

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Bavneet @ Prince
FIR No. : 23/18
PS. : Hari Nagar
U/s : 376/370/342/323/506/34 IPC

27.06.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through Cisco Web Ex.)
Sh. Vinay Kumar, Ld. Counsel for accused/applicant (through Cisco Web Ex)
Complainant in person along with Sh. Vaibhav Sinha, Ld. Counsel (through Cisco Web Ex.).
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web Ex).

On the last date of hearing Ld. Counsel for the complainant had submitted that accused had tried to contact complainant, however, he did not have the copy of the complaint. He submits that he has sent the copy of the complaint to DCW counsel. Ms. Pandey, DCW counsel has received the copy of the complaint but could not sent it to the Ahlmad of this court. She is directed to send the copy of the complaint to the Official ID of this court so that the court can peruse the same. The Ahlmad of the court is also directed to send the copy of the complaint to the defence counsel for his perusal. Till then the interim bail of the accused stands extended.

Put up for further arguments on **13.07.2020**. The copy of this order be sent to the Jail Superintendent for information and copy of the order be also sent to the parties appearing through electronic mode.

(Ankur Jain) 27/06/2020
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Sewa Ram
FIR No. : 423/19
PS. : Rajouri Garden
U/s : 376(2) (n)/328/506 IPC
S.C. No. : 704/19

27.06.2020

ORDER ON APPLICATION SEEKING GRANT OF INTERIM BAIL.

ORDER:-

01. By this order I shall decide an interim bail application filed on behalf of the accused Sewa Ram. The brief facts as necessary for disposal of the present application are that accused Sewa Ram has been charge-sheeted for committing rape upon Ms. "M" who is the sister in law of the accused/sister of the wife of the accused.

02. Ld. Counsel for the accused has argued that complainant has no objection in case the accused is released on bail, therefore, accused should be admitted to interim bail as his family is suffering. He has three minor children to support and the financial condition of the family is deteriorating day by day.

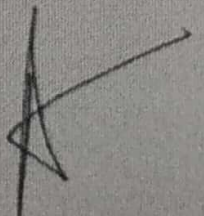


03. On the other hand Ld. Addl. PP for the State submits that offence u/s 375 IPC is non compoundable and 'no objection' on behalf on the complainant is irrelevant. The allegations are serious in nature. Therefore, application deserves to be dismissed.

04. I have heard Ld. Counsels for the parties and perused the record.
05. Ld. Counsel for the complainant has sent an E-mail in respect of the no objection. The no objection of the complainant only shows that pressure is being exerted upon the complainant, this is not the first instance when the complainant was present in the court without formal summons be issued to her. Complainant is non-else but the real sister of the wife of the accused. The possibility of influencing the complainant cannot be ruled out. On 19.12.2019, the Ld. Predecessor of this court had dismissed the bail application and while dismissing the bail application of the accused, had noted the conduct of the accused which is reproduced as under:-

"Ld. Addl. PP for State has rightly pointed out that there was no justification of the accused to call husband of the daughter of the prosecutrix to inform him about the physical relation between him and the prosecutrix. Prima facie the intention of the accused appears to be not good".

06. The complaint also reveals that prosecutrix lost her patience when accused asked her to prepare her daughter so that he could establish physical



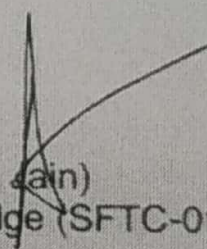
relation with her and this led to registration of FIR.

07. This is the 5th bail application of the accused. The last one was dismissed on 23.01.2020. The offence of rape is against the entire society which degrades the victim physically as well as mentally. The grounds pleaded in the application are general and vague. No ground is made out to admit the accused to interim bail. The application is devoid of merits. Same is accordingly dismissed.

Copy of the order be uploaded on the portal and be sent to counsel for the accused through electronic mode.

Put up on the date already fixed.

Announced on **27.06.2020**
Through CISCO Web Ex.


(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi

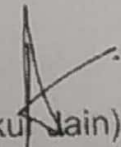
IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Krishan Godara
FIR No. : 833/19
PS. : Nihal Vihar
U/s : 376 IPC

27.06.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through Cisco Web Ex.)
Sh. Surender Nandal, Ld. Proxy Counsel for the accused/applicant along with accused/applicant (through Cisco Web Ex)
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web Ex).
IO Manisha Yadav, IO along with Complainant in person.

