

BAIL APPLICATION

FIR No. : 59/2019

PS: Burari

State v Arvind Kumar

U/S: 302, 365 r/w section 34 IPC

23.05.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through Electronic mode.
Mr. S.B. Shaily, learned LAC for applicant / accused instead of Mr. S.N. Shukla, as per directions by DLSA.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020, Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly, present application is taken up.*

2. As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, interim bail application as per the criteria given by Hon'ble HC in above mentioned minutes, such application is to be moved by Ld. Legal Aid Counsel *alongwith* copy of custody warrant.

3. IO / SHO concerned to file reply, including on the following aspect apart from any other point which IO wants to raise:-

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Arvind Kumar

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC) ,a report that present accused is **not involved**, in any other case;

(iii) Date, since when accused is in JC in present case

(iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

4. Further (in view of direction by Hon'ble HC), **Jail Superintendent** concerned to file:

(i) Copy of **custody warrant** of present accused;

(ii) A **certificate regarding good conduct**, if any, of the accused during his custody period so far.

5. . As such, issue notice of present application to the IO/ SHO as well as to Jail Superintendent concerned.

6. Further, in view of directions passed, copy of this order be sent to SHO/IO concerned **through Nodal Officer Insp. Harkesh Gaba mobile No.: 9811889555 (North District)**. The concerned IO/ SHO to file its reply through Nodal officers, preferably in electronic form/email ,as per the directions already issued.

7. **Counsel for accused is advised to collect the order online through electronic mode.**

8. **Put up for report, arguments and further appropriate orders on 27.05.2020, preferably through V.C.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District
23.05.2020

BAIL APPLICATION

FIR No. : 251/2019
PS: Sarai Rohilla
State v Dinesh @ Dhanna
U/S: 307/341/34 IPC & 25 Arms Act

23.05.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
Electronic mode.
Mr. S.B. Shaily, learned LAC for applicant / accused.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020, Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly, present application is taken up.*

2. As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, interim bail application as per the criteria given by Hon'ble HC in above mentioned minutes, such application is to be moved by Ld. Legal Aid Counsel *alongwith* copy of custody warrant. Perusal of the record reflects that such application is duly accompanied by copy of custody warrant as well as character certificate issued by the concerned Jail Superintendent.

3. **As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, IO / SHO concerned to file reply, including on**

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State v. Dinesh @ Dhanna

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the following aspect apart from any other point which IO wants to raise:-

- (i) Report about Previous **conviction**, if any, of present accused/Applicant
- (ii) Further, (in view of direction by Hon'ble HC) ,a report that present accused is **not involved**, in any other case;
- (iii) Date, since when accused is in JC in present case
- (iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

4. As such, issue notice of present application to the IO/ SHO concerned.

5. Further, in view of directions passed, copy of this order be sent to SHO/IO concerned **through Nodal Officer Insp. Harkesh Gaba mobile No.: 9811889555 (North District)**. The concerned IO/ SHO to file its reply through Nodal officers, preferably in electronic form/email ,as per the directions already issued.

6. **Counsel for accused is advised to collect the order online through electronic mode or otherwise dasti as requested.**

7. **Put up for report, arguments and further appropriate orders on 27.05.2020, preferably through V.C.**

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District

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INTERIM BAIL APPLICATION

**State Vs Karimullah
FIR No. 68/2019
PS.: Kamla Market
U/s: 328/379/411 IPC**

23.05.2020

**Present: Mr. Manoj Garg, Learned Addl. PP for State
through electronic mode.
Mr. S.B. Shaily, learned LAC for applicant.**

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*
2. Arguments heard.
3. It is stated by counsel that offence in question is u/s 328, 379, 411 r/w section 34 IPC and he may be released on interim bail.
4. On the other hand, interim bail application is opposed. Further reply has been filed by the IO. It is stated that offence is heinous in nature and he is involved in other cases also.
5. In view of the directions by Hon'ble High Court, dated 07/04/2020, case of the accused is covered under such directions as maximum punishment is 10 years. Further, accused is in JC since 19/04/2019 i.e. more than one year at present. As such, in view of the directions by Hon'ble High Court. Applicant is admitted

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State Vs Karimullah
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PS.: Kamla Market

to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.** The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

6. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above. With these directions, the present application stands disposed of.*

7. Application stands disposed off accordingly.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District
23.05.2020

BAIL APPLICATION

**FIR No. : 137/2017
PS: Timar Pur
State v Happy Kapoor
U/S: 302 / 201/ 34 IPC**

23.05.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through
Electronic mode.
Mr. S.B. Shaily, learned LAC for applicant / accused
from DLSA.
Ms. Santosh mother of accused Happy Kapoor in
person.

