

FIR No.255/2019
PS Prasad Nagar
U/s 406/420/120B-IPC
State Vs. Vikramjeet Sheriya

27.07.2020

At 12:35 PM

Fresh bail application u/s 438 Cr.PC filed. It be checked and registered.

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Gopal Sharma, Ld. Counsel for the applicant/ accused Vikramjeet Sheriya.
Sh. Navin Gupta, Ld. Counsel for the complainant.
IO SI Ranvir Pal (No. D-4793 PS Prasad Nagar) is present.

Proceedings conducted through Video conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs) Delhi.

Reply has been sent in by the IO concerned.

Ld. Counsel for the applicant/ accused is directed to address the arguments on the maintainability of the present application and hence, he requests for an adjournment in this regard.

At request, matter stands adjourned for 04.08.2020. Let IO supply copy of the reply to the present application to the Ld. Counsel for the applicant/ accused. A copy of this order be uploaded on the official website of Delhi District Courts.

(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)

**FIR No. 193/2020
PS Prasad Nagar
U/s 307/34 IPC
State Vs. Himanshu Chahal**

27.07.2020

At 12:50 PM

**Fresh bail application u/s 438 Cr.PC filed. It be checked
and registered.**

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh.Shubham Asri, Ld. Counsel for the applicant/ accused
Himanshu Chahal.
IO SI Balmukund Rai (D3590)PS Prasad Nagar is present.**

**Proceedings conducted through Video conferencing by
means of Webex Meet.**

The present bail application has been taken up in
pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020
issued by Ld. District & Sessions Judge (HQs) Delhi.

IO submits that the matter has already been transferred to
DIU (Central). Now, Ld. Counsel for the applicant/ accused seeks an
adjournment for addressing the arguments in the present bail application.

At request, be put up again on 30.07.2020 for arguments.

**A copy of this order be uploaded on the official website
of Delhi District Courts.**

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

**FIR No.30/20
PS Rajinder Nagar
U/s 307/387/452/120B/34 IPC
State Vs. Abhay Arora**

27.07.2020

At 12:05 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Mukesh Kalia and Chetan Pangasa, Ld. Counsel for the
applicant/ accused Abhay Arora.
Sh. R.R. Dua, Ld. Counsel for the complainant.
IO SI Shri Narayan (No. 5368) from PS Rajinder Nagar is
present.

**Proceedings conducted through Video conferencing
by means of Webex Meet.**

The present bail application has been taken up in
pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020
issued by Ld. District & Sessions Judge (HQs) Delhi.

At the request of the Ld. Counsel for the applicant/
accused, matter stands adjourned for **05.08.2020**.

**A copy of this order be uploaded on the official website
of Delhi District Courts.**

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

**FIR No. 182/2019
PS Lahori Gate
U/s 409 IPC
State Vs. Naresh Singhal**

27.07.2020

At 11:55 AM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. S.S. Drall, Ld. Counsel for the applicant/ accused Naresh Singhal.
IO SI Sandeep Singh (No. D-5103 PS Lahori Gate) is present.

Proceedings conducted through Video conferencing by means of Webex Meet.

The present bail application has been taken up in pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs) Delhi.

Reply has been sent in by the IO concerned.

It has been submitted by the Ld. Counsel for the applicant/ accused that the payments have been made in terms of the compromise/ settlement arrived at between the parties and the parties shall proceed for quashing of the FIR. It has been further submitted that the quashing petition has already been forwarded to the complainant's side for affixation of his signatures.

It has been brought to the notice of the undersigned that an application for cancellation of bail granted to the applicant/ accused Naresh Singhal is fixed for hearing on 31.07.2020.

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At request, the present application is directed to be taken up on **31.07.2020**.

In the meantime, interim orders to continue till next date of hearing.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

**FIR No. 362/15
PS Karol Bagh
U/s 419/420/4367/468/34 IPC
State Vs. Sunil**

27.07.2020

At 1:15 PM

Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Ranvir Singh, Ld. Counsel for the applicant/ accused
Sunil.
IO SI Shree Narayan (No. 5368) PS Rajinder Nagar is present.

**Proceedings conducted through Video conferencing by
means of Webex Meet.**

The present bail application has been taken up in
pursuance to order no. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020
issued by Ld. District & Sessions Judge (HQs) Delhi.

Part submissions heard.

TCR is available. Reader of this Court is directed to
digitise / scan the charge-sheet pertaining to the applicant/ accused Sunil
Kumar and supply the copy thereof to the undersigned. Copy thereof be also
supplied to the Ld. APP for the state.

At request, be put up again on **28.07.2020**.

