

**FIR No. 231/2020**  
**PS : Sarai Rohilla**  
**U/S : 323/376/120B/109 IPC**  
**State Vs. Suraj Sharma (Bail Appl. No. 876/2020)**  
**State Vs. Raman Sharma (Bail Appl. No. 877/2020)**  
**State Vs Yunit Kumar Pal (Bail Appl. No. 781/2020)**

**19.08.2020**

**At 1:45 PM**

**Present :** Sh. Gyan Prakash Ray, Ld. Substitute Addl. PP for the State.  
Sh. Hemendra Singh Kashyap, Ld. Counsel for the applicant/  
accused.  
Sh. Sandeep Kumar, Ld. Counsel for complainant.  
IO SI Soni Siwach, (No. D-5601, PS Sarai Rohilla) is present.

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

The present bail applications have 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.

Arguments have been heard on behalf of the applicant/ accused.

Prosecutrix is yet to be confronted with certain documents filed on 18.08.2020 by the Ld. Counsel for the applicants/ accused persons Raman and Suraj. IO seeks some time to do so. Be put up for further arguments on the applications filed by Raman Sharma and Suraj Sharma on **26.08.2020**.

**Put up for orders on the application filed by Yunit Kumar Pal at 4:00 PM.**

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

**(LOVLEEN)**  
**PO MACT-02 (CENTRAL)**  
**DELHI/19.08.2020 (K)**  
Contd/--

: 2 :

**FIR No. 231/2020  
PS : Sarai Rohilla  
U/S : 328/376/120B/109 IPC  
State Vs. Yunit Kumar Pal**

**19.08.2020**

**At 4 pm.**

**ORDER ON THE APPLICATION U/s 439 CrPC MOVED ON BEHALF OF THE  
APPLICANT/ ACCUSED YUNIT KUMAR PAL**

Present : None.

Matter is fixed for orders.

Brief facts, as per the present FIR, are that the prosecutrix got married to one Raman Sharma on 17.01.2016, but the said fact was not revealed to their respective families by either of them. Subsequently, with the consent of the family of the prosecutrix both of them got married again on 22.01.2019. Prosecutrix alleges that her father-in-law namely Suraj Sharma was having an evil eye over her and on 11.10.2019, when nobody except herself and her father-in-law were at home, her father-in-law committed forcible sexual intercourse with her. When her husband and mother-in-law returned to home, she narrated the incident to them but nobody believed her and rather started scolding and hitting her. Thereafter prosecutrix started living separately with her husband on the second floor of her matrimonial home. In January, 2020, Raman (husband of the prosecutrix) told the prosecutrix that he has taken some loan from one Yunit (applicant/ accused herein) and he is unable to return the same. Raman forced the prosecutrix to talk to said Yunit endearingly and to

**Contd.....**

: 3 :

**FIR No. 231/2020**  
**State Vs. Yunit Kumar Pal**

seek sometime from him to return the money. Thereafter, the said Yunit started making telephone calls to her and also asked her to meet. The prosecutrix narrated the same to Raman, but he (Raman) beat her and told her to follow what Yunit says otherwise he will divorce her. Prosecutrix further states that on 02.02.2020, Raman forced her to go and meet Yunit, who then took her to Tivoli Resort. There both of them (Prosecutrix and Yunit) had some food. Yunit then told the prosecutrix that he is not feeling well and needed to rest and on this pretext he took her to a room in the said resort and committed forcible sexual intercourse with the prosecutrix. Prosecutrix somehow managed to escape and returned to her matrimonial home. She narrated the incident to Raman, who again beat her up and told her that she must do whatever he says. Prosecutrix further states that after 2/3 days Yunit came to her office and asked her to accompany him by threatening that her husband has availed a loan from him and therefore she could not refuse to accompany him. Yunit then took her to a hotel in Patel Nagar. The prosecutrix was too much disturbed by all these incidents and on 10.02.2020 she sternly refused to comply with the demands of Raman and told him to himself handle his problems with said Yunit. Prosecutrix further narrates that sometime before the festival of Holi, her

**Contd.....**

: 4 :

**FIR No. 231/2020**  
**State Vs. Yunit Kumar Pal**

mother-in-law, father-in-law and husband (Raman) tried to coerce her into establishing physical relationships with other unknown persons. Thereafter prosecutrix returned to her parental home one day before the festival of Holi. She then got registered the present FIR.

The present application was listed earlier on 14.08.2020. A report was filed by the IO on the said date of hearing. At that time, it was observed that certain materials (i.e. whatsapp/ social media chats as well as photographs) were relied upon by the applicant/ accused in the present application. Liberty was granted to the applicant/ accused to submit all materials to the IO for verification. IO was directed to verify the same. Today, IO has again filed a new report after confronting the prosecutrix with the materials relied upon by the applicant/ accused.

