

B.A. No. 2040  
FIR No. 587/2020  
PS Burari  
State v. Kuldeep  
U/s 307/34 IPC

03.12.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)


Sh. Dev Kumar, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application u/s 438 Cr.P.C for grant of anticipatory bail on behalf of accused-applicant Kuldeep in case FIR No. 587/2020.

Reply is filed.

Arguments heard. For orders, put up at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020

At 4 pm  
ORDER

This is an application u/s 438 Cr.P.C for grant of anticipatory bail on behalf of accused-applicant Kuldeep in case FIR No. 587/2020.

Ld. counsel for the accused-applicant contended that the applicant/petitioner has been falsely implicated in the present case by the



police of P.S. Burari, in collusion with the complainant. That the applicant-accused has nothing to do with the alleged offence as at the time of offence, accused-applicant was present at his friend's home. That in respect of the presence of the applicant/petitioner has been captured in CCTV camera near the spot, the applicant/petitioner has sent mail application before PWD Department at for providing the footage of CCTV camera dated 06.11.2020 of the relevant period, but the department replied that the footage will be handed over to the police department only. That the police officials of P.S. Burari, Delhi regularly visiting the house of the applicant/petitioner any time. That accused-applicant has apprehension of his arrest by the Police. That the injury sustained by the complainant is simple in nature and complainant is already discharged from hospital. That accused-applicant has clean antecedents and has no previous involvement. That he is the sole bread earner for his family. That accused-applicant is ready to join the investigation.

Ld. Addl. PP on the other hand submitted that the accused-applicant has played active role in the commission of offence and is implicated by name in the FIR. and that this is not the stage for appreciating the defence of the accused-applicant when the investigation in itself is at its very initial stage. That on 06.11.2020 accused-applicant alongwith another namely Inder Pehalwan were driving an Alto car in rash and negligent manner and hit against the motorcycle of the complainant due to which complainant fell down and when the complainant objected to the same then both the accused came upto the complainant and started

*Neelguru*

hurling abuses at him and co-accused took out a pistol pointed on the chest of the complainant, the complainant in order to save himself and in order to get away from the line of bullet, caught hold of the pistol with his hand however, co-accused fired on the complainant and the bullet hit on the hand of the complainant and thereafter both the accused fled away from the spot. That the investigation is still at initial stages and that the custody of the accused-applicant is required for the purposes of investigation, the co-accused is also yet to be apprehended, the vehicle and the arms are also to be recovered.


Heard.

Present FIR is registered on the statement of the victim alleging that on 6-11-2020 at around 9.45 PM, he on his motorcycle No. IDL6SBD1245, was going through the authority road and when he reached near Gate No 4 at about 10 PM, one Alto car white colour coming from behind hit against his motorcycle and he fell on left side of the road, he got up and called for stopping the car. That two boys who were sitting in the back seat of the car came out from the car. They came near the complainant and started abusing him. That one person threatened the complainant saying that he is a wrestler and his father is the head of Deshraj Nukundpur and he called the other boy with him by the name Kuldeep. That after this, the wrestler took out the pistol and put it on the chest of the complainant, complainant got scared and in order to save himself complainant caught hold of the pistol from his hand in the meanwhile the wrestler fired the shot and caused injury in the hand of the

*Nalghur*

complainant.

The incident that started with an accident took a further ugly turn with the accused abusing and threatening the complainant and then towards a sheer show of force and arm flexing firing gunshot at the complainant at a close range it is a different matter altogether the gunshot injury braised the hand of the complainant. Empty shell is also recovered from the spot. The names of the offenders became known to the complainant at the spot in the course of the incident. In order to ascertain for the prosecution that the accused-applicant is the very Kuldeep as named in the FIR, there would have to be TIP conducted of the accused-applicant. The vehicle which had hit the motorcycle of the complainant is also to be recovered, as is the firearm that is used in the incident. It is too premature a stage to begin appreciating the defence of alibi sought to be set up by the Ld. Counsel for the accused-applicant. Investigation is in its nascent stages and is likely to be impeded if anticipatory bail were to be granted to the accused-applicant and for a unhindered progress the interrogation of the accused-applicant and his TIP is crucial, besides there being the aspect of the recoveries that remain to be effected. This is therefore not a fit case for grant of anticipatory bail to accused-applicant Kuldeep in case FIR No.587/2020. The present application accordingly is dismissed.

