

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Mohd. Hasib  
FIR No. 653/2015  
PS Ranhola  
U/s. 304B/498A/34 IPC

11.08.2020

**This is an application moved on behalf of  
applicant/accused Mohd. Hasib for extension of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.  
Sh. Sandheshwar Lal, Ld. Counsel for applicant/accused  
Mohd. Hasib.

In view of recommendations of the Hon'ble High Power Committee (HPC) constituted by Hon'ble High Court of Delhi dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020, and on the basis of orders in WP(C) No. 2945/2020, titled as " Shobha Gupta & Ors. Vs. Union of India & Ors.", Hon'ble High Court vide order dated 04.08.2020 in WP(C) No. 3080/2020, has already ordered for extension of interim bails for a period of 45 days, granted to UTPs from the date of their respective expiry of interim bail. Hence, in view of recommendations of Hon'ble High Powered Committee (HPC), the present application for extension of interim bail to the applicant/accused is allowed.

  
Contd..2..

*State Vs. Mohd. Hasib*  
*FIR No. 653/2015*  
*PS Ranhola*

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Applicant/accused Mohd. Hasib is on interim bail till 12/08/2020. The interim bail of applicant/accused Mohd. Hasib is extended for further 30 days.

The accused shall surrender before the concerned Trial Court/ concerned Jail Superintendent on expiry of interim bail of 30 days or 12/09/2020 whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to the concerned Jail Superintendent for intimation and compliance.

Copy of this order be also given to Ld. Counsel for applicant/accused, as prayed for.



**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**11.08.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Sabnam Begum  
FIR No. 653/2015  
PS Ranhola  
U/s. 304B/498A/34 IPC

11.08.2020

**This is an application moved on behalf of applicant/accused Sabnam Begum for extension of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Sandheshwar Lal, Ld. Counsel for applicant/accused  
Mohd. Hasib.

In view of recommendations of the Hon'ble High Power Committee (HPC) constituted by Hon'ble High Court of Delhi dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020, and on the basis of orders in WP(C) No. 2945/2020, titled as " Shobha Gupta & Ors. Vs. Union of India & Ors.", Hon'ble High Court vide order dated 04.08.2020 in WP(C) No. 3080/2020, has already ordered for extension of interim bails for a period of 45 days, granted to UTPs from the date of their respective expiry of interim bail. Hence, in view of recommendations of Hon'ble High Powered Committee (HPC), the present application for extension of interim bail to the applicant/accused is allowed.



*Contd..2..*

*State Vs. Sabnam Begum*  
*FIR No. 653/2015*  
*PS Ranhola*

--2--

Applicant/accused Sabnam Begum is on interim bail till 12/08/2020. The interim bail of applicant/accused Sabnam Begum is extended for further 30 days.

The accused shall surrender before the concerned Trial Court/ concerned Jail Superintendent on expiry of interim bail of 30 days or 12/09/2020 whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to the concerned Jail Superintendent for intimation and compliance.

Copy of this order be also given to Ld. Counsel for applicant/accused, as prayed for.



**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**11.08.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Mohd. Nafees  
FIR No. 653/2015  
PS Ranhola  
U/s. 304B/498A/34 IPC

11.08.2020

**This is an application moved on behalf of applicant/accused Mohd. Nafees for extension of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Sandheshwar Lal, Ld. Counsel for applicant/accused Mohd. Nafees.

In view of recommendations of the Hon'ble High Power Committee (HPC) constituted by Hon'ble High Court of Delhi dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020, and on the basis of orders in WP(C) No. 2945/2020, titled as " Shobha Gupta & Ors. Vs. Union of India & Ors.", Hon'ble High Court vide order dated 04.08.2020 in WP(C) No. 3080/2020, has already ordered for extension of interim bails for a period of 45 days, granted to UTPs from the date of their respective expiry of interim bail. Hence, in view of recommendations of Hon'ble High Powered Committee (HPC), the present application for extension of interim bail to the applicant/accused is allowed.



Contd..2..

*State Vs. Mohd. Nafees*  
*FIR No. 653/2015*  
*PS Ranhola*

--2--


Applicant/accused Mohd. Nafees is on interim bail till 12/08/2020. The interim bail of applicant/accused Mohd. Nafees is extended for further 30 days.

The accused shall surrender before the concerned Trial Court/ concerned Jail Superintendent on expiry of interim bail of 30 days or 12/09/2020 whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to the concerned Jail Superintendent for intimation and compliance.

Copy of this order be also given to Ld. Counsel for applicant/accused, as prayed for.

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**11.08.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

**UID No. 57741/2016**

**State Vs. Yashu & Ors.**

**FIR No. 375/2009**

**PS Nangloi**

**U/s. 302/120B/34 IPC & Section 25 Arms Act.**

11.08.2020

Present: Sh. Jitendra Sharma, Ld. Addl. PP for State.

