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State Vs. Praveen Kumar @ Pummy

FIR No: 245/18

Under Section: 302 IPC

PS: Nabi Karim

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Sidharth Singh, Ld. Counsel for applicant.

It is submitted by Ld. Counsel that the medical documents in terms of order dated 11.05.2020 has already been filed. Accused is seeking interim bail on the ground of ill health of his son.

Let the State file reply to the said application on next date of hearing inter alia filing the response qua the plea of of illness. Medical documents filed by the counsel shall also be verified by the IO/SHO. The additional copies of medical record has been supplied by counsel.

Put up on 02.06.2020.

State Vs. Vikas Kajla

FIR No: 160/19

Under Section: 376/323/384/506/34 IPC

PS: DBG Road

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Vinay Kumar Sharma, Ld. Counsel for applicant.

Prosecutrix is absent despite service.

Father of prosecutrix in person.

Father of prosecutrix is present on her behalf and has opposed the bail application.

Report from IO has been received. As per the same, mother of accused is hospitalized suffering from various ailments. It has further been reported that there is no one in his family to look after her and she is being looked after at present by the neighbourers. In these circumstances, accused Vikas Kajla is admitted on interim bail for a period of 45 days on furnishing PB in the sum of Rs. 20,000/- to the satisfaction of concerned Jail Superintendent. Accused shall surrender on the expiry of period of 45 days. However, it is directed that accused shall not directly or indirectly try to contact the victim or her family members.

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

State Vs. Vijay @ Kale

FIR No: 66/15

Under Section: 21 NDPS Act

PS: Crime Branch

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Kanihiya Singhal, Ld. Counsel for applicant.

IO SI Arvind Kumar in person.

Proceedings has been conducted through video conferencing.

Accused is seeking interim bail on the ground that his 4 months daughter requires admission in the hospital as she is suffering from pneumonia.

Report of IO has been received. As per the same, the daughter of accused requires admission. On query, IO submits that all other children of accused are minor and his wife is the only adult member in the family. In these circumstances, accused is admitted to interim bail for a period of 10 days on furnishing PB in the sum of Rs.20,000/- to the satisfaction of concerned Jail Superintendent. Accused shall surrender on the expiry of period of 10 days.

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

State Vs. Urmila & ors.

FIR No: 34/19

Under Section: 302/201/404/120B/34 IPC

PS: DBG Road

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Gagan Bhatnagar, Ld. Counsel for applicant.

Proceedings has been conducted through video conferencing.

Report from concerned Jail Superintendent has been received.

The report by IO was already received.

Arguments heard. During the course of arguments, Ld. Counsel seeks liberty to withdraw the present application. Accordingly, the application stands disposed off as withdrawn.

State Vs. Suraj @ Charang & anr.

FIR No: 311/19

Under Section: 20 & 29 NDPS Act

PS: Crime Branch

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Sumit Sharma, Ld. Counsel for applicant.

Proceedings has been conducted through video conferencing.

IO ASI Mahesh Kumar in person.

These are two separate bail application moved on behalf of same accused. Since both the applications have been moved by same counsel for same accused, therefore, the same are clubbed.

Part arguments heard.

Ld. Counsel is seeking bail on the ground that cognizance has not been taken in this case by Ld. Trial Court.

At this stage, Ld. APP as well as Ld. Defence Counsel submit that matter may be sent to the concerned court as judicial record would be required for adjudicating the present application. I agree with the same.

In these circumstances, let the applications be placed before Sh. Deepak Dabas, Ld. ASJ who is the concerned trial court judge. The application shall be placed before the concerned judge on the day when he is the duty ASJ in the next roaster (in case of extension of suspension of court work) or on 03.06.2020 (in case of resumption of normal court working). The concerned staff shall duly intimate the counsel in advance about the next date of hearing.

State Vs. Ajay Singh Kumar

FIR No: 183/19

Under Section: 302 IPC

PS: Kotwali

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of inteirm bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. B.S. Chaudhary, Ld. Counsel for applicant.

Proceeding has been conducted through video conferencing.

Arguments heard.

The accused is seeking interim bail on the ground that his father is aged about 72 years and has lost vision in one eye for which he requires treatment.