**A copy of this order be uploaded on the official website
of Delhi District Courts.**

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

**FIR No. 34/2020
PS Karol Bagh
U/s 324/392/394/397/34 IPC
State Vs. Dhananjay @ Kalu**

27.07.2020

At 12.20 P.M.

**Fresh bail application u/s 439 Cr.PC filed. It be
checked and registered.**

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
Sh. Pradeep Kumar, Ld. Counsel for the applicant/ accused
Dhananjay @ Kalu.
IO SI Shree Narayan Ojha (NO. 5368) from PS Karol Bagh is
present.**

**The matter has been taken up through Video Conferencing
by means of Webex Meet.**

The present bail application has been taken up in
pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated
15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

Submissions heard. Record perused.

Be put up at 4 pm for orders.

A copy of this order be uploaded on the official website of
Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

FIR No. 34/2020

**PS Karol Bagh
U/s 324/392/394/397/34 IPC
State Vs. Dhananjay @ Kalu**

**27.07.2020
At 04:00 PM**

**ORDER ON THE BAIL APPLICATION MOVED ON BEHALF OF APPLICANT/
ACCUSED DHANANJAY @ KALU.**

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
None for the applicant/ accused Dhananjay @ Kalu.**

**The matter has been taken up through Video Conferencing by
means of Webex Meet.**

The present bail application has been taken up in pursuance to Order No. 15778-15808/Bail Power/Gaz./2020 dated 15/07/2020 issued by Ld. District & Sessions Judge (HQs), Delhi.

The brief facts in the present case are that the complainant/ injured was robbed of Rs. 2,000/- and certain cards/ documents on the date of incident at the relevant time by two assailants. The said assailants also tried to rob the mobile phone and wallet of the injured, but the injured cried for help and thereafter, one of the assailants shut the mouth of the injured and the other inflicted a stab injury on the back of the injured just behind the chest. The injured was shifted to a hospital, where the knife was removed after surgery. The police invoked Section 392/394/397/324/34 IPC against the said two assailants. During the investigation, one assailant namely Ritik surrendered in the Court and was formally arrested and he refused to participate in the judicial

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TIP. The applicant/ accused Dhananjay was also apprehended and formally arrested in the present FIR.

Ld. Counsel for the applicant/ accused submits that the charge-sheet has already been filed in the present matter. He has further submitted that there is no eye witness in the present case, that the applicant/ accused was arrested on the basis of the disclosure statement made by co-accused, that the applicant/ accused is aged about 20 years only and he is only earning member in his family, that the applicant/ accused is a permanent resident of Delhi. It is, accordingly, prayed that the applicant/ accused Dhananjay @ Kalu may be enlarged on bail as he is languishing in judicial custody since 31.01.2020.

On the other hand, Ld. APP for the state as well as IO have submitted that the applicant/ accused refused to undergo TIP proceedings, but he was successfully identified by the injured during investigation. It has been further submitted that the applicant/ accused restrained/ held the victim at the relevant time and co-accused inflicted stab injury upon the victim. The prayer for grant of bail has been opposed.

This Court has considered the rival submissions. Admittedly, the injured had to be undergo a surgery in order to remove the knife stuck on his person at the time of robbery. Admittedly, the applicant/ accused Dhananjay @ Kalu has refused to undergo TIP. In the facts and circumstances of the present

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case and also keeping in view the gravity of offences, this Court is not inclined to release the applicant/ accused Dhananjay @ Kalu on bail. Hence, the bail application stands dismissed.

A copy of this order be uploaded on the official website of Delhi District Courts.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

**FIR No. 137/2020
PS Rajinder Nagar
U/s 452/392/34 IPC
State Vs. Ankush**

27.07.2020

At 12:05 PM

**Present : Sh. Manoj Garg, Ld. Addl. PP for the State.
None for the applicant/accused.**

This is an application filed by Asha Singh who is the mother of accused Ankush for supply of reply alongwith the supporting documents filed by IO in response to the bail application no. 889/2020 filed on behalf of accused.

It is informed by the Reader of this Court that the requisite file has already been sent to the concerned Branch/Filing Section.

Accordingly, concerned Branch/Filing Section is directed to supply the requisite documents to the applicant as per rules. Application is disposed of.

**(LOVLEEN)
PO MACT-02 (CENTRAL)
DELHI/27.07.2020 (K)**

MACT No. 259/12

Ex No. 1164/19

Raj Kumar Thapa Vs Amit Kumar Arora & Ors

27/07/2020

Present: None.

Brief facts of present case are that initially an award of **Rs. 2,46,000/-** alongwith interest was passed by the Ld. Predecessor of this court in favour of the DH and against the JD/Insurance Company vide award dated 21/01/2013 and later on an appeal was preferred by the DH for enhancement of the award amount and aforementioned award amount was enhanced to **Rs.44,31,772/-** vide order dated 26/07/2019 passed by the Hon'ble High Court of Delhi with directions to deposit the fresh award amount alongwith interest.