All convicts namely Yashu, Sunil Kumar and Vineet are in judicial custody.

Convicts Yashu and Sunil Kumar have been produced by way of video conferencing from Central Jail No.1, Tihar.

Convict Vineet @ Kala has been produced by way of video conferencing from Central Jail No.2, Tihar.

Sh. Nikhil Yadav, proxy counsel for counsel Sh. Pradeep Khatri for convict Yashu.

Sh. Suraj Rathi, Ld. Counsel for accused Sunil Kumar has appeared through video conferencing, through video call at his mobile no. 9899458747 called through mobile no. 9958227234 of Court Reader Sh. Rajesh Kumar.

Sh. Sahil Malik, Ld. Counsel for accused Vineet @ Kala has appeared through video conferencing, through video call at his mobile no. 9910974494 called through mobile no. 9958227234 of Court Reader Sh. Rajesh Kumar.

*FIR No.375/2009*

*PS: Nangloi*

*State Vs. Yashu & Ors.*



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The video calls conference has been conducted on speaker mode so that the submissions made by Ld. Counsels for convicts Sunil Kumar and Vineet @ Kala are visible and audible to all the persons present in the court room.

### ORDER ON SENTENCE

Submissions of respective counsels for the convicts, Ld. Counsel for complainant and Ld. Addl. PP for State have already been heard on 05/08/2020 on the point of sentence. The personal profile of the convicts are as follows:

**Yashu** -- Convict Yashu is stated to be unmarried and aged around 29 years. His father has long expired, whereas, his mother is alive. Yashu was around 19 years old at the time of commission of offence. Convict Yashu has no earning as he has been in judicial custody since 2009.

**Sunil Kumar** – Convict Sunil Kumar is married, having two children – aged 10 and 12 years. He is 35 years old. His father has expired, whereas, mother is alive. His earning is around Rs.20,000/- – 25,000/- per month.

**Vineet** – Convict Vineet is married, having two daughters – aged 01 and 05 years. He is 32 years old. His father has expired, whereas, mother is alive. He has no fixed income.

### Submissions of Ld. Counsels for convicts: Ld.

Counsels for convicts have submitted that although the court has



convicted accused persons for the offence U/s. 302/120B IPC, present case is not covered by category of rarest of the rare cases to merit awarding of death sentence. No previous conviction has been alleged against the convicts. They have family responsibilities and have maintained good and peaceful conduct in judicial custody and while on bail during trial. Ld. Counsels for the convicts have submitted that a lenient view may be taken towards the convicts.

**Submissions of Ld. Add. PP:** The convicts have committed the grave offence of murder of a young girl in a preplanned manner, in pursuance of conspiracy and hence they do not deserve any leniency and may be sentenced severely.

**Not rarest of the rare case:** Although, convicts have committed murder of victim girl in pursuance of conspiracy, the facts and circumstances of this case are not such as to bring it within category of rarest of the rare case. The convicts have not committed the murder in most brutal or inhuman manner. They do not have history of prior conviction. There is no report from the concerned jail to the effect that the convicts have violated any jail rule during their long stay in judicial custody. They were young when they committed the offence and there is no reason to believe that they cannot be reformed. For this reason, the court has not considered awarding of capital punishment to convicts for the offence U/s. 302/120B IPC.

**Impact on family of victim:** Convicts not only extinguished the young and promising life of victim girl Ms. Nitika,

they also deprived her parents of her company and condemned them to bear the life long trauma of void created by murder of their daughter. The loss caused to the family of victim is immense and irreparable.

**Impact on society:** The gruesome murder of a young girl has its own effect of brutalizing the society and shaking its roots as such kind of offences pose menace to the society as a whole and there is natural common feeling of retribution by demand of maximum punishment to the offender.

**Imposition of fine:** The court has considered imposition of moderate fine upon the convicted persons considering their weak economic position. The imposition of fine needs to be commensurate to the offence but could not be excessive of paying capacity of the convicts.

**Section 357 CrPC:** Ld. Counsel for complainant submitted that complainant father of the deceased victim does not seek compensation from the convicts. There is apparent disparity in the economic status of family of convicts and family of the victim girl. The family of deceased victim Ms. Nitika is financially well-off and payment of fine as compensation to the family of deceased victim shall not serve any purpose. Anyhow, no financial compensation can be a solace to grieving family of the victim girl. Thus, the fine imposed upon the convicts has not been ordered to be paid as compensation to the family of deceased victim.

**Sentence Awarded to convicts U/s. 302/120B IPC :**

In view of forgoing observations, convicts Yashu, Sunil Kumar and Vineet are sentenced to life imprisonment for the offence U/s. 302 IPC r/w Section 120B IPC and fine of Rs.20,000/- each. In default of payment of fine, they shall undergo simple imprisonment of one year. Fine not paid.