Ld. Counsel for the applicant/ accused has argued at the very outset that the prosecutrix is working as a Manager in a private bank and is married to one Raman Sharma. He further submits that all the allegations leveled by the prosecutrix are false and fabricated. He further submits that the applicant/ accused Yunit was having an affair with the prosecutrix and physical relations were established between the two with due consent of the prosecutrix. Ld. Counsel further submits that the husband of prosecutrix got wind of her affair with the applicant/ accused. The Ld. Counsel further submits that the

**Contd.....**

: 5 :

**FIR No. 231/2020  
State Vs. Yunit Kumar Pal**

prosecutrix has got the present FIR registered in order to put pressure on the applicant/ accused as she wanted to marry the applicant/ accused Yunit. Ld. Counsel further submits that consensual relationship between the applicant/ accused Yunit and the prosecutrix is clearly made out from the fact that the prosecutrix approached the PS concerned initially in March, 2020 with a complaint against the applicant/ accused, but no action was taken on the said complaint as the relationship was discovered to be consensual. Ld. Counsel submits that after the said incident, police got all the whatsapp chats and other materials deleted from the social media accounts of the applicant/ accused. Ld. Counsel further submits that some material is still available with the applicant/ accused which would clearly point out that the prosecutrix is telling a false and fabricated story about the instances when he (applicant/ accused) had sexual intercourse with the prosecutrix. Ld. Counsel has relied upon transcripts of certain audio recordings and photographs to buttress his arguments. Ld. Counsel has taken this Court through all the transcripts and the photographs relied upon by him.

Ld. Substitute APP for the state opposes the prayer for grant of bail to the applicant/ accused. Ld. Counsel for the prosecutrix has also opposed prayer for grant of bail.

**Contd.....**

: 6 :

**FIR No. 231/2020**  
**State Vs. Yunit Kumar Pal**

This Court has considered the rival submissions. Today, Ld. Counsel for the applicant/ accused has referred to multiple audio recordings (and their transcripts) of the mobile phone conversations between the prosecutrix and the applicant/ accused Yunit Kumar Pal. Upon query by this Court, IO has submitted orally that the prosecutrix has admitted genuineness of all the said audio recordings. Perusal of the transcripts of the said audio recordings reveal that the prosecutrix admits that she was having a relationship with the applicant/ accused Yunit Kumar Pal and physical relations were established consensually. In fact, at one occasion, the prosecutrix seems to be sharing problems of her matrimonial life with applicant/accused and also discussing with the applicant/ accused as to how to obtain divorce from her husband Raman. Prosecutrix further seems to be fearful of initiation of legal proceedings by her husband at one point and she is suggesting to the applicant/accused to make up a story that applicant/accused has lent a small sum of money to her husband. At another occasion, the prosecutrix seems to have been referring to their visit to Tivoli Garden (Resort) also. On the last date of hearing, IO had reported that the prosecutrix and the applicant/ accused

**Contd.....**

: 7 :

**FIR No. 231/2020  
State Vs. Yunit Kumar Pal**

stayed together not only on 02.02.2020 but also on 07.02.2020 in a different hotel/ resort. It was further reported by the IO on the last date of hearing that the prosecutrix and the applicant/ accused Yunit Kumar Pal were in close contact with each other for quite a long time since 02.02.2020 as per the CDRs obtained during the course of investigation in the present FIR. The photographs relied upon by the applicant/ accused prima facie do not seem to betray any sign of coercion/pressure on the prosecutrix while posing with the applicant/accused. Nothing has been argued on behalf of the prosecutrix to rebut the above prima facie observations.

In view of the above materials placed on record by the applicant/ accused and in the background of the maturity & understanding of the prosecutrix, who is admittedly working as a Bank Manager, the contention of the applicant/ accused that the present FIR has been got registered to pressurize him for marriage could not brushed aside lightly. Obviously, all these observations are just a prima facie opinion and shall have no bearing on the merits of this case. Rival Contentions of the parties shall be decided only after a complete trial. The applicant/ accused is languishing in judicial custody since 21.07.2020 and is having clean antecedents. The trial is most likely to get delayed on account of unabated spread of COVID-19 pandemic. No purpose

**Contd.....**

: 8 :

**FIR No. 231/2020  
State Vs. Yunit Kumar Pal**

would be served by detaining the applicant/ accused in custody any further. In the facts and circumstances, the applicant/ accused **Yunit Kumar Pal** is admitted to bail on furnishing a bail bond in a sum of Rs. 25,000/- with two sureties in the like amount to the satisfaction of the Ld. Duty MM/ Ld. MM concerned. It is further directed that the applicant/ accused shall not influence with the witnesses/ tamper with the evidence, shall not leave Delhi without the permission of the concerned Court and shall provide his latest mobile number to the IO/ SHO concerned as and when he is released from custody. The bail application stands disposed of accordingly. A copy of this order be sent to the Jail Superintendent concerned for necessary information and compliance. File be consigned to record room, as per rules.

