

FIR No. 327/2019
PS: Crime Branch
State Vs. Inder Singh
U/s 21/29 NDPS Act

09.07.2020

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

Sh.Vinod Kumar Verma, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Inder Singh in case FIR No.327/2019 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Ld. Counsel for the accused-applicant vehemently contends that even report received from Jail Superintendent supports his contentions that the accused-applicant is not maintaining proper health and is suffering from ailments compromising his immunity and that as the jail authorities have expressed their inability to obtain further referral treatment for the accused-applicant, accused-applicant is entitled to interim bail of at least 15 days to enable the accused-applicant to obtain adequate treatment on his own expenses. That chargesheet has been filed, that all the witnesses are police officials and therefore, there is no likelihood of the accused-applicant tampering with the evidence or influencing the witnesses, that accused-applicant has clean antecedents.

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Ld. Addl. PP, on the other hand, submits that case pertains to the recovery of 1200 grams of charas out of which 600 grams of charas was recovered from the conscious possession of the accused-applicant.

Report was called for from the Jail Superintendent in respect of the medical health condition of accused-applicant and it was reported that the present medical issue with accused-applicant is falling appetite since past one month. That basic investigation did not reveal a significant abnormality. That accused-applicant is receiving treatment as per his condition. That his appetite issue is not resolved despite medication and continues to have generalized weakness. That accused-applicant requires to be worked up at a higher referral centre for specialist's opinion and management so that he may accordingly be treated and till then accused-applicant shall be treated as per his-day to day symptoms. Directions were issued to the Jail Superintendent that accused-applicant be examined afresh and fresh status report be filed in respect of the health condition of the accused-applicant particularly on the aspect whether accused-applicant is still suffering from tuberculosis, whether the condition stands cured or whether there has been a relapse. In pursuance to the directions, report is received today from Senior Medical Officer, Central Jail No. II, Mandoli to the effect that inmate was lodged at the Central Jail No. II, Mandoli on 23.04.2020 and is being followed in the Jail OPD for multiple ailments. That his chief medical issue is falling of appetite since past one month and recent dyspnea. That patient has given history of receiving treatment for pulmonary Tuberculosis about 2 to 2.5 years ago but no documents were

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furnished. That accused-applicant has been treated for falling appetite several time but his general condition remains below satisfactory. That accused-applicant needs to be referred to higher referral centre for detailed work up related to his pulmonary function and falling appetite so that he may accordingly be treated but is presently on hold due to ongoing pandemic. That he shall be treated as per his day to day symptoms and as per medical resources in the jail.

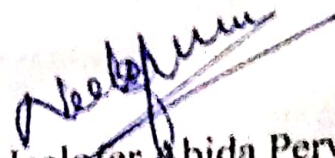
It is not explained as to why concrete steps could not be taken to determine as per directions issued vide order dated 03.07.2020 for investigation on relapse if any as the accused has reported to be a patient of TB, even if the accused in custody was not in a position to furnish record in respect thereof. No steps towards any assessment are initiated, the symptoms for which the accused is being rendered regular treatment are not disclosed, the multiple ailments since 20.4.2020, for which the accused in custody is being given follow up treatment also not detailed. The reply received is far from satisfactory on more one than one count. The jail authorities have expressed their inability in making available to the accused in custody the appropriate treatment at present and have failed to take any cogent steps despite directions passed by the court.

As despite specific directions, no concrete steps have been taken to assess the medical condition of the accused-applicant, and as the accused is reported to be on follow up treatment for several undisclosed ailments ^{to} ~~which~~ requiring specialized medical intervention from a higher medical centre and establishment, which at present the Jial authorities are

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not in a position to provide readily to the accused-applicant, he is entitled to avail of adequate and proper treatment as it is clear from the report that accused-applicant is suffering from some underlying ailments and at present is not receiving adequate and proper treatment for the same in custody. In order to enable he accused-applicant to avail of adequate and proper treatment, **accused-applicant Inder Singh S/o Todar Singh is granted 15 days interim bail in case FIR No. 327/2019 upon furnishing personal bond in the sum of Rs.50,000/- with two sureties in the like amount, and subject to the condition that he shall mention his mobile phone number on the bonds, which number it shall be ensured by the accused remains on switched on mode throughout the period of interim bail with location activated and shared with the IO at all times. Moreover, once in 24 hours every day, accused-applicant through said mobile phone shall telephonically inform the IO about his whereabouts. That accused-applicant shall not leave the territorial limits of Delhi without prior intimation to the IO, and in the event the accused after due intimation leaves the territorial limits of NCT Delhi, he shall inform the SHO of the local police station of his presence in the local area, and shall get his presence marked at the local police station once in seven days after release on bail. The accused shall furnish atleast one local surety and the sureties shall also mention their mobile phone number sin the bond and shall not change the same till the period of the interim bail. Accused shall surrender on expiry of period of interim bail of 15 days.**

Application stands disposed of.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
09.07.2020

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FIR No. 27/2019
PS: Wazirabad
State Vs. Vijay @ Sunil @ Munna
U/s 15/61/85 NDPS Act
09.07.2020


Fresh application received. Be registered.
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. S. S. Kaprawn, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for preponement of the application of regular bail filed on behalf of accused Vijay @ Sunil @ Munna in case FIR No. 27/2019.

The application is allowed and the bail application of accused Vijay @ Sunil @ Munna in case FIR No. 27/2019 is preponed for hearing to be listed as per request on **14.07.2020**.

The application for preponment is disposed of accordingly.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
09.07.2020

FIR No. 491/2017
PS: Timarpur
State Vs. Shiv Kumar
U/s 302/323/341/304/34 IPC
09.07.2020

Fresh application received. Be registered.
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. Ajay M. Lal, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.


This is an application for grant of interim bail on behalf of accused Shiv Kumar in case FIR No. 491/17 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Ld. Counsel submits that the accused-applicant fulfills all the criteria under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 as accused-applicant is in custody since 28.02.2018. It is submitted accused-applicant is a heart patient and got admitted in hospital by the Tihar Jail authorities last week.

Reply not filed. Report in respect of previous involvement and conviction, if any, of accused Shiv Kumar be filed by the IO on or before the next date of hearing.

Let custody certificate alongwith conduct report and report regarding health condition of the accused-applicant Shiv Kumar be called from the Jail Superintendent.

For report and consideration, put up on 14.07.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
09.07.2020

FIR No. 91/2018

PS: Kotwali

State Vs. Sachin

U/s 342/395/397/412/120B IPC & 25 Arms Act

09.07.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. V. A. Farooqui, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

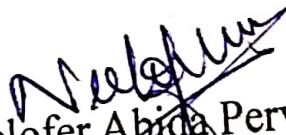
This is an application for grant of interim bail on behalf of accused Sachin in case FIR No.91/17 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020.

Ld. Counsel submits that the accused-applicant fulfills all the criteria under the guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 as accused-applicant is in custody since 04.04.2018.

Reply not filed. Report in respect of previous involvement and conviction, if any, of accused Sachin be filed by the IO on or before the next date of hearing.

Let custody certificate alongwith conduct report be also called from the Jail Superintendent.

For report and consideration, put up on 15.07.2020.


(Neelofer Abida Perveen)
ASJ (Central)TNC/Delhi
09.07.2020