

FIR No. 19/14
PS: DBG Road
U/s: 498-A/304-B/306/34 IPC
Vijay Vs. State

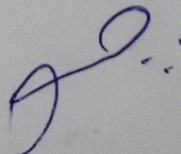
14.07.2020

Fresh application for extension of interim bail received by way of assignment. It be checked and registered.

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused Vijay.

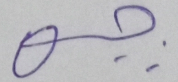
1. This is an application for extension of interim bail moved on behalf of applicant/accused Vijay. File of the case is pending in the court of undersigned and is at the stage of final arguments.
2. Arguments heard.
3. Alongwith the present application, the order dated 12.06.2020, passed by Ld. ASJ is annexed whereby the applicant was granted interim bail for a period of 30 days which is going to expire today itself.
4. Ld. Counsel for applicant submits that applicant was granted bail vide order dated 12.06.2020, passed by Ld. ASJ in view of the directions issued by the Hon'ble Apex Court in "W. P (C) No. 01/2020" and further directions issued by Hon'ble Delhi High Court in "Shobha Gupta & Ors Vs. Union of India & Ors". He submits that now the bail of the applicant be extended in view of the Minutes dated 20.06.2020 of HPC whereby the accused persons (husband of the deceased) facing trial for the offence u/s 498-A304-B IPC and are in JC for two years, have been recommended to be released on interim bail.



FIR No. 19/14
PS: DBG Road
U/s: 498-A/304-B/306/34 IPC
Vijay Vs. State

5. The applicant is stated to be in JC since 2014. He has already been granted interim bail vide order dated 12.06.2020, passed by Ld. ASJ. Considering the Minutes dated 20.06.2020, interim bail of the applicant is extended for further period of 45 days on the same terms and conditions as mentioned in the order dated 12.06.2020 of Ld. ASJ.

The application is disposed off accordingly.



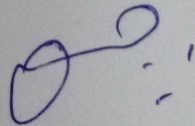
(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 192/20
PS: Karol Bagh
U/s: 379/356/34 IPC
Vaishali Vs. State
14.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Sunil Kumar, Ld. Legal Aid Counsel for applicant/accused
Vaishali.

1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Vaishali, seeking interim bail, routed through DLSA. Reply filed by the IO. Copy supplied. Applicant is stated to be in JC since 18.06.2020.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case. He submits that applicant has one minor daughter aged about 6 years to lookafter and there is nobody in the family of the applicant to take care of her daughter since husband of the applicant is also in JC in some other case. Ld. Counsel further submits that investigation qua applicant is complete, therefore, no purpose shall be served by keeping her behind bar.
3. Ld. APP strongly oppose the bail application as he submits that applicant is a habitual offender as she is involved in other 3 criminal cases of similar nature and there are all chances that if she is granted bail, she may repeat the offence. He also submits that mobile phone of the applicant was recovered from the possession of the applicant.
4. I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant. Applicant has a minor daughter to lookafter, her husband is also

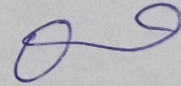


FIR No. 192/20
PS: Karol Bagh
U/s: 379/356/34 IPC
Vaishali Vs. State

going on in JC in some other case. In view of all the facts and circumstances, the applicant is admitted on interim bail for 45 days, from the date of her release, subject to the following conditions:-

- (i) *Furnishing of personal bond to the tune of Rs. 10,000/- and surety bond of like amount to the satisfaction of concerned Ld. MM/Duty MM;*
- (ii) *Applicant will not leave Delhi without permission of the court;*
- (iii) *Applicant will not influence the witnesses;*
- (iv) *Applicant will surrender before the concerned jail superintendent immediately after expiry of period of interim bail;*

The application is disposed off accordingly.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 297/18
PS: Prasad Nagar
U/s: 304/34 IPC
Neeraj @ Nonu Vs. State

14.07.2020

Fresh application for extension of interim bail received by way of assignment. It be checked and registered.

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Mahesh Yadav, Ld. Counsel for applicant/accused Neeraj @
Nonu.

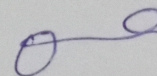
1. The present application has been filed by the applicant Neeraj @ Nonu for extension of interim bail. Reply filed by the IO. Copy supplied.
2. Arguments heard.
3. Perusal of the record shows that vide order dated 28.04.2020, applicant was admitted on interim bail for 30 days. Thereafter, vide order dated 30.05.2020, the interim bail of the applicant was extended for further period of 45 days on the same terms and conditions as mentioned in the order dated 28.04.2020. All the relevant orders are annexed with the present application.
4. Ld. Counsel submits that the interim bail of the applicant is going to expire today itself. He submits that in the Criteria/minutes dated 18.05.2020, the HPC has recommended to release the accused persons on interim bail who are booked for the offence u/s 304 IPC and are in JC for one year or more. He submits that applicant is in JC since 03.11.2018, hence, considering the Minutes dated 18.05.2020 of HPC, the interim bail of the applicant be extended.

