

B. A. No. 1971
FIR No. 455/2020
PS: Burari
State Vs. Praveen Kumar Bala
U/s 363 IPC

07.11.2020

Fresh application received. Be registered.

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

Sh. Ajay Goyal, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused Praveen Kumar Bala in case FIR No.455/2020.

Ld. counsel for accused-applicant submits that previously one application for grant of anticipatory bail was filed on behalf of accused-applicant and at that stage accused was not aware whether any FIR has been registered against him though he had strong apprehension of unlawful arrest and false implication at the behest of the father of the minor 'D' as the minor 'D' of her volition had approached him fearing for her life and safety from her father who wants to marry her off against her wishes with some elderly person and at that stage application of the accused-applicant was dismissed in the wake of the submissions of the Ld. APP on the basis of the reply of the IO that till date no FIR is registered nor any criminal proceedings initiated against the accused-applicant at PS Burari, however subsequently it has now come to the knowledge of the accused-applicant that one FIR No. 455/2020 has been registered against

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him in respect of the kidnapping of the minor 'D' at the instance of her mother on 07.10.2020 itself, much prior to the date of disposal of the previous anticipatory bail application.

IO to file explanation, as to under what circumstances reply dated 20.10.2020 is filed concealing the material fact pertaining to the registration of the FIR against the accused-applicant in the Court on 23.10.2020, on the next date of hearing.

The minor 'D' aged about 17 ½ years has also joined the proceedings through video conferencing. Minor 'D' submits that her date of birth is 16.03.2003. Minor 'D' submits that she ran away from her home of her own volition as her father used to beat her and wants to get her married to an elderly person against her wishes. Minor 'D' does not wish to return to her parental house as she fears for her life.


Let the minor 'D' be produced before the IO at 2 pm and her statement be recorded in the present case FIR. Thereafter, she be returned to the custody of her parents if she is so desirous otherwise she be produced before the CWC as per law and in the meantime she be sent to Nari Niketan for her safe custody till further orders from CWC concerned in this regard.

In such circumstances, particularly taking strong exception to the concealment of facts made by the IO in the previous reply, interim protection is granted to the accused-applicant till the next date of hearing, however with the direction to join investigation in connection with present case on 07.11.2020 at 2pm i.e. today itself, 10.11.2020, 12.11.2020 &

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17.11.2020 and as and when called upon to do so by the IO.

For report and consideration, put up on 19.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 302/2018
PS: Pahar Ganj
State Vs. Dharam Singh @ Vicky
U/s 302 IPC

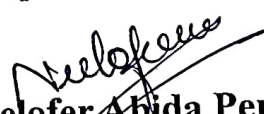
07.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Yogesh Soni, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application seeking grant of interim bail of 30 days on behalf of accused-applicant Dharam Singh @ Vicky in case FIR No. 302/2018 on the ground of his illness.

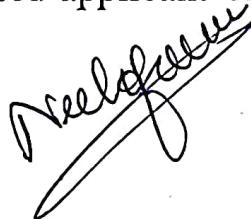
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At pm
ORDER

This is an application seeking grant of interim bail of 30 days on behalf of accused-applicant Dharam Singh @ Vicky in case FIR No. 302/2018 on the ground of his illness.

Ld. counsel for the accused-applicant submits that the accused-applicant is suffering from serious piles and has not been receiving proper treatment in jail for his ailments. That interim bail is being sought so that accused-applicant can get himself treated from any



private hospital of his choice.

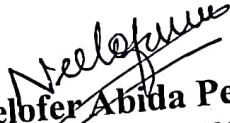
Heard.

Report was called from the Superintendent Jail in respect of the medical health condition of the accused-applicant. As per report received, On 20.08.2019, 16.09.2019, 07.11.2019, 17.11.2019, 17.02.2020, 19.05.2020 and 23.09.2020, the accused-applicant visited jail dispensary with complaints of fever, cough, headache and constipation. He was reviewed by doctor on duty and was provided necessary treatment. On 27.10.2020, the inmate came to jail dispensary with complaints of retrosternal chest pain, constipation and pain and bleeding per rectum during defecation. He was reviewed by Senior Resident Medicine and was provided treatment accordingly. On 02.11.2020, the inmate was reviewed by Medical Officer wherein he gave complaints of constipation and pain and bleeding per rectum during defecation. He was provided symptomatic treatment and was advised to take high fibre diet and sitz bath.