In this case, there are two separate interim bail application of such accused Happy Kapoor. One is filed through Jail Superintendent Concerned Jail No.10, dated 02/05/2020 through DLSA.

Second such application is dated 19/05/2020 filed by private counsel Mr. Ramesh Kumar.

Today, it is submitted by Ms. Santosh that she got engaged such private counsel. But now, she does not have means to engage such private counsel any more. As such, it is stated that legal aid counsel be appointed to pursue further the interim bail application.

Heard.

As such, the application filed through legal aid be proceeded further on merit and the present application filed through private counsel be tagged therewith. As a result, now onwards the application will be proceeded further through, learned counsel from DLSA.

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law, which
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1. Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020 ,Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly , present application is taken up.

2. As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, interim bail application as per the criteria given by Hon'ble HC in above mentioned minutes , such application is to be moved by Ld. Legal Aid Counsel *alongwith* copy of custody warrant.

3. Some report dated 18/05/2020 is filed by IO Virender Kumar. As per such, reply he need copy of medical documents for filing proper reply. As such, copy of medical documents be supplied to IO / SHO.

4. Further, **as per minutes of meeting dated 18.05.2020 of Hon'ble High Court**, IO / SHO concerned to file reply, including on the following aspect apart from any other point which IO wants to raise:-

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC) ,a report that present accused is **not involved**, in any other case;

(iii) Date, since when accused is in JC in present case

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(iv) What are all the Offences under IPC or other law, which are alleged against present accused in present case .

5. Further (in view of direction by Hon'ble HC), Jail Superintendent concerned to file:

- (i) Copy of custody warrant of present accused;
- (ii) A certificate regarding good conduct, if any, of the accused during his custody period so far.

6. As such, issue notice of present application to the IO/ SHO as well as to Jail Superintendent concerned.

7. Further, in view of directions passed, copy of this order be sent to SHO/IO concerned through Nodal Officer Insp. Harkesh Gaba mobile No.: 9811889555 (North District). The concerned IO/ SHO to file its reply through Nodal officers, preferably in electronic form/email ,as per the directions already issued.

8. Counsel for accused is advised to collect the order online through electronic mode or otherwise dasti as requested.

9. Put up for report, arguments and further appropriate orders on 27.05.2020, preferably through V.C.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District
23.05.2020

BAIL APPLICATION

FIR No. : 89/2020

PS: Timar Pur

State v. Sahil Sharma

U/S: 186/332/353/188/269/270/34 IPC & Section 3 PDPP Act

23.05.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through Electronic mode.
Mr. Rohit Kalra, learned counsel through electronic mode.

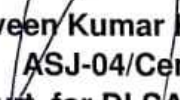
1. Submissions heard through electronic mode.
2. Order dated 16/05/2020, 20/05/2020, 21/05/2020 and 22/05/2020 passed regarding present bail application perused.
3. Now it is clarified that vide original order dated 16/05/2020, accused was granted regular bail subject to furnishing personal bond and surety bond in the sum of Rs.10,000/-. But it appears that vide further order passed by Mr. Anuj Aggarwal, learned ASJ-03 (Central), Delhi, such condition was modified and accused was directed to furnish personal bond in the sum of Rs. 10,000/- before concerned Jail Superintendent.
4. It is submitted by the learned counsel for the applicant / accused that accordingly such personal bond is submitted and in fact accused is already released from the Jail by the Jail Superintendent on 21/05/2020.
5. But in totality of the circumstances and as also consented by the learned counsel for the accused, in view of the clarification sought by the concerned Jail Superintendent, it is now

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clarified that in addition to such personal bond furnished before the Jail Superintendent, accused is hereby also directed **to furnish surety bond within 10 days from today before Duty Magistrate concerned**. It is further clarified that in case, he fails to furnish such surety bond within 10 days, he is directed to surrender back to the concerned Jail Superintendent on expiry of surety bond.

6. Learned Counsel for accused is advised to collect the order online through electronic mode. Further copy of this order be sent to concerned Jail Superintendent.

7. Put up for compliance / further appropriate order on 04/06/2020 before bail duty roaster Sessions Court, or regular court, as the case may be.


(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters
Central District
23.05.2020