  
(Neelofer Abida Perveen)  
ASJ (Central) YHC/Delhi  
03.12.2020

**B. A. No. 3409**

**FIR No. 340/2020**

**PS: Wazirabad**

**State Vs. Naimuddin**

**U/s 420 IPC**

03.12.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Mohd. Bilal, counsel for accused-applicant (through video conferencing)

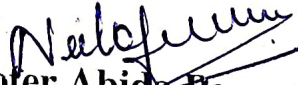
Sh. Varun Dhingra, counsel for the complainant (through video conferencing.)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Mohd. Naimuddin in case FIR No.340/2020.

Reply is filed. Ld. Addl. PP submits that as per reply filed by the IO today, the matter has been settled between the parties and inquiries were also made from the complainant and it is found correct.

Arguments heard. For orders, put at 4 pm.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020

Contd....

## ORDER

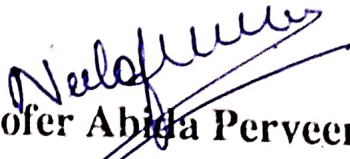
This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Mohd. Naimuddin in case FIR No.340/2020.

The complainant had entered into an agreement in respect of sale/purchase of immovable property, the complainant alleges that he did not come forward to make the payment as per the terms of the agreement as he came to know in the month of June 2019, that the accused applicant is not the owner of the land and there is no sanctioned plan in existence, and the accused-applicant alleges that the property is situated in a unregularized colony and the accused-applicant being builder-contractor had entered into an agreement with the owner of the land in pursuance to which he was raising the construction and once the payment is received and shared with the owner, GPA in respect thereof for execution of the sale documents is then executed in favour of the builder as per settled practice prevailing in respect of such collaboration agreements, and that the complainant had not paid the installments as per agreement, and the construction could not be completed due to lockdown and therefore the possession could not be handed over. A written agreement to sell is the subject matter of dispute in respect whereof civil proceedings would be an equally efficacious remedy for securing either enforcement of the contractual obligations or cancellation/ rescinding thereof.

*Naimuddin*

Taking into consideration the nature of the accusations, interim protection was granted to the accused-applicant vide order dated 06.11.2020 and accused-applicant has joined the investigation in pursuance thereof. On 27.11.2020, Ld. counsel for both the parties submit that case pertains to the commission of offence under Section 420 IPC and is compoundable with the permission of the Court and in pursuance of interim protection accused-applicant has joined the investigation and in fact the entire dispute between the parties has now been amicably resolved and part payment in terms of settlement have been made to the complainant. Today, IO has filed report in respect of verification of factum of agreement of settlement between the parties. In such facts and circumstances, therefore, the present application for anticipatory bail is allowed and it is ordered that in the event of his arrest, accused-applicant be released on bail on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount.

Application stands disposed of.

  
(Neelofer Abida Perveen)

ASJ (Central) THC/Delhi

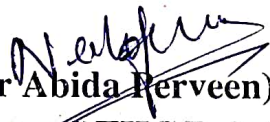
03.12.2020

**B. A. No.3723**  
**FIR No. 328/2019**  
**PS Crime Branch**  
**State v. Rajan Sharma**  
**U/s 406/419/420/467/471/120B IPC**

03.12.2020 at 4 pm

At the time of passing of order, it emerges that chargesheet is required for the purpose of disposal of the present bail application. Let chargesheet be requisitioned for the physical hearing date of the Court i.e. 09.12.2020.

For consideration, put up on **09.12.2020** physical hearing date of the Court.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020



**FIR No. 243/2018  
PS Nabi Karim  
State v. Shiva  
U/s 302/34 IPC**

03.12.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

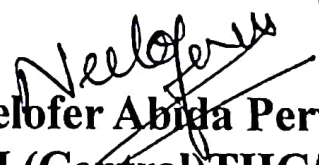
Sh. Kamaldeep, counsel for accused-applicant  
(through video conferencing)

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Shiva in case FIR No. 243/2018.

Ld. counsel for the accused-applicant submits that accused-applicant is suffering from various health issues in custody and particularly arising from a hole in his ear drum.

Let medical health status of the accused-applicant be called for from Jail Superintendent concerned on or before the next date of hearing.

For report and consideration, put up on 17.12.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020

**FIR No. 297/2020  
PS Kashmere Gate  
State v. Ramesh  
U/s 20/61/85 NDPS Act**

**03.12.2020**

**Present:** Sh. K. P. Singh, Addl. PP for State through video conferencing.

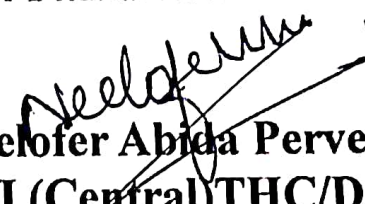
Sh. Zia Afroz, counsel for accused-applicant through video conferencing.