Report of IO is on record. The accused does not fulfill the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020. Even otherwise, it has been reported by IO that the father of accused resides with his brother, wife and his mother, who can take care of him. In these circumstances, the application moved by accused does not disclose good ground to be entertained. Accordingly, the same stands dismissed.

State Vs. Aslam FIR No: 0150/19

Under Section: 20/25/29 NDPS Act

PS: Crime Branch

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of interim bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. J.P. Singh, Ld. Counsel for applicant.

IO in person.

Report of IO filed.

Accused is seeking interim bail on the ground of ill health of his child. However, as per IO no medical documents were supplied to him. Let the same be supplied during the course of the day by the counsel to IO.

IO shall file his report on 02.06.2020. Put up for hearing through video conferencing on the next date of hearing.

State Vs. Mohd. Rehan

FIR No: 204/19

Under Section: 304/308/34 IPC

PS: Crime Branch

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Vishal Chopra and Sh. Mukesh Kadyan, Ld. Counsels for

applicant.

Deputed IO SI Pankaj Kumar in person.

Accused is seeking interim bail on the ground of medical condition of

his wife.

Reply of IO has been filed.

It is submitted by IO that the wife of accused is admitted in Ace Hospital, Delhi and her brain surgery is fixed for 15.06.2020. It is further submitted by IO that apart from his old aged parents, there is no other adult male member in the family of accused.

In the fact and circumstances of the case and in view of the report as well as submissions of IO, accused is admitted to interim bail for a period of 45 days on furnishing PB in the sum of Rs. 20,000/- to the satisfaction of concerned Jail Superintendent. Accused shall surrender on the expiry of period of 45 days.

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

State Vs. Parvez Mirza

FIR No: 113/15

Under Section: 498A/302/304B/174A/34 IPC

PS: Chandni Mahal

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Manish Kumar Singh, Ld. Counsel for applicant.

Reply of IO perused.

It is submitted by ld. Counsel that accused is seeking bail in terms of guidelines dated 18.05.2020 of high power committee.

Let State shall file additional reply through concerned IO/SHO inter alia mentioning, the period of custody of accused and his previous involvement, if any.

Concerned jail superintendent shall also file a certificate regarding his conduct at the jail as well copy of his custody warrant. Copy of order be sent to concerned IO/SHO as well as concerned jail superintendent for compliance.

Put up on 03.06.2020 for hearing through VC.

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State Vs. Furqan FIR No: 204/19

Under Section: 304/308 IPC

PS: Sadar Bazar

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Akshay Sachdeva, Ld. Counsel for applicant.

Deputed IO SI Pankaj Kumar in person.

Reply filed by IO. Copy supplied to Ld. Counsel.

Ld. Arguing counsel is not available today. At request, put up for arguments on 30.05.2020 through video conferencing.

State Vs. Harish Singh @ Vinay Yadav

FIR No: 67/20

Under Section: 376 IPC

PS: Nabi Karim

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Kamlesh Kumar, Ld. Counsel for applicant.

Prosecutrix in person.

Presence of IO is required for adjudicating the present bail application.

IO shall appear in person on **01.06.2020 alongwith case diary.** 

Counsel has filed certain judgments in support of his averments.

State Vs. Azam FIR No: 135/16

Under Section: 302IPC

PS: Jama Masjid

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Abdul Gaffar, Ld. Counsel for applicant.

Proceedings has been conducted through VC.

It is submitted by ld. Counsel that accused is seeking bail in terms of guidelines dated 18.05.2020 of high power committee.

Let State shall file reply through concerned IO/SHO inter alia mentioning, the offences involved, the period of custody of accused, the previous involvement of accused, if any.

Concerned jail superintendent shall also file a certificate regarding his conduct at the jail as well copy of his custody warrant. Copy of order be sent to concerned IO/SHO as well as concerned jail superintendent for compliance.

Put up on 03.06.2020 for hearing through VC.

State Vs. Afroz Alam

FIR No: 218/18

Under Section: 22/29 NDPS Act and 63/65 Copyright Act

PS: Crime Branch

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Himanshu Gupta, Ld. Counsel for applicant.