The accused-applicant it emerges is suffering from bleeding piles however adequate treatment, prescribed medicines for the condition are being provided to him in custody. It is not found in the report that the Senior resident medicine while reviewing the health condition had advised any manner of surgical intervention for the same. No ground therefore is made out for grant of interim bail on the diagnosis as proper treatment is being provided. The present application is therefore dismissed however with the directions to the Jail Superintendent concerned that as per medical advice special high fibre diet is made available to the accused-applicant in

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custody for amelioration of the health condition of the accused-applicant.
The application stands disposed accordingly.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

FIR No.39/2019
PS: Crime Branch
State Vs. Nihaluddin

07.11.2020

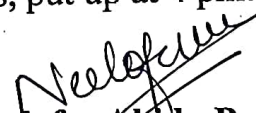
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. S.Chakroborty, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Nihaluddin in case FIR No. 39/2019.

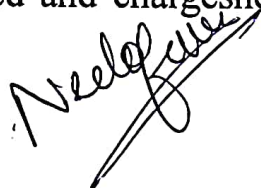
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Nihaluddin in case FIR No. 39/2019.

Ld. counsel for the accused-applicant has contended that wife of the accused-applicant is suffering from FNA from back side swelling suggestive of sebaceous cyst and has been advised surgery. That investigation is completed and chargesheet has already been filed. That



accused-applicant belongs to poor strata of society and has clean antecedents.


Ld. Addl. PP for State submitted that present case pertains to recovery of 300 grams of heroin. That medical documents pertaining to the wife of the accused now stand verified. The wife of the accused-applicant is to be operated upon on 18.11.2020 for a cyst along the backbone area and that family status has also been verified and family of accused-applicant consists of his wife and three minor children who are living in a rented accommodation in Delhi.

Heard.

The case pertains to recovery of 300gms of Heroin in pursuance to a secret information. It has been verified that the wife of the accused-applicant is to be operated upon on 18.11.2020 for a sebaceous cyst at Safdarjung Hospital. It has also been verified that she is living with her three minor children and it is her neighbour who is taking her to the hospital. Interim bail may be granted to meet cases of exceptional hardships under extraordinary circumstances where the personal presence of the accused would be absolutely indispensable. The surgery as such is not a major surgery or life threatening in any manner however it would require postoperative management and assistance in daily affairs for a few days. Under such circumstances and taking into consideration that the accused-applicant has clean antecedents and the compliance/non compliance of the mandatory procedural safeguards in the present case that pertains to recovery of commercial quantity of contraband on the basis of

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secret information received would be a matter of trial, and as the medical record and family status stands verified, Accused Nihaluddin in case FIR No. 39/2019 is granted five days interim bail for the purposes of surgery of his wife with effect from 17.11.2020 upon his furnishing personal bond with one surety in the sum of Rs. 50,000/- each and subject to the condition that he shall mention the mobile phone number to be used by him in the bond which mobile phone number shall be kept on switched on mode with location activated and shared with the IO at all times, he shall not leave the territorial limits of NCT Delhi without prior permission of the Court, he shall not change the said mobile phone number nor his verified address during this period. He shall surrender after five days in the jail. Application is disposed of accordingly.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 605/2017
PS NDRS
State v. Sunil Bihari
U/s 302/120B/201/34 IPC

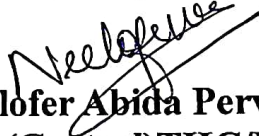
07.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Zia Afroz, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is second application under Section 439 CrPC for grant of interim bail of 45 days moved on behalf of accused-applicant Sunil Bihari in case FIR No. 605/2017.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm
ORDER

This is second application under Section 439 CrPC for grant of interim bail of 45 days moved on behalf of accused-applicant Sunil Bihari in case FIR No. 605/2017.

Ld. counsel for the accused-applicant submits that the accused-applicant is in JC since 08.05.2018. That accused-applicant is innocent and has been falsely implicated in the present case. That mother of the accused-applicant is paralytic patient besides various old age ailments. That he is the sole bread earner for his family and there is no other family member capable of looking after his ailing mother.



