

B. A. No. 1229  
FIR No. 178/2020  
PS: Lahori Gate  
State Vs. Mohd. Shoaib etc.  
U/s 498A/406/34 IPC

22.09.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Shahid Ahmed Khan, Counsel for applicants (through  
video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 438 CrPC for grant of  
anticipatory bail moved on behalf of petitioners Shoaib Khan and Naaz Parveen  
in case FIR No. 178/2020.

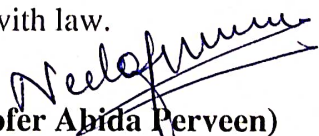
Ld. Counsel for petitioners submits that the applicants are the  
father-in-law and mother-in-law of the complainant respectively and that no  
notice under Section 41-A CrPC has been served upon them by the police,  
however, the police is threatening telephonically asking them to come to the  
police station. That there are no specific allegations against the petitioners. That  
the husband of the complainant, the son of the petitioners has already joined the  
investigation and only notice under Section 41-A CrPC has been served upon  
him and the investigating officer has not sought the arrest of the husband of the  
complainant. That the father of the petitioner no. 1 is in a very critical condition  
health wise and the petitioner no. 1 is presently in Bihar attending to his severely  
ill father. That the petitioners are ready and willing to join the investigation,  
however due to the prevailing covid situation some time is

*Naaz Parveen*

required by petitioner no. 1 to travel from Bihar to enable both the petitioners jointly to join the investigation.

Ld. Addl. PP submits that the reconciliation efforts at the CAW Cell are underway and the husband of the complainant has joined the investigation and at this stage even the arrest of the husband of the complainant is not required by the IO and only a notice under Section 41-A CrPC to join investigation was served upon the husband of the complainant. So far as the petitioners are concerned at present certain inquiries were to be made and for the purpose notice under Section 160 CrPC was served upon the petitioners and as the petitioner no. 1 is not in Delhi taking into consideration the covid situation and also taking into consideration from the proceedings so far there has not been found reasonable grounds for arrest of the husband of the complainant, it is submitted that as and when there would be a requirement for the petitioners to join the investigation, notice under Section 41-A CrPC as per law shall be issued before any coercive steps are contemplated against them as per law.

In such facts and circumstances as from the proceedings conducted till date the investigating agency has not found a reasonable ground for arrest of husband of the complainant upon whom notice under Section 41-A CrPC has been served for joining of investigation, the present petition is disposed of at this stage on the submissions of the Ld. Addl. PP that the IO shall serve notice under Section 41-A CrPC upon the petitioners in future if there arises the requirement to join them in the investigation in accordance with law.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
22.09.2020

**FIR No. 394/2020**  
**PS: Karol Bagh**  
**Nitin Aggarwal v. State**

22.09.2020

Application received by way of transfer vide order dated 22.09.2020 of Dr. Kamini Lau, Ld. Presiding Officer (MACT)-01, Central, Tis Hazari Courts, Delhi.

Present: Sh. K.P.Singh, Addl. PP for State.

Sh. Vijay Kumar Gupta, Counsel for applicant (through video conferencing)

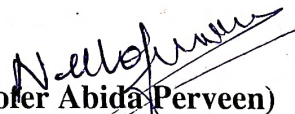
Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of bail moved on behalf of applicant Nitin Aggarwal in case FIR No 394/2020.

Heard.

Reply of IO is not filed. Ld. Addl. PP seeks some time. Let the reply be filed by the IO on or before the next date of hearing.

For report and consideration, put up on **25.09.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
**22.09.2020**

B. A. No. 1280/2020  
FIR No. 193/2019  
PS Prasad Nagar  
State v. Amit @ Akash  
U/s 302/323/34 IPC and 25/27/54/59 of Arms Act

22.09.2020

Present: Sh. K. P. Singh, Addl. PP for State.  
Sh. Mohit Chaddha, counsel for accused-applicant  
(through video conferencing)

Hearing is conducted through video conferencing.