IO is not present today. Be called for next date of hearing.

State shall also file reply to the bail application through IO.

At this stage, it is submitted by Ld. Counsel that main accused namely Rajesh Sharma has already been granted bail vide order dated 20.05.2020.

Let the copy of said order be also placed on record by concerned official of bail section.

Put up on <u>04.06.2020</u>.

State Vs. Prem @ Manohar

FIR No: 335/19

Under Section: 308/34 IPC

PS: Nabi Karim

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. S.P Sharma, Ld. Counsel for applicant through VC.

Proceedings has been conducted through VC.

The applicant does not fulfill the criteria as laid down by high power committee vide minutes dated 18.05.2020 as his period of custody is of about 04 months only.

At this stage, Ld. Counsel for applicant requests for adjourning the matter for some other date. Though I am not inclined to adjourn the matter, however on repeated requests of Ld. Counsel for applicant, matter be adjourned for <u>15.06.2020</u>.

State Vs. Akash @ Guddu & anr.

FIR No: 83/16

Under Section: 20/25/29 of NDPS Act 3/181 Motor Vehicle Act

PS: Crime Branch

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Shad Mann Ali, Ld. Counsel for applicant.

Proceedings has been conducted through VC.

No report has been received from concerned SHO regarding death of brother of accused.

Let the same be filed by concerned IO without fail by next date of hearing i.e 02.06.2020.

The report of IO shall also mention the ensuing rituals/ religious ceremonies, if any in case of factum of death is true.

State Vs. Ansalam Nayak

FIR No: 80/18

Under Section: 20 of NDPS Act

PS: Crime Branch

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Puneet Jaiswal, Ld. Counsel for applicant.

IO in person.

Proceedings has been conducted through VC.

Accused is seeking interim bail on the ground of illness of his mother.

Report of IO has been received. As per same, no proper inquiry could be conducted regarding medical condition of mother of accused due to paucity of time.

Let the same be conducted by IO without fail by next date of hearing i.e. **08.06.2020**.

Anuj Aggrawal ASJ-03(Central) Tis Hazari Courts/Delhi

29.05.2020

State Vs. Nasir @ Najir Hussain

FIR No: 50/17

Under Section: 376 IPC & 6 POCSO Act

PS: Kotwali

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Ravinder Tyagi, Ld. Counsel for applicant.

Prosecutrix in person alongwith her father.

Part arguments on bail heard.

During course of arguments, it is submitted by Ld. Counsel that his main ground for seeking bail is the issue of juvenility which was wrongly decided by the concerned JJB. On query, it is submitted by Ld. Counsel that he has already challenged the order of JJB by way of appeal under Section 101 Juvenile Justice Act and same fact has also been mentioned in the present bail application. It is further informed by the counsel that his appeal is coming for hearing on 06.06.2020 as per his knowledge.

In these circumstances and at request of counsel, matter stands adjourned for further arguments on 12.06.2020.

State Vs. Pramod Sharma

FIR No: 347/19

Under Section: 323/354/506/509/34 IPC

PS: Pahar Ganj

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

None for applicant/accused.

IO in person.

Report filed by IO. Be taken on record.

Interim protection from arrest was granted to accused vide order dated 16.03.2020 which was, thereafter, extended till today vide order dated 08.05.2020. However, as per report of IO after investigation and interrogation from accused, a formal arrest was effected in the instant case.

At this stage, Ld. APP for State submits that arrest of the accused (be it formal) despite orders of this court is not only a serious misconduct on the part of investigating agency but also a punishable offence under Penal Code. I agree with Ld. APP.

In these circumstances, concerned SHO as well as IO are directed to show cause by appropriate proceeding including initiation of penal action should not be initiated against them for violation of the court orders. Copy of this order be sent to concerned SHO for compliance.

Put up for further proceedings on 22.06.2020.

Anuj Aggarwal ASJ-03(Central) Tis Hazari Courts/Delhi

29.05.2020

State Vs. Ajay Singh Kumar

FIR No: 183/19

Under Section: 302 IPC

PS: Kotwali

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of inteirm bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. B.S. Chaudhary, Ld. Counsel for applicant.

Proceeding has been conducted through video conferencing.