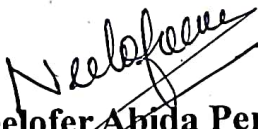
Ld. Addl. PP submits that accused-applicant does not have clean antecedents and has involvement in 15 other criminal cases besides the present one, as per reply of the IO. That accused-applicant is a habitual offender and is permanent resident of Bihar. That medical documents were got verified by the IO. As report of the IO, name of the father of accused on medical documents is mentioned as Nityanand Prasad whereas as per dossier, name of the father of the accused-applicant is Naveen Prasad Sinha and that address is also different in both the documents though the name of the mother of the accused-applicant as the patient receiving treatment is correct. That as per report of the doctor, mother of the accused is suffering from diabetes and kidney disease and is receiving treatment as an OPD patient and no hospitalization or surgery has been advised. That the father and two brothers of the accused-applicant can also take care of the mother. That accused Sunil Bihari was declared proclaimed offender in this case on 14.9.2017.

Heard.

Interim bail is being sought on the ground of illness of mother as the mother of the accused-applicant is stated to be paralytic and requiring medical treatment for the same. The medical record pertaining to the mother as annexed is verified and it is found that the name of the father in the medical record is different from that as found in the dossier, the address of Bihar is also different from as available on the record and as mentioned in the medical documents. Moreover there is no mention in the medical record that the patient is paralytic. The mother of the accused-applicant as per the medical documents is a diabetic and is receiving treatment for the same as well as kidney disease as an OPD patient not IPD, no hospitalization/surgery is advised. Further the accused-applicant is not the only member of the family capable of taking care of

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the mother as the father and two brothers of the accused-applicant are capable enough. The case pertains to murder committed in the most gruesome manner, the accused-applicant is a previous convict and remained a proclaimed offender before his apprehension after one year, there is no such exceptional exigency reflected in the medical record and from the family status duly verified that would warrant the personal presence of the accused-applicant as absolutely necessary and indispensable. No ground is made out to grant interim bail to the accused-applicant under such circumstances. The present application is accordingly dismissed.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

B. A. No. 1789

FIR No. 25/2020

PS: Bara Hindu Rao

State Vs. Salim @ Namir @ Namiruddin

U/s 435/436/506/34 IPC

07.11.2020

Fresh application received. Be registered.


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

Sh. Ayub Ahmed Qureshi, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Salim@ Namir @ Namiruddin in case FIR No.25/2020.

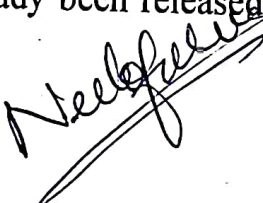
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

**At 4 pm
ORDER**

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Salim @ Namir @ Namiruddin in case FIR No.25/2020.

Ld. counsel for the accused-applicant has contended that the co-accused Salman has already been released on regular bail on 02.11.2020. That



the parity is being sought on the ground that the case of the accused-applicant is on the similar footing as that of co-accused Salman. That accused-applicant is in JC since 10.03.2020. That accused-applicant is not involved in any criminal case previously. That accused-applicant is arrested from his house by the police and has been falsely implicated in the present case. That nothing incriminating has been recovered from the possession of the accused.


Ld. Addl. PP for State submits that accused-applicant is identified by the eye witnesses. That from the statements of the eye witnesses and the photographs of the place of incident it does not appear that any dwelling place has been set on fire or attempted to be set on fire and that it is the vehicles parked on the street that are set on fire. It is submitted that the case of the accused-applicant is on similar footing as that of co-accused Salman.

Heard.

Present case is registered on the statement of complainant Salman that on 09.03.2020 at about 12.30 am he parked his scooty no. DL8SCL9717 under his house in gali, however, in the morning of 09.03.2020 at about 6.30 am, he found his scooty burnt alongwith four other two wheelers. The accused-applicant is not named in the FIR as the person who set the vehicles on fire, and is subsequently apprehended on the statements recorded of eye witnesses who saw him pour petrol on the scooty of the complainant to set it on fire and the other vehicles caught fire as the same were also parked on the street alongwith the scooty of the complainant. The further custody of the accused-applicant is not required for the purposes of investigation, the case of the accused-applicant is on the similar footing as that of co-accused Salman, who has been granted bail. Taking into consideration the nature of the accusations and as it would remain for the Ld. Trial Court to assess if there is any material for the