As per report of the Civil Nazir, the enhanced award amount of Rs. 44,31,772/- alongwith interest was deposited by the concerned insurance company with State Bank of India, Branch Tis Hazari Courts, Delhi.

Vide order dated 01/07/2020 passed by the Hon'ble High Court of Delhi in MAC.APP. 1027/2013 titled Raj Kumar Thapa Vs Amit Arora & Ors the following directions have been issued:-

"In Pursuance to the foregoing directions, a sum of Rs. 44,31,772/- (Rupees Forty four lacs thirty one thousand seven hundred and seventy two only) was deposited. The amount being substantial and there being no direction as regards the securing of such amount, it is considered appropriate to direct the concerned Tribunal to secure the disbursal of such amount by keeping appropriate amounts for different periods in fixed deposits with a nationalized bank as the Tribunal may consider appropriate.

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Mr. Gaur, Id. counsel for the applicant submits that the petitioner requires substantial amounts to be released and that the Tribunal may be directed to release sufficient amounts to meet his present exigencies. In view of the submissions made, it is directed that the Tribunal in deciding the amounts to be kept in fixed deposit for different periods shall take note of the minimum requirement of the applicant and release such amount as may be called for.

Ld. Counsel for the DH has requested for release of 50% of the award amount submitting that the financial condition of the DH is very bad and moreover he has taken a heavy loan amount (about ₹17,00,000) from his relatives/friends and same is to be re-paid. However, nothing material has been placed on record so as to substantiate the 'loans' taken from relatives or friends. Only some loose sheets of paper have been placed on record, one of which depicts a list of creditors and amounts borrowed and the rest of papers don't seem to further the claim of DH. Accordingly, I am not inclined to release 50% of the award amount as prayed by the Ld. Counsel for the DH.

Petitioner's statement was recorded on 25/07/2020 regarding his financial status in terms of Clause 27 of Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors., FAO No. 842/2003 decided by Hon'ble High Court of Delhi on December 15, 2017 through video conferencing by means of webex meet, wherein he testified that he needs an amount of Rs. 20,000 for his monthly household expenditure.

Acting on the guidelines issued by Hon'ble High Court of Delhi in FAO 842/2003 titled as Rajesh Tyagi & Ors Vs Jaibir & Ors dated 07/12/2018, a sum of Rs. 4,31,772/- be transferred in the saving account of the DH immediately upon providing of necessary details and identification and balance amount of Rs.40,00,000/- in terms of the directions contained in FAO No. 842/2003 dated December 07, 2018 shall be put in 200 monthly fixed deposits in his name in a nationalized bank of equal amount of Rs.20,000/- each for a period of one month to Two Hundred months.

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It is further directed that the interest accumulated upon the aforementioned award amount till realization be also kept in the monthly FDRs of equal amount in the same ratio mentioned above, which shall be in continuation of the FDRs of the principal amount. [For Example, if a sum of Rs. 40,00,000/- is put in 200 FDRs of equal amount of Rs. 20,000/-, the interest from the date of filing the petition till realization be put in FDRs as 201,202, 203 monthly FDRs].

The above FDRs shall be prepared with the following conditions as enumerated by the **Hon`ble High Court in FAO No. 842/2003 Rajesh Tyagi & ors vs. Jaivir Singh & ors decided on December 07, 2018:-**

- (i) The bank shall not permit any joint name to be added in the saving account or fixed deposit account of the claimant i.e. saving bank account of the claimant shall be individual saving bank account and shall not a joint account.*
- (ii) Original fixed deposit shall be retained by the bank in safe custody. However, the statement containing FDR number, FDR amount, date of maturity and maturity amount shall be furnished by bank to the claimant.*
- (iii) The monthly interest be credited by Electronic Clearing System (ECS) in the saving bank account of the claimant near the place of his residence.*
- (iv) The maturity amount of the FDRs be credited by the ECS in the saving bank account of the claimant near the place of his residence.*

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(v) No loan, advance or withdrawal or premature discharge be allowed on the fixed deposits without the permission of the court.

(vi) The concerned bank shall not to issue any cheque book and/or debit card to claimant. However, in case the debit card and/or cheque book have already been issued, bank shall cancel the same before the disbursement of the award amount. The bank shall debit card(s) freeze the account of claimant (s) so that no debit card be issued in respect of the account of claimant from any other branch of the bank.

The copy of this award be given to the DH free of cost.

File be consigned to Record Room.

**(LOVLEEN)
PO, MACT-2 (CENTRAL)
DELHI/27/07/2020 (K)**