FIR No. 297/18
PS: Prasad Nagar
U/s: 304/34 IPC
Neeraj @ Nonu Vs. State

5. After going through the material on record and keeping in mind the Minutes dated 18.05.2020 of HPC, the interim bail of the applicant is extended for further period of 45 days on the same terms and conditions as mentioned in the earlier bail order.

The application is disposed off accordingly.

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



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 436/18
PS: Karol Bagh
U/s: 395/397/120-B/34 IPC
Ajab Singh Vs. State

14.07.2020

Matter taken up today through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Prateek Kohli, Ld. Counsel for applicant/accused Ajab Singh.

1. This is first application u/s 439 Cr.PC moved on behalf of applicant/accused Ajab Singh, seeking regular bail. Reply filed by the IO. Copy supplied. Applicant is stated to be in JC since 17.11.2018.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated in the present case and is in JC since 17.11.2018. Chargesheet has been filed in the court of Ld. MM but not committed yet and now in view of pandemic situation, the matter is further going to take unpredictable time in its further progress. He also submits that co-accused Sunil Gaur has already been granted interim bail for 4 months by the Hon'ble High Court vide order dated 28.05.2020, who has been attributed the same role in the alleged crime as assigned to the applicant. He submits that nothing was recovered from the applicant and he was arrested only on the disclosure statement of co-accused persons and disclosure of the accused recorded in another FIRs against the applicant.
3. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He is a habitual offender involved in one more case of similar nature that he alongwith co-accused persons rob the victims at gun point. He submits that as per the chargesheet, he was actively involved in the crime as he entered inside the shop of the complainant and showed him the gun. He also submits that he has refused to participate in TIP proceedings which itself is sufficient at this stage to link him with the offence. Ld. APP submits that co-accused ^{Sunil} ~~Sushil~~ was

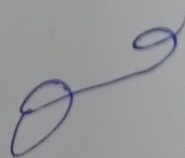
FIR No. 436/18
PS: Karol Bagh
Ajab Singh Vs. State

granted bail by the Hon'ble High Court considering the Criteria dated 18.05.2020 of Hon'ble HPC by observing that if the accused persons who are booked for the offence u/s 302 IPC are covered in the said Criteria then the offence for which the applicant is booked is lesser offence, he further argued that now the HPC in its Minutes dated 20.06.2020, has clarified that the offence of decoity for which the applicant is booked in this FIR, has been deliberately omitted by the HPC in the Minutes dated 18.05.2020. He argues that, therefore, the ground of parity is not available to the applicant.

4. I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The order dated 28.05.2020, passed by Hon'ble Delhi High Court whereby co-accused Sushil was granted bail, has been gone through by this court on the official website of Delhi High Court. The said order shows that co-accused Sushil was granted interim bail by the Hon'ble High Court not only in view of the Criteria dated 18.05.2020 of HPC but also considering his period of custody and illness of his mother.

5. The applicant is in JC since 17.11.2018. The chargesheet has been filed in the court of Ld. MM, though, not committed yet and due to pandemic situation, the matter is going to take time in its further progress and keeping in mind that co-accused Sunil Gaur, who has already been assigned the same role in the alleged crime as assigned to the applicant, has already been admitted on interim bail by the Hon'ble High Court, the applicant is admitted on interim bail for 2 months, from the date of release, on the ground of parity subject to the following conditions:-

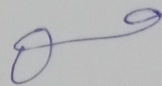
- (i) *Furnishing of personal bond to the tune of Rs. 25,000/- and local surety bond of like amount to the satisfaction of concerned Ld. MM/Duty MM;*
- (ii) *Applicant will not leave the country without permission of the court;*
- (iii) *Applicant will not influence the witnesses;*



*FIR No. 436/18
PS: Karol Bagh
Ajab Singh Vs. State*

- (iv) Applicant will surrender before the concerned jail superintendent immediately after expiry of period of interim bail;*
- (v) Applicant will appear in the trial court on each and every date.*

The application is disposed off accordingly.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

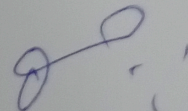
FIR No.0105/19
PS: Darya Ganj
U/s: 354/308/323/509/34 IPC
Suresh Kumar Vs. State

14.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. G. K. Kaushik, Ld. Counsel for applicant/accused Suresh
Kumar.