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commission of offence punishable under section 436 IPC, the only non bailable offence added to the FIR, and as it is the vehicle of the complainant parked in the street alongside his house and not inside his house that is allegedly set on fire by the accused applicant, and also the period of incarceration, and as the co-accused has already been granted regular bail and the case of the accused-applicant is on same footing, the present application is allowed and regular bail is granted to accused Salim @ Namir @ Namiruddin, in case FIR No. 25/2020, upon his furnishing personal bond with one surety in the sum of Rs. 20,000/-, each to the satisfaction of the Ld. Trial Court and subject to the condition that he shall scrupulously appear on each and every date hearing before the Ld. Trial Court and shall not delay, defeat or interfere with the trial in any manner whatsoever, that he shall not threaten intimidate or influence witnesses nor tamper with the evidence in any other manner, that he shall not change his address or mobile phone to be mentioned in the bond without prior intimation to the IO, the surety shall also intimate the IO in the event of change of address or mobile phone number as mentioned in the bond. The application is disposed of accordingly.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

B. A. No. 3145
FIR No. 166/2020
PS: Roop Nagar
State Vs. Arun Kumar
U/s 420/120B IPC

07.11.2020 at 4 pm

ORDER

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Arun Kumar in case FIR No.166/2020.

Ld. counsel for the accused-applicant contended that accused-applicant has been falsely implicated in the present case and is in JC since 22.07.2020 in connection with the present case. That co-accused Jai Prakash and Suresh Bansal have already been granted bail. That the applicant is the owner of M/s Swastik Fashion and the dispute is purely civil in nature pertaining to non payment in the course of a commercial transaction and that in case the cheque issued has been returned unpaid the efficacious remedy is under section 138 NI Act and the present FIR is registered only as an arm twisting device and is an abuse of the process of law. That chargesheet has already been filed. That accused-applicant has clean antecedents and is not previously involved in any other case.

Ld. Addl. PP submits that accused-applicant is the main conspirator in the commission of offence. That accused-applicant had issued the cheque to the complainant under his signature which was dishonoured upon presentation and there after accused-applicant and his associates fled away after shutting down their office. That accused-



applicant does not have clean antecedents and has involvement in other cases criminal cases also besides the present case. That accused-applicant does not have permanent place of abode and has not provided his permanent address to the police and has been apprehended with great difficulty in the present case.

Heard.

Present case FIR was registered on the written complaint of Sh. Shashank Mukim wherein he alleged that he is consignee agent of Damyaa P J. Foods (P) Ltd (Rampur) for Delhi region. That telephonic talks held with the person of M/S Swastik Fashion and he supplied goods of Pickles, Jams, Sauces, etc worth Rs. 96342/- vide his Invoice No.086 dated 20/06/2020. That the other party then issued a Cheque dated 22/06/2020 Cheque No 402110 drawn on Yes Bank Branch through his A/C No. 016663300001657 of Swastik Fashion after presenting the Cheque, it was dishonoured by Bank assigning reason as insufficient Funds. Thereafter he tried to contact the party vide its telephone Nos. 8377824638, 8527157897, both his numbers were found switched off and accused has absconded and is not traceable and has cheated him.

During investigation co-accused Jai Prakash was arrested and part of the case property of ^{no} was recovered from his possession and on interrogation, he disclosed a conspiracy by him with his associates accused-applicant Arun Kumar Omar, Suresh Bansal and Jagat Ram for cheating. During further investigation accused Arun Kumar Omar and co-accused Suresh Bansal were arrested together and alleged Cheque Book of

N. K. Jaiswal

Swastik Fashion was recovered from possession of accused-applicant Arun Kumar Omar and seized. That during interrogation it is revealed that the accused took a shop on rent at G-10 Nidhi Plaza, Gulabi Bagh, Delhi and obtained goods from various dealers and closed the shop and absconded with received material without paying the bills and the accused persons also disclosed that they have committed the same crime with same modus operandi at various places at Delhi and out of Delhi. The goods have now been recovered in the presence of complainant, which have also been identified by the complainant and another witness has identified all the three arrested accused as same persons who received the alleged goods and provided cheque of Rs 96342/-. That accused Arun Kumar Omar is also found involved in case FIR No.199/17, U/s 420 IPC, PS Burari and FIR No 257/20 U/s 420/120B/34 IPC, PS Sarai Rohilla, Delhi. That one of the Mobile Number 8377824638, is registered on the name of Arun Kumar but on enquiry the address was not found related to accused Arun Kumar Omar as accused Arun Kumar Omar deliberately obtained the present number on wrong address for cheating and did not provided his present address.