Arguments heard. Put up for orders .


(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

At 12:00 noon.

ORDER :-

This is an application seeking extension of interim bail. On the last date of hearing interim bail was extended till today. The interim bail was granted to ^{the} ~~be~~ accused on 16.05.2020. Today complainant is present along _A

:2:

with IO. Accused has not mis-used his liberty neither threatened the witness.

At least there is no complaint in this regard.

Considering the facts and circumstances of the present case, interim bail of the accused stands extended for another period of 45 days from today.

Application is disposed off accordingly. Copy of the order be sent to the Jail Superintended for information and be also send to the counsel for the accused through electronic mode i.e. Whats-app and E-mail.

(Ankur Jain) 27/06/2020
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Munna Khan
FIR No. : 528/17
PS. : Nihal Vihar
U/s : 376/109/120B/34 IPC

27.06.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through Cisco Web Ex.)
Sh. Pradeep, Ld. counsel for the accused/applicant (through Cisco Web Ex.)
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web Ex.)
Complainant in person.

Arguments on interim bail application heard. Put up for orders at

4:00 pm.

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

At 4:00 pm.

ORDER :-

This is an application seeking interim bail on the ground that of over-crowding in the jail and there is chances that accused can contact COVID-19. The brief facts of the case are that on 30.08.2019 complainant

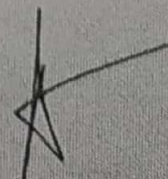
:2:

"P" gave a complaint to S.H.O. P.S. Nihal Vihar, that she used to work in a private limited company and accused who is a auto driver by profession met her near Balaji Chowk, from where he took the complainant to Vikas Puri Red light, thereafter it became a daily affair. One day she became late while going to the office and asked accused to drop her home, the accused offered her to take her to her sister's place. The prosecutrix accompanied the accused and for a while they stayed at the house of the sister of the accused. It is further stated that somewhere in June/July 2016, she was raped by the accused and sister of the accused prepared their video. Thereafter accused again raped her, once in September 2016 and then in April, 2107. In June, 2017, she came to know that she was pregnant, upon this accused asked her to abort. Accused solemnized the marriage in June, 2017 at Arya Samaj Mandir and thereafter she got the child aborted. Later on accused refused to take her alongwith him. Hence, the complaint was filed.

Ld. Counsel for the accused/applicant has argued that since marriage was solemnized no offence of rape is made out. He further submits that accused is in Judicial custody since 29.09.2017, the prosecutrix is major, co-accused is on bail and the evidence is likely to take time.

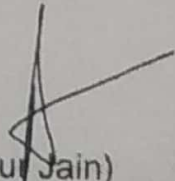
Ld. Addl. PP for the State has opposed the bail application on the ground that victim was raped and the sister of the accused made an obscene video,

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I have heard Ld. Counsel for the accused/applicant and Ld. Addl. PP for the State and perused the record.

Considering the facts and circumstances of the case, I am not inclined to admit the accused on bail as the allegations are serious in nature. There are specific allegations that accused made physical relations with the prosecutrix after making videos of the prosecutrix. She stated in her part examination in chief that the video was prepared by the sister of the accused who is also co-accused in the present case. The accused married the prosecutrix but thereafter refused to take her. Thus, I do not find any ground to admit the accused to bail. Application stands dismissed. Copy of the order be sent to the counsel for the accused/applicant through electronic mode i.e. Whats-app and E-mail.


(Ankur Jain)

Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Deepak @ Langra

FIR No. : 1481/17

PS. :Khayala

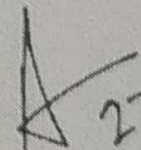
U/s : 302/34 IPC

27.06.2020

As per the telephonic instructions received from the Ld. District & Sessions Judge (West) Delhi bail bond is being placed before the undersigned through CISCO Web Ex..

Present: Reader in the court of Sh. G.N. Pandey (through CISCO Web Ex).
Surety with Sh. Akhil Tarun Goel, Advocate (through CISCO Web Ex.).

SHO/IO is directed to verify the surety. Put up on **29.06.2020** before the concerned court.