1. This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Suresh Kumar, seeking regular bail. Reply filed by the IO. Copy supplied. Applicant is stated to be in JC since 25.06.2020.
2. Ld. Counsel for applicant submits that applicant has been falsely implicated by the complainant in the present FIR since the complainant's family (her husband and jaith) wants to grab the tea stall of the applicant which is the only source of income of the applicant. Regarding the said tea stall, applicant has also filed one civil suit against the complainant's jaith namely Mahender Thakur for permanent injunction, the said suit is stated to be pending in the court of Ld. Civil Judge. It is argued that the present FIR is a counter blast to the FIR No. 104/2019, u/s 354/354-B/323/341/452/34 IPC, got registered by the niece namely Reena of the applicant against the complainant and her family members, on the same alleged incident. He submits that investigation qua the applicant is complete, therefore, no purpose shall be served by keeping him behind bar. He also submits that all accused persons of this FIR are either on regular bail or on interim protection by the court and accused persons of FIR No. 104/19 are also on bail.
3. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant/accused, therefore, he be not admitted on bail.



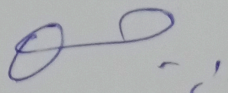
FIR No.0105/19
PS: Darya Ganj
U/s: 354/308/323/509/34 IPC
Suresh Kumar Vs. State

4. I have considered the arguments advanced by Ld. APP and Ld. Counsel for applicant. Both the families i.e. complainant's and applicant's families, are neighbours. The parties are at dispute over tea stall, regarding which the civil litigation is reported to be going on between them. All the accused persons of this FIR as well as of cross FIR No. 104/19, u/s u/s 354/354-B/323/341/452/34 IPC, are either on regular bail or on interim protection by the court.

Keeping in view all the facts and circumstances, the applicant is admitted on bail subject to the following terms and conditions:-

- (i) *Furnishing of personal bond to the tune of Rs. 15,000/- and surety bond of like amount to the satisfaction of concerned Ld. MM/Duty MM;*
- (ii) *Applicant will not leave Delhi without permission of the court;*
- (iii) *Applicant will not influence the witnesses;*
- (iv) *Applicant will join the investigation as and when required by the IO;*
- (v) *Applicant will provide his mobile number to the IO within two days from his release and mark his presence to the IO through Video or Audio mode on every Monday between 10:00 AM to 06:00 PM, till filing of the chargesheet.*

The application is disposed off accordingly.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 84/14
PS: Darya Ganj
U/s: 302/307/34 IPC
Ashraf Vs. State

14.07.2020

Fresh application for early hearing on interim bail received by way of assignment. It be checked and registered.

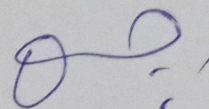
Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Mohd. Aslam Qureshi, Ld. Counsel for applicant/accused Ashraf.

This is an application moved on behalf of applicant Ashraf for early hearing on the interim bail application.

At this stage, counsel for applicant, through Video Conferencing, submits that he does not want to press the present application, hence, same be dismissed as withdrawn.

In view of the statement of counsel for applicant, the present application is dismissed as withdrawn.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 256/19
PS: Lahori Gate
U/s: 406/420 IPC
Tarun Kumar & Ors. Vs. State

14.07.2020

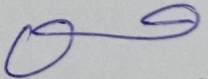
Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused.

Reply filed by the IO.

Request for adjournment received on behalf of counsel for applicant on the official website of this court i.e. readerasj02central@gmail.com.

At request on behalf of counsel for applicant, put up for arguments on the bail application, on 18.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 06/19
PS: Prasad Nagar
U/s: 356/379/411/34 IPC
Rohit Vs. State

14.07.2020

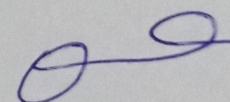
Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Ld. Counsel for applicant/accused Rohit S/o Banwari Lal.

Reply filed by the IO. Copy supplied.

IO is directed to file the report regarding address verification of the applicant, on next date.

Put up on 17.07.2020.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020

FIR No. 153/17

PS: ODRS

U/s: 363/363-A/368/34 IPC

Malwati Vs. State

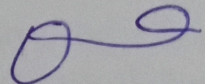
14.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Sunil Kumar, Ld. Legal Aid Counsel for applicant/accused
Malwati.

Chargesheet be summoned from the concerned court of Ld. MM
for next date.

Put up for arguments on the bail application, on 18.07.2020.



(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-14.07.2020