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Ramesh in case FIR No. 297/2020.

Arguments heard in part. Ld. Addl. PP submits that investigation is still going on though the recovery is effected and the accused-applicant including the receiver are apprehended at the spot on 17.10.2020. Ld. Addl. PP seeks some time to obtain further instructions from the IO as to on what aspect investigation still remains pending.

For further arguments, put up on 14.12.2020.

  
**(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020**

**FIR No. 100/2013**  
**PS: Lahori Gate**  
**State Vs. Rishi Gupta**  
**U/s 302 IPC**

03.12.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Mandeep Kumar, counsel for accused-applicant (through video conferencing)


Hearing is conducted through video conferencing.

This is an application for extension of interim bail moved on behalf of accused Rishi Gupta in case FIR No.100/2013.

Ld. Addl. PP submits that medical record pertaining to the accused has been found genuine, however, the certificate in terms of the last order has not been obtained by the IO and that he has no instructions as to what diagnosis is made by doctor attending at IHBAS.

Let certificate in terms of previous order be also obtained from the doctor attending in respect of the accused-applicant. Interim bail is extended till the next date of hearing on the same terms and conditions.


For report and consideration, put up on 11.12.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020

Reply is filed.

Office reports that when contacted telephonically Ld. counsel for the accused-applicant sought adjournment submitting that he is unable to join Webex hearing today due to some technical problem at his end.

For consideration, put up on 18.12.2020.

  
(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020

**B. A. No. 1124**  
**FIR No. 220/2020**  
**PS: Subzi Mandi**  
**State Vs. Manish**

03.12.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

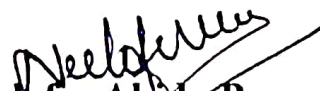
None counsel for accused-applicant.

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail moved on behalf of accused-applicant Manish in case FIR No.220/2020.

None has joined on behalf of the accused-applicant through Webex. Reply is already filed. The same be forwarded on the email ID of the Ld. Counsel.

Let the matter be called out once again at the end of the list.

  
(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020

**At 11.45 am**

Present: As above

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail moved on behalf of accused-applicant Manish in case FIR No.220/2020.



**B.A. No. 3707**  
**FIR No. 342/2020**  
**PS Wazirabad**  
**State v. Deepu @ Deepak**  
**U/s 336/506/440/34 IPC & 25/27 Arms Act**

03.12.2020

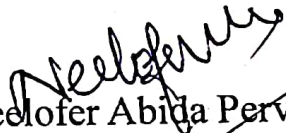
**Present:** Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
None for accused-applicant.

Hearing is conducted through video conferencing.

This is an application u/s 439 Cr.P.C for grant of bail on behalf of  
accused-applicant Deepu @ Deepak in case FIR No. 342/2020.

TCR was requisitioned on the last date of hearing.

For consideration, put up on **04.12.2020** on the physical hearing  
date of the Court.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
**03.12.2020**

**B.A. No. 3714**  
**FIR No. 1056/2020**  
**PS Sector 20, Noida**  
**State v. Durgesh Rao**  
**U/s 506/384/420/417/34 IPC**

03.12.2020


Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
Sh. S. K. Gupta, Counsel for accused-applicant (through video conferencing)  
Sh. Apoorva Rastogi, counsel for respondent no. 2- State of UP (through video conferencing)  
Hearing is conducted through video conferencing.

This is an application u/s 438 Cr.P.C for grant of anticipatory bail on behalf of accused-applicant Durgesh Rao.

Ld. counsel for respondent no. 2 submits that paperbook is received by him last evening and seeks some time to file reply.

For reply and consideration, put up on **05.12.2020**. Interim protection to continue till then.

IO to join the hearing on the next date of hearing through video conferencing.

  
(Neelofer Abida Perveen)  
ASJ (Central) YHC/Delhi  
**03.12.2020**

**B.A. No. 2038**  
**FIR No. 580/2020**  
**PS Wazirabad**  
**State v. Ritesh @ Shalu**  
**U/s 33/58 Delhi Excise Act**

03.12.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

Sh. Vineet Kumar, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application u/s 439 Cr.P.C for grant of regular bail on behalf of accused-applicant Ritesh @ Shalu in case FIR No. 580/2020.