**Sentence Awarded to convict Yashu U/s. 25 Arms**

**Act:**

Convict Yashu is sentenced to imprisonment of three years for the offence U/s. 25 Arms Act and fine of Rs.10,000/-. In default of payment of fine, he shall undergo simple imprisonment of six months. Fine not paid.

The punishments awarded to convict Yashu shall run concurrently.

Copy of this order be sent to the concerned Jail Superintendents for intimation and compliance.

Copy of judgment dated 30/07/2020 and this order be given free of cost to convicts through concerned Jail Superintendents.

File be consigned to record room after due compliance.



(VISHAL SINGH)

ASJ-03, WEST, DELHI

11.08.2020

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Arif @ Shokeen  
FIR No. 202/2018  
PS Tilak Nagar  
U/s. 392/397/120B/411/34 IPC &  
Section 25/27 Arms Act.

11.08.2020

**This is an application moved on behalf of applicant/accused Arif @ Shokeen for extension of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.  
Ms. Archana Ruhela, Ld. Counsel for applicant/accused.


It has been submitted on behalf of the accused that accused was released from jail on 24/07/2020 on interim bail of 30 days. However, the interim bail of 30 days granted vide order dated 06/07/2020 technically expired on 05/08/2020.

Considering that the accused was admitted to interim bail of 30 days vide order dated 06/07/2020 but was released only on 24/07/2020, his interim bail is extended till 24/08/2020.

Applicant/accused Arif @ Shokeen shall surrender before the concerned Jail Superintendent on 24/08/2020.

The application is disposed of accordingly.

Copy of this order be sent to concerned Jail Superintendent for intimation and compliance.

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**11.08.2020**

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**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
WEST DISTRICT, TIS HAZARI COURTS: DELHI**

State Vs. Mritunjay Jha  
FIR No. 559/2016  
PS Ranhola  
U/s. 498A/302/304B/201/34 IPC

11.08.2020

**This is an application moved on behalf of applicant/accused Mritunjay Jha for extension of interim bail.**

Present : Sh. Jitendra Sharma, Ld. Addl. PP for the State.

Sh. Mukesh Singh, Ld. Counsel for applicant/accused Mritunjay Jha with accused and his mother in person.

In view of recommendations of the Hon'ble High Power Committee (HPC) constituted by Hon'ble High Court of Delhi dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020, and on the basis of orders in WP(C) No. 2945/2020, titled as " Shobha Gupta & Ors. Vs. Union of India & Ors.", Hon'ble High Court vide order dated 04.08.2020 in WP(C) No. 3080/2020, has already ordered for extension of interim bails for a period of 45 days, granted to UTPs from the date of their respective expiry of interim bail. Hence, in view of recommendations of Hon'ble High Powered Committee (HPC), the present application for extension of interim bail to the applicant/accused is allowed.



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11/8/20

*State Vs. Mritunjay Jha*      --2--  
*FIR No. 559/2016*  
*PS Ranhola*

Applicant/accused Mritunjay Jha was granted interim bail by this court till 17/08/2020 on the medical ground of his mother. On the same ground, the interim bail of applicant/accused Mritunjay Jha is extended for further 14 days.

The accused shall surrender before the concerned Jail Superintendent on expiry of interim bail of 14 days or 31/08/2020 whichever is earlier.

The application is disposed of accordingly.

Copy of this order be sent to the concerned Jail Superintendent for intimation and compliance.

Copy of this order be also given to Ld. Counsel for applicant/accused, as prayed for.



**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**11.08.2020**

**IN THE COURT OF SH. VISHAL SINGH, ASJ-03  
(WEST), TIS HAZARI COURTS, DELHI**

**Bail application No. 414/2020  
State Vs Devsati  
FIR No. 559/2016  
PS Ranhola  
U/s. 302/498A/304B/201/34 IPC**

05.08.2020

**This is an application moved for grant of regular bail under Section 439 Cr.PC on behalf of applicant / accused Devsati.**

Present: Sh. Jitender Sharma, Ld. Addl. PP for the State.  
Sh. Mukesh Singh, Ld. Counsel for applicant/accused.  
Applicant/accused Devsati in person on interim bail.

Arguments heard on regular bail application from both sides.

Accused is stated to be around 80 years old now. She has been in judicial custody for around 4 years in this case. The court agrees with the submissions of Ld. Counsel for applicant/accused that the accused is not in physically fit condition to stay in judicial custody due to her advanced age and frail health.

**Contd..2..**




**Bail application No. 414/2020**  
**State Vs Devsati**  
**FIR No. 559/2016**  
**PS Ranhola**  
**U/s. 302/498A/304B/201/34 IPC**

**-2-**

It does not seem that accused is in condition to tamper with the evidence or influence any of the witnesses of this case. She has permanent residence in Delhi.

Upon these considerations, applicant/accused Devsati is admitted to regular bail on furnishing personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the court.

Copy of the order be given dasti.

  
**(VISHAL SINGH)**  
**ASJ-03, WEST/DELHI**  
**05.08.2020**