It is a dishonoured cheque in the amount of Rs. 96342/- issued by the accused-applicant that lies at the base of the present proceedings. The allegations of cheating are raised as the accused-applicant went underground after closing shop thereafter. The goods have since been recovered and as such no further recoveries remain to be effected in the present case. The Co-accused have been granted bail however they are not alleged to have issued the cheque in question. So far

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as the investigation is concerned the custody of the accused-applicant is not claimed for the purposes of investigation however, as the accused-applicant has given false addresses while obtaining mobile phone number, as well as to the complainant, there is a strong apprehension expressed by the investigating agency that he is likely to misuse the concession and abscond. Under such totality of the circumstances taking into consideration the nature of the accusations and as the recoveries stand effected and further custody of the accused-applicant is not required for the purposes of investigation, accused Ajay Verma is granted regular bail in case FIR No. 166/2020 subject to his furnishing personal bond with two sureties in the sum of Rs. 50,000/- each, one being local surety, to the satisfaction of the Ld. Trial Court/ duty MM, after verification of the address mentioned in the bond, and upon the condition, that he shall also mention the mobile phone number to be used by him in the bond which number it shall be ensured by him is kept on switched on mode with location activated and shared with the IO at all times, he shall scrupulously appear on each and every date of hearing before the Ld. Trial Court and shall not in any manner delay, defeat or interfere with the trial, he shall not threaten intimidate influence witnesses, nor tamper with evidence in any manner whatsoever, he shall not change his address or mobile phone number without prior permission of the IO, the sureties shall also intimate the IO in the event of change in address or mobile phone number, the accused-applicant shall get his presence marked with the IO on the 1st and 15th day of every month, he shall not leave the territorial limits of NCR

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Region without prior permission of the Ld. Trial Court. The application is disposed of accordingly.

Neelofer
(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 32/2019
PS: Prasad Nagar
State Vs. Deepanshu
U/s 302/323/341/147/34 IPC

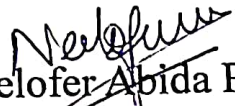
07.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. Brij Ballabh, 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 on behalf of accused-applicant Deepanshu in case FIR No.32/2019.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused-applicant Deepanshu in case FIR No.32/2019.

Ld. counsel for the accused-applicant has contended that the accused-applicant is a young boy of 22 years of age and is in JC since 15.04.2019. That chargesheet has been filed and investigation is complete. That father of accused-applicant is suffering from various old aged ailments. That mother of the accused-applicant is suffering from uterus




ailment and her biopsy has been conducted on 19.10.2020 and has been discharged from hospital, however, father of the accused-applicant alone is not able to take care of his wife due to his own ailments and there is no other member in the family who can take care of the mother of the accused-applicant.

Ld. Addl. PP submits that the mother of the accused-applicant is not hospitalized and has already been discharged from the hospital as per own contention of ld. counsel for accused-applicant. That verification report has been received from the IO and medical documents are found to be genuine. That the father and younger brother of the accused-applicant are capable of taking care of the mother of the accused-applicant.

Heard.

The mother of the accused-applicant has since been discharged from the hospital even otherwise there are other family members capable of taking care of the mother of the accused-applicant. Interim bail is granted only under exceptional circumstances in cases of extraordinary hardship where the personal presence of the accused would be absolutely necessary and indispensable. Such is not the case at hand as there are other family members capable of taking care of the mother, and the mother has since been discharged from the hospital. No ground is therefore made out to grant interim bail to the accused-applicant, and hence, the present application stands dismissed.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 100/2013
PS: Lahori Gate
State Vs. Rishi Gupta
U/s 302 IPC

07.11.2020

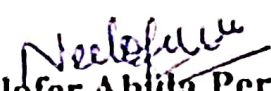
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

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

Hearing is conducted through video conferencing.

This is an application for extension of interim bail moved on behalf of accused Rishi Gupta in case FIR No.100/2013.

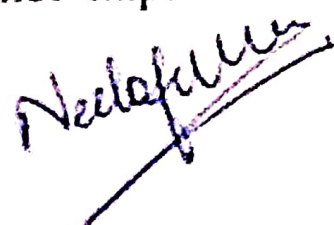
Arguments heard. For orders, put up 4 pm.


(Neelofar Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm
ORDER

This is an application for extension of interim bail moved on behalf of accused Rishi Gupta in case FIR No.100/2013.