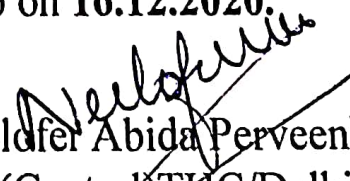
Arguments heard in part.

Ld. counsel for the accused-applicant submits that accused-applicant is alleged to be driving the tempo from which recovery of illicit liquor is effected, however, accused-applicant does not even now how to drive a four wheeler and does not possess valid driving license.

Ld. Addl. PP submits that police in the course of investigation has joined the owner of the vehicle in investigation and the owner of the vehicle has also stated that accused-applicant had hired his vehicle for his private use.

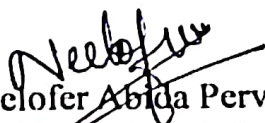
Let statement of the owner of the vehicle and the personal search memo of the accused-applicant be produced on the next date of hearing.

For further consideration, put up on 16.12.2020.

  
(Neelofar Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020



date through video conferencing.

  
(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
**03.12.2020**

**B.A. No. 2039**  
**FIR No. 624/2020**  
**PS Burari**  
**State v. Arjun**  
**U/s 392/394/34 IPC**

03.12.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

Sh. Arun Kumar, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application u/s 439 Cr.P.C for grant of regular bail on behalf of accused-applicant Arjun in case FIR No. 624/2020.

Reply is filed.

Ld. counsel for accused-applicant submits that name of the accused-applicant is not mentioned as one of the offenders in the FIR and that no TIP has been conducted in this case.

Ld. Addl. PP submits that present FIR was registered on the statement of mother of the injured and when the police reached at the hospital on receipt of PCR call, injured was found under treatment and was not fit for making statement. That mother of injured had informed that injured told there was a fight and some persons had stabbed him and robbed him of his mobile phone and cash of Rs.500/- and that the police subsequently also recorded statement of the injured and accused-applicant is apprehended on the basis of the statement of injured.

In view thereof, let statement of the injured be placed on record. For consideration, put up on 15.12.2020. IO to also join the hearing on the next

*Neelofur*

**B. A. No. 1795**  
**FIR No. 405/2020**  
**PS: Wazirabad**  
**State Vs. Paras Kumar Pal**  
**U/s 376D/354B/328/34 IPC**

03.12.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Rajinder Kumar, Counsel for accused-applicant (through video conferencing)

Ms. Laxmi Rai, counsel for prosecutrix from DCW.


Hearing is conducted through video conferencing.

This is an application for grant of regular bail on behalf of accused-applicant Paras Kumar Pal in case FIR No.405/2020.

Ld. Addl. PP submits that from the reply of the IO it appears that prosecutrix has rendered two versions of the incident though in her statement recorded under Section 164 CrPC she has fully supported the version as it appears in the FIR.

In view thereof, let IO be summoned for the next date of hearing and two purported versions given by the prosecutrix be also placed on record alongwith copy of statement of prosecutrix recorded under Section 164 CrPC.

For further consideration, put up on **09.12.2020** on the physical hearing date of the Court. Prosecutrix and Ld. counsel representing the prosecutrix however, are at liberty to join the proceedings through video conferencing.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020

**FIR No. 74/2020**  
**PS Maurice Nagar**  
**State v. Alim**  
**U/s 356/379 IPC**

03.12.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
Sh. Vineet Kumar, counsel for accused-applicant (through video conferencing)  
Hearing is conducted through video conferencing.  
This is an application for correction/rectification of bail order dated

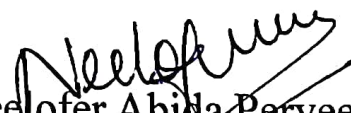
01.12.2020.

Ld. counsel for the accused-applicant submits that vide order dated 01.12.2020, accused-applicant has been granted bail by the Hon'ble Court. That in order dated 01.12.2020, due to typographical error, one of the sections has been mentioned incorrectly i.e. as "356/397 IPC" instead of "356/379 IPC" and it is prayed that error may be rectified so that bail bonds can be furnished.

Heard. Record perused.

It appears that typographical error has crept in order dated 01.12.2020 and that same needs to be rectified. Accordingly, it is ordered that the Sections in order dated 01.12.2020 be read as "356/379 IPC" instead of "356/397 IPC". Necessary corrections be made in order dated 01.12.2020 under the signatures of the Court and corrected order be uploaded on the website of the Court.

Application stands disposed of.