This is an application for extension of interim bail on behalf of accused Amit @ Akash in case FIR No. 193/2019.

Arguments heard.

It emerges that the accused-applicant was granted 15 days interim bail vide order dated 05.09.2020 for the surgery of his wife. Extension of the interim bail is being sought on the ground that the wife of the accused-applicant was taken to the hospital for the purpose of surgery, however, the surgery came to be postponed first due to the reason that she was suffering from fever and subsequently was advised to undergo test for covid-19 and thereafter, finally surgery came to be performed on 19.09.2020 and the doctor concerned advised two weeks of <sup>no</sup> rest in the least alongwith physiotherapy and there is no other male member in the family and the presence of the accused-applicant being husband is

*Nalokumar*

necessary in such facts and circumstances.

The matter was heard through video conferencing. The Webex meeting was also joined by Sh. Shubham, Advocate for the complainant. Ld. Counsel for the complainant raised a grievance that this period of interim bail has been misused by the accused-applicant by initiating criminal proceedings in respect of the same incident against the complainant party and that in fact wife of the accused-applicant was present before the ACP on 17.09.2020 whereas the accused-applicant had availed <sup>interim bail</sup> for surgery of his wife. That the malafide <sup>or</sup> intentions of the accused-applicant are therefore clear that he wants to influence the witnesses and subvert the process.

This contention was rebutted by the Ld. Counsel for the accused-applicant submitting that the police officials under pressure had not taken action on the version of the accused-applicant and FIR on their statement was not registered and therefore, recourse had to be had by initiating proceedings under Section 156(3) CrPC before the appropriate Court, which proceedings are pending.

IO has filed report to the effect that the medical record has been verified and that wife of the accused-applicant has been operated <sup>on</sup> <sup>12</sup> on 19.09.2020 for right total knee replacement and was shifted in the ward post surgery. Two of the brothers of the accused-applicant are also in custody in connection with the present case. Though the IO has stated in the report that there are other family members to attend to the wife of

Nandani

**B. A. No.1236**  
**FIR No. 291/2020**  
**PS: Sarai Rohilla**  
**State Vs. Satyam Shivam @ Shivam Kumar**  
**U/s 394/397/34 IPC**

22.09.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

Sh. Anuj Kumar Garg, Counsel for accused-applicant (through video conferencing)

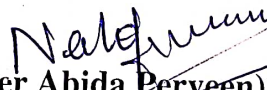
Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail moved on behalf of accused Satyam Shivam @ Shivam in case FIR No. 291/2020 on the ground of illness of the mother of the accused.

Reply on merits filed by the IO.

Let medical record annexed with the application be also got verified alongwith the family status of the accused-applicant.

For report and consideration, put up on **01.10.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
22.09.2020

**B. A. No.957**  
**FIR No. 42/2020**  
**PS: Prasad Nagar**  
**State Vs. Hariya @ Hari Chand**  
**U/s 394/34 IPC**

22.09.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Gajendera Chauhan, Counsel for accused-applicant (through video conferencing)

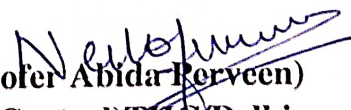
Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail moved on behalf of accused Hariya @ Hari Chand in case FIR No. 42/2020.

Heard.

It emerges that by the order dated 14.09.2020, Jail Superintendent was directed to get conducted ultra sound of the relevant part of the body of the accused-applicant taking into consideration the contention raised by Id. Counsel for the accused-applicant that the applicant is suffering from problem of stone in his kidney. Report in respect of order dated 14.09.2020 has not been received. As per directions contained in order dated 14.09.2020 fresh health status report be filed by the Jail Superintendent concerned in respect of the accused-applicant.

For report and consideration, put up on **30.09.2020**.