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

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**



FIR No. 119/20  
PS : Hauz Qazi  
U/S : 457/380 IPC  
State Vs. Shayam Singh (Bail Appl. No. 800/2020)  
State Vs. Sonu Dubey (Bail Appl. No. 801/2020)

19.08.2020

At 1:45 PM

Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl. PP for the State.  
Sh. Pushpendra Singh Dahiya, Ld. Counsel for the applicant/  
accused.  
IO ASI Sunil (No. 142/D PS Hauz Qazi) is present.

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

Reply sent by the IO has been perused. Submissions heard.

Be put up at 04.000 pm for orders.

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

(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)

Contd.....

: 2 : FIR No. 119/20  
State Vs. Shayam Singh (Bail Appl. No. 800/2020)  
State Vs. Sonu Dubey (Bail Appl. No. 801/2020)

19.08.2020  
At 04.00 PM

**ORDER ON THE APPLICATION U/s 438 CrPC MOVED ON BEHALF OF THE  
APPLICANT/ ACCUSED MANOJ FOR GRANT OF ANTICIPATORY BAIL**

Present : None.

**Matter is fixed for orders.**

Brief facts, as per the present FIR, are that the complainant got the present FIR registered on 08/07/2020 when he was informed that the locks of his office situated in Hauz Qazi were broken. Complainant was informed about the said fact by one Ram Awtar, a betel leaf seller. The Complainant then informed the PS concerned and a mobile crime team inspected the premises. Complainant reported that upon a cursory search he discovered that two gold coins were missing from his office. He further stated that he would report the theft of any other article subsequently after assessing the actual loss. Certain materials were seized from the spot. IO has reported today that "chance prints" were lifted from the spot and were forwarded to Finger Print Bureau. A report was sent in by the Finger Print Bureau that the chance prints have been matched with the finger

Contd.....

: 3 :

**FIR No. 119/20**  
**State Vs. Shayam Singh (Bail Appl. No. 800/2020)**  
**State Vs. Sonu Dubey (Bail Appl. No. 801/2020)**

prints of applicant/accused Shayam Singh and applicant/accused Sonu Dubey. Police could not apprehend them till now nor have they joined the investigation. IO has submitted that recoveries are yet to be effected.

Ld. Counsel for the applicant/accused submits that complainant himself has orchestrated the entire event in order to show his possession over the property where the incident actually happened. Ld. Counsel further submits that this fact is apparent as nothing else was stolen from the spot whereas silver coins weighing 2kg and large cash sum were also available in the office. Ld. Counsel submits that the applicants/accused persons are innocent and have been entrapped by the Complainant. Ld. Counsel submits that the applicant/accused persons may be granted anticipatory bail.

Ld. Addl PP for the State opposes the prayer.

This Court has considered the facts and circumstances.

**Contd.....**

: 4 :

**FIR No. 119/20**  
**State Vs. Shayam Singh (Bail Appl. No. 800/2020)**  
**State Vs. Sonu Dubey (Bail Appl. No. 801/2020)**

Investigation is at a preliminary stage. Chance prints of both the applicants were available at the scene of crime. Both the applicants are evading the police till now. Recoveries of the stolen articles are still to be effected and same would necessitate their custodial interrogation. In the facts and circumstances, this Court is not inclined to grant anticipatory bail to either of the applicants/accused persons. Both the applications stand dismissed. Copy of this order be sent to the Jail Superintendent concerned.

Files be consigned to the Record Room.

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

**(LOVLEEN)**  
**PO MACT-02 (CENTRAL)**  
**DELHI/19.08.2020 (K)**

**Bail Appl. No. 798/2020  
FIR No. 103/19  
PS : Hazrat Nizamuddin  
Railway Station  
U/S : 306/34 IPC  
State Vs. Ritesh Kumar**

**19.08.2020  
At 2:20 PM**

**Fresh bail application U/s 438 CrPC has been moved on behalf of the applicant/ accused Ritesh Kumar. It be checked and registered.**

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl. PP for the State.  
Sh. Vikas Walia, Ld. Counsel for the applicant/ accused.  
Sh. Pankaj Tripathi, Ld. Counsel for the complainant.  
IO Insp. Shiv Charan, (No. D- 669) 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.

Reply sent by the IO has been perused. Submissions heard.

Matter relates to death of a married girl. Inquest proceedings were duly conducted. At that time the complainant, who is the mother of deceased, did not suspect any foul play in the death of deceased. Later on she got the present FIR registered claiming that the deceased tortured and harassed by applicant/accused and hence she (deceased) committed suicide.