Arguments heard.

The accused is seeking interim bail on the ground that his father is aged about 72 years and has lost vision in one eye for which he requires treatment.

Report of IO is on record. The accused does not fulfill the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020. Even otherwise, it has been reported by IO that the father of accused resides with his brother, wife and his mother, who can take care of him. In these circumstances, the application moved by accused does not disclose good ground to be entertained. Accordingly, the same stands dismissed.

State Vs. Aslam FIR No: 0150/19

Under Section: 20/25/29 NDPS Act

PS: Crime Branch

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of interim bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. J.P. Singh, Ld. Counsel for applicant.

IO in person.

Report of IO filed.

Accused is seeking interim bail on the ground of ill health of his child. However, as per IO no medical documents were supplied to him. Let the same be supplied during the course of the day by the counsel to IO.

IO shall file his report on 02.06.2020. Put up for hearing through video conferencing on the next date of hearing.

State Vs. Ritesh FIR No: 113/18

Under Section: 326A IPC

PS: Pahar Ganj

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of interim bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. P.K. Garg, Ld. Counsel for applicant.

IO SI Raj Kumar Singh in person.

Reply filed by IO. The same is taken on record.

At request of Ld. Counsel, put up on 05.06.2020.

State Vs. Amit Kumar

FIR No: 343/19

Under Section: 304/34 IPC

PS: Kashmere Gate

29.05.2020

Present: Sh. Alok S

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Mohit Prasad, Ld. Counsel for applicant.

At request of Ld. APP IO be called along with his file.

Put up on 04.06.2020.

State Vs. Mintu FIR No: 109/20

Under Section: 457/380/411/120B/34 IPC

PS: Nabi Karim

29.05.2020

Fresh application under Section 439 Cr.P.C for grant of bail has been received on behalf of accused/applicant named above.

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Rishab Jain, Ld. Counsel for applicant.

SHO/IO shall file reply by next date of hearing.

Since all the offences are triable by Magistrate, therefore, the application be placed before Ld. Duty MM on 30.05.2020.

At this stage, it is informed by Ld. Counsel that two other coaccused are on interim bail in the present case.

State Vs. Kohli & ors. (Kapil @ Kohli)

FIR No: 32/20

Under Section: 302/34 IPC

PS: Wazirabad

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Jitender Kumar, Ld. Counsel for applicant.

Reply of IO has been filed.

Copy be supplied to Ld. Counsel.

Arguments heard.

During course of arguments, it is submitted by Ld. Counsel that at present, he is seeking interim bail only in view of spread of COVID-19 in the premises of Rohini Jail wherein present accused is confined.

The allegations of accused are under Section 302 IPC. Accused does not fulfill the criteria as laid down by high power committee. In these circumstances, the request of grant of interim bail of accused stands declined.

Now to come up for regular hearing of bail application on **22.06.2020.** 

State Vs. Seema Malhotra

FIR No: 101/11

Under Section: 420/468/471/474/120b/170/34 IPC

PS: Nabi Karim

29.05.2020

Present: Sh. Alok S

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Akshat Gupta, Ld. Counsel for applicant through VC.

Proceedings has been conducted through VC.

It is submitted by Ld. Counsel that the copies of report of concerned jail superintendent as well as IO has not been supplied to him till date.

At request of Ld. Counsel, let copies of all report be sent to him through **whats app** by Reader of this court.

Let the matter be passed over and be taken up at around 12:45

PM.

Anuj Aggrawal ASJ-03(Central) Tis Hazari Courts/Delhi 29.05.2020

At 01:30 PM

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Akshat Gupta, Ld. Counsel for applicant through VC.

It is submitted by Ld. Counsel that copies of the report as sent by Reader of this court to him through Whatsapp has been received and same are legible to him.

Arguments on bail heard.

It has been vehemently argued by Ld. Counsel that applicant Seema is not the main accused in the instant case and the main accused has already been granted bail. It is further argued that out of an amount of



State Vs. Seema Malhotr.