  
(Neelofar Abida Perveen)  
ASJ (Central) THC/Delhi  
03.12.2020

**FIR No. 29/2019**  
**PS Kamla Market**  
**State v. Javed**  
**U/s 307/509/34 IPC & 25/27 Arms Act**

03.12.2020

Fresh application received. Be registered.

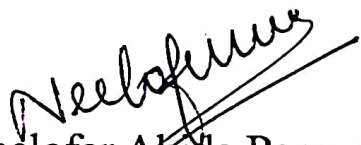
Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)

None for accused-applicant.

Hearing is conducted through video conferencing.

This is an application for waiving of surety bond condition on behalf of accused-applicant Javed.

None has joined the webex hearing on behalf of the accused-applicant. In the interest of justice, for consideration, put up on 16.12.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
03.12.2020

B.A. No. 2031  
FIR No. 558/2020  
PS Wazirabad  
State v. Nosad Ahmed  
U/s 33 Excise Act

03.12.2020 at 4 pm

ORDER

This is an application u/s 439 Cr.P.C for grant of regular bail on behalf of accused-applicant Nosad Ahmed in case FIR No. 558/2020.

Ld. counsel for the accused-applicant has contended that the Police has not complied with the provision of the Excise Act. That there was no Public witness against the Applicant. That the applicant - accused has been falsely implicated. That the allegations leveled against the applicant are false. There is no direct evidence against the accused-applicant. There is no eye witness who have seen the applicant involved in the incidence. That the first and second bail application were dismissed vide order dated 21.11.2020 & 27.11.2020 by Ld MM. That no useful purpose will be served by keeping accused in custody. That co-accused has been released on bail. That wife of accused is alone in Delhi and she is totally dependent on the husband accused. That there is not even iota of any evidence to show that the Applicant - accused has any involvement in the alleged incident. That the Applicant is well reputed person having good job and has deep roots in society and there are no chances that he will run away from the process of law.

Ld. Addl. PP submits that accused-applicant is a habitual offender indulging in the illegal business of supply of illicit liquor and that 12 boxes of illicit liquor was recovered from the possession of the accused-applicant. that

*Nosad Ahmed*

case of the prosecution is that on 03.11.2020 at about 9.20 pm on while vehicle checking at Sangam Vihar, Jharoda Pusta, one SAntro Car DL 7CK 1816 was seeing coming. The driver of the santro car on seeing the police party turned his car and tried flee away from there. Police party chased and apprehended them. On checking of the car, from the rear seat of the car 12 boxes of illicit liquor were found lying. That on interrogation, accused persons could not give satisfactory reply with regard to the illicit liquor. Case property was seized and accused-applicant alongwith co-accused was arrested.

Heard.

The accused-applicant allegedly was found sitting in the front passenger seat of the vehicle from the rear seat of which vehicle 12 boxes of illicit liquor were recovered covered with a cloth. The driver of the vehicle upon sighting the police at the barricade turned the vehicle and tried to flee away but was pursued and intercepted by the police officials. The said driver of the vehicle as would become evident from the reply filed of the IO has now been granted regular bail. The accused-applicant is alleged to be a habitual offender but there is no list of previous involvements in such or similar cases filed and is not alleged to be a previous convict having been convicted earlier for commission of offence of similar nature. Chargesheet is yet to be filed however the further custody of the accused-applicant is not claimed for the purposes of investigation, it is not alleged that the investigation on any aspect in the present case is still in progress. In such totality of the facts and circumstances and upon such considerations therefore, the present application is allowed, and accused Nosad Ahmed is granted regular bail in case FIR No. 558/2020 subject to his furnishing personal bond with two sureties in the sum of Rs. 20,000/- each,

*Nalpur*

one being local surety, to the satisfaction of the Ld. Trial Court upon verification of addresses, and upon the conditions that he shall mention the mobile phone number to be used by him in the Bond, which mobile phone number it shall be ensured by him is kept on switched mode throughout with location activated and shared with the IO at all times. That the accused-applicant shall not leave the territorial limits of NCR Region without the prior intimation to the IO. That he shall scrupulously appear on each and every date of hearing before the court so as not to cause any obstruction or delay to its progress and he shall not interfere with the proceedings in any manner, that he shall not engage in any criminal activity, that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her/them from disclosing such threats to the Court or to any police officer or tamper with the evidence. That accused and sureties shall not change their mobile phone numbers and verified addresses without prior intimation to the IO. Application stands disposed of accordingly.

  
(Neelofer Abida Perveen)

ASJ (Central) THC/Delhi

03.12.2020