 27/06/2020

(Ankur Jain)

Addl. Sessions Judge (SFTC-01) West

Delhi: 27.06.2020

Link court of Sh. G.N. Pandey, ASJ

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Suraj
FIR No. : 1037/15
PS. : Ranhola
U/s : 363/376D/506/120B/34 IPC & 6 of POCSO Act

27.06.2020

As per the telephonic instructions received from the Ld. District & Sessions Judge (West) Delhi bail bond is being placed before the undersigned through CISCO Web Ex..

Present: Reader in the court of Sh. G.N. Pandey (through CISCO Web Ex).
Surety with Sh. Mahesh Prashad, Advocate (through CISCO Web Ex.).

Original documents have been produced. Bail bond stands accepted. Original FDR be retained. Information be sent to the concerned bank manager not to encash the same without the order of the court Release warrants be prepared and sent to Jail Superintendent.

Ankur Jain
27/06/2020

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020
Link court of Sh. G.N. Pandey, ASJ


IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Sewa ram
FIR No. :423/19
PS. : Rajouri Garden
U/s : 376(2)(n)/328/506IPC

27.06.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through
Cisco Web Ex.)
Ms Rajshree Sharma , Ld. Counsel for accused/applicant
(through Cisco Web Ex)
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web
Ex).

Vide separate order the interim bail application stands dismissed.
Put up on date fixed.


(Ankur Jain)

Addl. Sessions Judge (SFTC-01) West
Delhi

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Bijender

FIR No. : 700/19

PS. : Punjabi Bagh

U/s : 376(2)(n)/313 IPC

27.06.2020

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through Cisco Web Ex.)
Sh. Anil Sharma, Ld. Counsel for accused/applicant (through Cisco Web Ex)
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web Ex) along with complainant.

Reply on behalf of the IO filed. Arguments on bail application heard.

Put up for orders at **4:00 pm** today.

(Ankur Jain)

Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020

At 4 PM

This is an application U/s 439 Cr.PC seeking regular bail. The brief facts as necessary for disposal are that a complaint was made by one Ms. "A" who stated that she knew the accused for the last 4 years and one day accused established physical relations with her without her will and consent. When the complainant told him that she would be making a complaint he assured her that they would get married. After sometime accused again established

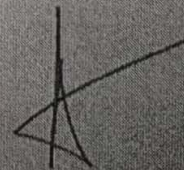
physical relations and the complainant / prosecutrix made a complaint to PS. Accordingly FIR No. 597/18, U/s 376 (2) (n)/313 IPC was got registered. The accused was got arrested, however, he pressurized the complainant and the case was taken back and was closed, the accused was acquitted. The accused again started visiting the complainant and despite telling him otherwise the accused did not mend his ways. Lastly, on 08.12.2019 he established physical relations and on 10.12.2019 asked her to take pills. The complainant was counseled by CIC and her MLC shows weakly pregnant in her UTP investigation. The accused was arrested. After completion of investigation chargesheet was filed.

Ld. Counsel for accused has argued that accused is lodged in JC for the last 6 months. The trial is likely to take some time, and this is second time when the accusation has been leveled by the complainant against the accused.

On the other hand, Ld. Addl. PP for state submits that earlier bail application was dismissed on 21.01.2020 and there is no change in circumstances and moreover complainant has clearly submitted that accused has been threatening her.

I have heard Ld. Counsel for applicant and Ld. Addl. PP for State and perused the record.

In so far as the aspect of threats being extended to complainant is concerned no complaint has been lodged by the victim, neither a call at 100 number was made. The first FIR ended in acquittal as the complainant had



turned hostile. On 26.03.2019, the statement of complainant was recorded in the FIR no. 597/18 which clearly shows that she had turned hostile and denied that accused has raped her. No doubt, the bail application of the accused was dismissed on 21.01.2020 but since then the pandemic on Covid 19 has emerged and in the facts and circumstances of the case the accused is admitted to bail in the sum of Rs. 50,000/- with one surety of like amount to the satisfaction of this Court on the following terms and conditions :-

1. Accused through himself or through any of his associates shall not in any manner contact the complainant or make any attempt to meet her.
2. The accused shall mark his presence once in every 15 days before the concerned SHO/IO either visiting the PS physically or through any other electronic mode, if convenient to the SHO / IO of the case.
3. The accused shall not leave the State of Delhi without seeking prior permission of this Court.

The bail application stands disposed of.

Put up on date fixed. Copy of the order be sent to all concerned through electronic mode.

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 27.06.2020