Ld. counsel for the accused-applicant contended that accused-applicant has been falsely implicated in the present case. That accused-applicant was granted interim bail for 15 days vide order dated 11.09.2020 on the ground of illness of his mother. That now accused-applicant has also been tested positive for covid-19. That medical health condition of the accused-applicant has not improved and still accused-applicant is



suffering with symptoms of covid-19. That on 25.10.2020, as directed by doctor, accused got himself tested for covid-19 and again his report was found positive for the same.

Ld. Addl. PP on the other argued that as per verification report of the medical record of the accused-applicant filed by the IO, the report dated 23.10.2020 is found to be fake and does not pertain to accused and the same fact has been verified by the IO from Dr. Lal Path Lab. That accused-applicant is using unlawful ways to get extension of his interim bail on the basis of forged documents.

Heard.

Verification report was called from the IO in respect of the medical documents of the accused-applicant. IO has filed report that that the applicant Rishi Gupta vide application dated 26/10/2020 has sought extension of interim bail citing therein ground that he is a covid-19 positive. In support of his contention, accused filed a copy of the casualty card No. MRN00258554, dated 24/10/2020 of the Safdarjung Hospital, New Delhi whereby, the applicant has shown to have visited the hospital, got himself examined by the Senior Resident of the casualty and received prescription and a lab test report of Dr. Lal Pathlabs showing the applicant a covid-19 positive. This lab report carries the following details :-

1. Name- Rishi Gupta
2. Lab No. 282340900
3. SRF ID - 0606600044727
4. Age 32 years, male

Naraj Kumar

5. Collected- 25/10/2020 at 7.58 AM

6. Received -25/10/2020 at 10.27 AM

7. Reported-25/10/2020 at 3.47 PM 8. Result- Sars-cov-2- Positive.

That with a view to verify the genuineness of the above mentioned 02 documents the undersigned cross checked the facts with the authorities concerned. During the verification Dr. Surender Kumar, Nodal Officer, Department of accidental and emergency services, Safdarjung Hospital, New Delhi stated that one patient namely Rishi Gupta was registered at MRN-258554 on 24/10/2020 at 4.18PM but doctor Mohit Gupta who was on duty, as SR Medicine at the Department of accidental and emergency services from 2 PM to 8 Pm on 24/10/2020, refused to have examined the applicant. Dr. Mohit Gupta also denied that the hand writing and signature present on the MRN-258554 dated 24/10/2020, which has been enclosed by the applicant, do not belong to him. Prescription Slip submitted by the applicant has been made by someone other than an authorized person doctor. As regards the lab report of Dr. Lal pathlabs, the verification to this effect shows the following details against the unique lab id ie 282340900:

1. Name- Sachin Mittal

2.Lab No. 282340900

3.SRF ID - 0606600044727

4.Age 39 years, male

5.Collected- 22/10/2020 at 7.58 AM

6.Received -22/10/2020 at 10.27 AM

7.Reported-23/10/2020 at 3.47 PM

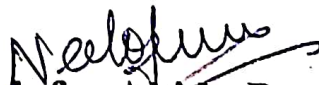
Nalini

8.Result- Sars-cov-2- Positive.

From the above verified details it is manifest that the Lab report with the Lab No. 282340900 of Dr. Lal pathlabs belongs to one Sachin Mittal Of Panipat who gave his sample on 22/10/2020 in KAITHAL (HARYANA) but in the report submitted by the applicant name, age and dates have been manipulated by way of forgery.

The accused-applicant has yet again filed another prescription slip/OPD Card submitting that for the last few days now again he has started running fever and is advised to take the test yet again and has infact taken the test and the report is to be received by the evening today itself.

In such totality of the facts and circumstances as have been unearthed in the report of the IO, and taking into consideration the prevailing situation arising out of Covid -19 as the accused-applicant earlier had tested positive for Covid -19, and as per the latest prescription slip is again shown to be running fever, and under such circumstances it may not expose the other inmates to the infection in prison, at this stage the interim bail is being extended till the next date of hearing with the directions that the accused-applicant shall handover the original test report and prescription slip/OPD Card of Safdurjang Hospital to the IO on 9.11.2020, which shall be verified by the IO within two days. For report and consideration put up on 11.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

B. A. No. 1797
FIR No. 280/2020
PS: Wazirabad
State Vs. Rajesh @ Raju
U/s 392/397/411 IPC

07.11.2020

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

Sh. Pratap Singh, Counsel for accused-applicant (through video conferencing)


Hearing is conducted through video conferencing.

