. With these observations present application for cancellation of bail is dismissed.

11. Both side are at liberty to collect the order dasti or through electronic mode. Copy of order be uploaded.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
09.07.2020