FIR No: 101/11

Under Section: 420/468/471/474/120b/170/34 IPC

PS: Nabi Karim

Rs. 5,50,000/-, Rs. 3 Lacs was already paid to the complainant by the applicant as per the settlement and applicant is willing to pay remaining amount if enlarged on bail. The counsel, in the application, has pleaded certain additional grounds of grave medical emergency on account of COVID-19 and applicant suffering from various ailments. However, no arguments in this regard were addressed by counsel today.

A report from concerned jail superintendent, District Panipat is on record which reveals that the prison authorities had requested the concerned specialists at PGIMS, Rohtak for conducting her MRI as per advise of concerned jail doctor which was fixed for 18.05.2020. It has further been reported that police escort guard was also arranged with efforts but the accused refused to go to Rohtak and also misbehaved with prison officials.

The report of IO is also on record. As per same, accused Seema alongwith other co-accused came at the shop of complainant on 26.10.2010, and she introduced herself as PA of Railway Minister. It has further been reported that she also showed her ID and letter pad to him and thereafter, induced him to part with a demand draft for sum of Rs. 5,50,000/- by playing fraud upon him.

During course of arguments, it is submitted by Ld. Counsel that previously after settlement with complainant, accused could not make a full payment as per terms and conditions and consequently she was declared an absconder and thereafter arrested. It is argued that accused is in custody since 03.09.2019 and therefore, she deserves to be granted bail in the facts and circumstances of the case.

Ld. APP for State has vehemently opposed the bail application.

I have heard the arguments and perused the record. The allegations against accused are grave and serious. Previously also, she failed

## State Vs. Seema Malhotra

FIR No: 101/11

Under Section: 420/468/471/474/120b/170/34 IPC

PS: Nabi Karim

to appear before the concerned trial court and consequently declared an absconder.

The report filed on behalf of prison authorities reveals that she is involved in as many as 08 other cases apart from present case of which four such cases are of similar nature. Therefore, considering her previous antecedents, I am of the view that she may commit another offence if enlarged on bail and may also abscond from the course of justice. The plea of medical emergency and various ailments does not disclose good ground to be entertained in view of specific report of prison authorities regarding her non cooperation for conduct of MRI.

Therefore, in the facts and circumstances of the case, considering the gravity of allegations, previous involvement and her past conduct, I am not inclined to grant bail to accused Seema Malhotra. Accordingly, the bail application stands dismissed.

Copy of this order be sent to concerned jail superintendent for information.

Anuj Aggrawal ASJ-03(Central)

Tis Hazari Courts/Delhi

29.05.2020

State Vs. Anish Yadav

FIR No: 07/17

Under Section: 302/307/328/120B/34 IPC

PS: Sadar Bazar

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Manish Kumar Gupta, Ld. Counsel for applicant.

IO SI Vijay Kumar in person.

It is submitted by ld. Counsel that accused is seeking bail in terms of guidelines dated 18.05.2020 of high power committee.

Accused is in custody since 08.01.2017. As per report of IO, accused is involved in another case FIR No: 240/10. Ld. Counsel for accused submits that accused has already been acquitted in the said case.

Let the said fact be verified by State through concerned IO/SHO.

Concerned jail superintendent shall also file a certificate regarding his conduct at the jail as well copy of his custody warrant. Copy of order be sent to concerned IO/SHO as well as concerned jail superintendent for compliance.

Put up on 03.06.2020 for hearing through VC.

Anuj Aggrawal ASJ-03(Central) Tis Hazari Courts/Delhi

29.05.2020

State Vs. Azaz Mirza

FIR No: 113/15

Under Section: 498A/302/304B/174A/34 IPC

PS: Chandni Mahal

29.05.2020

Present:

Sh. Alok Saxena, Ld. Additional PP for the State.

Sh. Manish Kumar Gupta, Ld. Counsel for applicant.

It is submitted by ld. Counsel that accused is seeking bail in terms of guidelines dated 18.05.2020 of high power committee.

Let State shall file reply through concerned IO/SHO inter alia mentioning, the offences involved, the period of custody of accused, the previous involvement of accused, if any.

Concerned jail superintendent shall also file a certificate regarding his conduct at the jail as well copy of his custody warrant. Copy of order be sent to concerned IO/SHO as well as concerned jail superintendent for compliance.

Put up on 03.06.2020 for hearing through VC.