This is third application under Section 439 CrPC for grant of bail on behalf of accused-applicant Rajesh @ Raju in case FIR No.280/2020.

Reply is filed.

Arguments heard in part.

For further consideration, put up on 21.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

B. A. No. 1795
FIR No. 405/2020
PS: Wazirabad
State Vs. Paras Kumar Pal
U/s 376D/354B/328/34 IPC

07.11.2020

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

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


Hearing is conducted through video conferencing.

This is an application under Section 437 CrPC for grant of bail on behalf of accused-applicant Prasa Kumar Pal in case FIR No.405/2020.

Reply is filed.

It emerges that FIR is registered under Section 376D IPC. In view thereof, notice in the application be issued to the prosecutrix for the next date of hearing through the IO with directions to join the proceedings through video conferencing/physical hearing as matter is posted on a physical hearing date of the Court.

For consideration, put up on 21.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

**B. A. No. 1794
FIR No. 154/2020
PS: Burari
State Vs. Sudhir Prasad Gupta
U/s 304/34 IPC**

07.11.2020

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

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

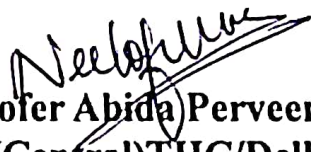
Hearing is conducted through video conferencing.

This is second application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Sudhir Prasad Gupta in case FIR No.154/2020.

Ld. counsel for the accused-applicant submits that reply of the IO in the present bail application has been forwarded to him but he is unable to open the same and due to this reason he seeks time to argue the bail application.

Reader of the Court is directed to once again forward the reply to the Ld. Counsel for accused-applicant.

For consideration, put up on 19.11.2020.


**(Neelofar Abida) Perveen
ASJ (Central) THC/Delhi
07.11.2020**

B. A. No. 1792
FIR No. 465/2020
PS: Wazirabad
State Vs. Gaurav
U/s 308/34 IPC

07.11.2020

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


None for accused-applicant

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Gaurav in case FIR No.465/2020.

Ld. counsel for the accused-applicant, when contacted on phone for Webex hearing, seeks pass over for 2 pm. However, pass over is not possible today as there are over twenty bail applications listed for hearing.

For consideration, put up on 20.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

B. A. No. 1788
FIR No. 49/2020
PS: Subzi Mandi
State Vs. Raju Bansal
U/s 380 IPC

07.11.2020

Fresh bail application received. Be registered.

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

Sh. Roopenshu Pratap Singh, Counsel for accused-applicant (through video conferencing)

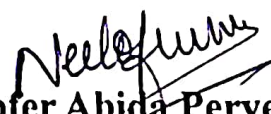
Sh. Surender Chauhan, Counsel for complainant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused Raju Bansal in case FIR No.49/2020.

Arguments heard.

For orders, put up on 09.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

**B. A. No. 1787
FIR No. 49/2020
PS: Subzi Mandi
State Vs. Piyush Jain
U/s 380 IPC**

07.11.2020

Fresh bail application received. Be registered.

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

Sh. Roopenshu Pratap Singh, Counsel for accused-applicant (through video conferencing)


Sh. Surender Chauhan, Counsel for complainant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused Piyush Jain in case FIR No.49/2020.

Arguments heard.

For orders, put up on 09.11.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

B. A. No. 3263
FIR No. 517/2020
PS: Wazirabad
State Vs. Jai Prakash @ Raj
U/s 376 IPC

07.11.2020

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

Ms. Geeta Dhingra, Counsel for accused-applicant (through video conferencing)

Sh. H. S. Saini, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Jai Prakash @ Raj in case FIR No.517/2020.

Arguments are heard in part.

It emerges that civil litigation was initiated at the instance of the prosecutrix way back in the year 2015. Ld. Addl. PP submits that in the reply IO has not stated anything in respect of the pendency of the civil litigation interse the parties.

Ld. counsel for accused-applicant submits that allegations leveled in the complaint are only way of arm twisting device to gain undue benefit in the civil suit that has been initiated in the year 2016 at the instance of the prosecutrix.

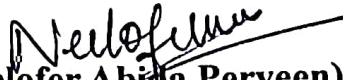
Ld. Addl. PP submits that investigation at the initial stage and that he does not have clear instructions on the aspect if the prosecutrix in any of her statements made reference to the pendency of civil litigation between the parties

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and as to whether this aspect has been looked into by the IO.