  
(Neelofar Abida Berveen)  
ASJ (Central) PHC/Delhi  
22.09.2020

**B. A. No.1018**  
**FIR No. 210/2020**  
**PS: Sarai Rohilla**  
**State Vs. Mohd. Fardeen**  
**U/s 186/353/307/147/148/149/379/34 IPC**

22.09.2020

Present: Sh. K.P.Singh, Addl. PP for State.  
Sh. Suraj Prakash, Counsel for accused-applicant (through video conferencing)  
Hearing conducted through Video Conferencing.

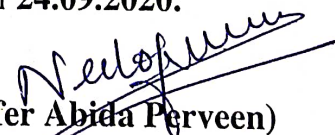
This is an application under Section 438 CrPC for grant of anticipatory bail moved on behalf of accused Mohd. Fardeen in case FIR No. 210/2020.

Arguments are heard in part.

Report is also received in pursuance to the previous order dated 15.09.2020 in respect of the birth certificate annexed by applicant. It has ~~been~~<sup>ng</sup> verified ~~that~~<sup>ng</sup> the Sub-Registrar (Birth and Death), Civil Lines, South Delhi Municipal Corporation has certified that entry pertaining to the accused-applicant does not exist in the municipal record of the Civil Lines Zone.

Copy of the report is ordered to be forwarded to the ~~the~~<sup>ld.</sup> Counsel for accused-applicant. Ld. Counsel submits that he seeks an adjournment in order to go through the report and to make further submissions.

For further consideration, put up on **24.09.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
22.09.2020



**FIR No. 122/2020**  
**PS: Crime Branch**  
**State Vs. Nizam**  
**U/s 21 NDPS Act**

22.09.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.


None for accused-applicant

Hearing conducted through Video Conferencing.

This is an application for surrender on behalf of accused Nizam in case FIR No. 122/2020.

Ld. Addl. PP has filed documents received from the IO. Ld. Addl. PP submits that the application <sup>has</sup> ~~is~~ now been <sup>re</sup> ~~is~~ rendered infructuous as the applicant has been arrested by the police on 18.09.2020 and three days police custody remand has been granted on the application of the IO by Ld. Duty MM and the record is filed.

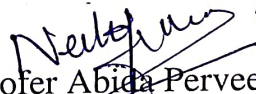
In such circumstances, the present application is dismissed as infructuous.

  
(Neelofar Abida Perveen)  
Special Judge-02 (NDPS Act)  
(Central)THC/Delhi  
22.09.2020

FIR No. 212/2017  
PS: Lahori Gate  
State Vs. Farsa Ram  
U/s 395/397/412/34 IPC

22.09.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State.  
Sh. Sachin Jain, Ld. Legal Aid Counsel for accused-applicant  
(through video conferencing)  
Hearing conducted through Video Conferencing.  
This is an application under Section 439 CrPC for grant of regular  
bail moved on behalf of accused Farsa Ram in case FIR No. 212/2017.  
Arguments heard.  
For orders, put up on **25.09.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
22.09.2020

**FIR No. 327/2019**  
**PS: Crime Branch**  
**State Vs. Mohar Singh**  
**U/s 21/29 NDPS Act**

22.09.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State.

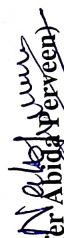
Sh. Vinod Kumar Verma, counsel for accused-applicant (through video conferencing).

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of interim bail of 15 days on behalf of accused-applicant Mohar Singh on the ground of his illness.

Reply of the IO is received. It emerges that present application for interim bail is on the ground of illness of accused-applicant. Let report be called for from Jail Superintendent concerned in respect of the medical health condition of the accused-applicant after examination and consultation with SR Surgery as to whether any immediate surgery is required to be performed in order to remove stone in gall bladder as is complained by the accused-applicant. Report be filed on or before the next date of hearing.

For report and consideration, put up on **03.10.2020**.

  
(Neelofar Abida Perveen)  
Special Judge-02 (NDPS Act)  
(Central)THC/Delhi  
22.09.2020