Upon query by this Court, IO admits that except for the statements/ allegations made in the FIR, till date he has not been able to

***Contd/--***

examine any witness or collect any evidence/material which could depict prima facie that the death of the deceased was suicidal in nature. IO seeks some time to make efforts to collect evidence in this regard.

FIR was registered after a considerable delay. Complainant in the present FIR did not raise any doubts about the cause of death of deceased, nor suspected involvement of applicant/accused in the untimely death of deceased at the time of recording of her statement during inquest proceedings. Co-accused persons have already been granted anticipatory bail by Ld. ASJ on duty on 04.03.2020.

In the entire facts and circumstances, it is directed that no coercive action be taken against the applicant/ accused Ritesh Kumar till 03.09.2020. It is further directed that the applicant/ accused shall join the investigation as and when so directed by the IO and he shall not make any attempt to influence any of the witnesses in the present matter.

Be put up again on **03.09.2020**.

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

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

**Bail Application No.895/20  
FIR No. 265/20  
PS Sarai Rohilla  
U/s 326/341/34 IPC  
State Vs. Mohd. Jahid**

**19.08.2020**

**At 03.00 P.M.**

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

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP  
for the State.  
Ld. Counsel for the applicant/accused.**

**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.

Arguments have been heard in three connected  
bail applications bearing No. 781/20, 876/20 & 877/20 for more  
than two and half hours. No time left today. Accordingly, matter be  
put up again on **20/08/2020**.

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

**Bail Application No.902/20  
FIR No.210/20  
PS Sarai Rohilla  
U/s 186/353/307/34 IPC  
State Vs. Mohd. Ashqin**

**19.08.2020**

**At 03.05 P.M.**

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

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP  
for the State.  
Ld. Counsel for the applicant/accused.**

**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.

Arguments have been heard in three connected  
bail applications bearing No. 781/20, 876/20 & 877/20 for more  
than two and half hours. No time left today. Accordingly, matter be  
put up again on **28/08/2020**.

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**



**Bail Application No. 903/20  
FIR No.131/20  
PS Hauz Qazi  
U/s 420 IPC  
State Vs. Mohd. Saim**

**19.08.2020**

**At 03.10 P.M.**

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

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP  
for the State.  
Ld. Counsel for the applicant/accused.**

**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.

Arguments have been heard in three connected  
bail applications bearing No. 781/20, 876/20 & 877/20 for more  
than two and half hours. No time left today. Accordingly, matter be  
put up again on **27/08/2020**.

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

**Bail Application No.904/20  
FIR No.141/20  
PS Kamla Market  
U/s 379/411/34 IPC  
State Vs. Aakash @ G. Akash**

**19.08.2020**

**At 03.15 P.M.**

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

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP  
for the State.  
Ld. Counsel for the applicant/accused.  
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.

Arguments have been heard in three connected  
bail applications bearing No. 781/20, 876/20 & 877/20 for more  
than two and half hours. No time left today. Accordingly, matter be  
put up again on **29/08/2020**.

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

**Bail Application No. 905/20  
FIR No.84/2019  
PS I.P.Estate  
U/s 420/468/471/120B IPC  
Shakir Vs State**

**19.08.2020  
At 03.20 P.M.**

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

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP  
for the State.  
Sh. Narender Prabhakar,Ld. Counsel for the  
applicant/accused.**

**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.

It is submitted by the Naib Court of this Court that  
the present bail application is voluminous in nature and same  
could not be downloaded by the SHO concerned and as such no  
reply has been fled by the IO concerned. Accordingly, be put up  
again for reply/arguments on **02/09/2020**.

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

**Bail Application No. 906/20  
FIR No. 012016/20  
PS Rajender Nagar  
U/s 379 IPC  
State Vs. Saijee @ Ajju**

**19.08.2020**

**This is an application moved on behalf of the accused for being released on personal bond. It be checked and registered.**

**Present : Sh. Gyan Prakash Ray, Ld. Substitute Addl PP for the State.  
Sh. Ajay Goswami, Ld. Counsel for the applicant/accused Saijee @ Ajju**

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

The present 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.

Applicant/accused was granted bail by this court on 17/07/2020.

*Contd/--*

--2--

**FIR No. 012016/20  
State Vs. Saijee @ Aju**

No reasonable ground has been put forth on behalf of the applicant/accused for seeking relaxation in the bail order dated 17/07/2020. Application is devoid of any merits and hence, same stands dismissed.

**File be consigned to the Record Room.**

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

**(LOVLEEN)  
PO MACT-02 (CENTRAL)  
DELHI/19.08.2020 (K)**