In such circumstances, let further status report be filed by the IO particularly on the aspect of the pendency of the civil litigation as well as on the contents of notice which is annexed with the present application.

For further report and consideration, put up on 11.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

B. A. No. 1746
FIR No. 490/2020
PS: Burari
State Vs. Lalit Kumar
U/s 336 IPC and 25 of Arms Act

07.11.2020

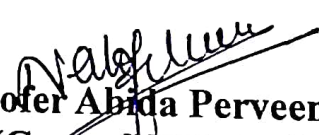
Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

None for accused-applicant

Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Lalit Kumar in case FIR No.490/2020.

None has joined on behalf of the accused-applicant through Webex hearing. In the interest of justice, for consideration, put up on 23.11.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

B. A. No. 2891
FIR No. Not known
PS: Burari
State Vs. Seema

07.11.2020


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

Sh. K. K. Tiwari, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for grant of anticipatory bail moved on behalf of accused-applicant Seema.

Ld. counsel for the accused-applicant submits that he does not wish to press upon the present bail application and that the same may be dismissed as withdrawn. It is ordered accordingly. This application for grant of anticipatory bail moved on behalf of accused-applicant Seema is dismissed as withdrawn.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

B. A. No. 1472
FIR No. 281/2020
PS: Wazirabad
State Vs. Devender Kumar
U/s 498A/304B IPC

07.11.2020

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

Sh. Ashok Mishra , Counsel for accused-applicant (through video conferencing)


Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of bail on behalf of accused-applicant Devender Kumar in case FIR No. 281/2020.

Arguments heard on behalf of accused-applicant. Arguments in part are also addressed on behalf of the State. Ld. Addl. PP seeks time to address query of the Court in respect of the contents of postmortem report.

Let postmortem report be filed alongwith further report on the next date of hearing.

For further consideration, put up on **18.11.2020**.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 194/2020
PS: Subzi Mandi
State Vs. Vehicle No. DL 1VC 2168
U/s 20/25 NDPS Act

07.11.2020

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

Sh. Aman Goyal, Counsel for accused-applicant (through video conferencing.)


Sh. A. K. Tiwari, counsel for non-applicant (through video conferencing.)

Hearing is conducted through video conferencing.

This is an application for cancellation of superdari and seeking permission to sale out vehicle bearing no. DL 1VC 2168 (Tempo Traveler Euro-III PS) on behalf of superdari Raj Kumar Sharma.

Arguments heard in part.

For further consideration, put up with file on 26.11.2020 for physical hearing.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
28.10.2020

FIR No. 116/2020
PS: Crime Branch
State Vs. Mohd. Rifakat


07.11.2020

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)
Sh. Deepak Ghai, Counsel for accused-applicant (through video conferencing)
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of bail on behalf of accused Mohd. Rifakat in case FIR No. 179/2019.

Ld. Addl. PP submits that charge is yet to be framed and that matter is now listed for consideration on charge on 17.11.2020.

Accordingly, this application for grant of regular bail be put up alongwith main case file on 17.11.2020.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

FIR No. 327/2018
PS: Prasad Nagar
State Vs. Ramesh
U/s 307 IPC

07.11.2020

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


Sh. Om Sharma, counsel for accused-applicant (through video conferencing.)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular/ interim bail on behalf of accused Ramesh in case FIR No. 327/2018.

Ld. counsel for the accused-applicant submits that inadvertently by way of typographical error, it is has been mentioned that the present application is for grant of regular / interim bail whereas per the contents of the application, it is clear that it for extension of interim bail granted to the accused-applicant and that the present application may kindly be treated for extension of interim bail. It is ordered accordingly.

Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

Contd.....

At 4 pm
ORDER

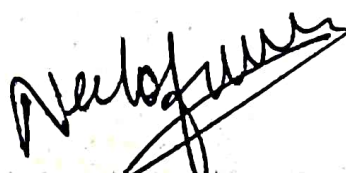
This is an application under Section 439 CrPC for extension of interim bail on behalf of accused Ramesh in case FIR No. 327/2018.

Ld. counsel for the accused-applicant submitted that on 08.06.2020, accused-applicant was granted interim bail for 45 days under the guidelines of High Powered Committee of Hon'ble High Court which was subsequently extended for further 45 days vide order dated 21.07.2020 and further extended vide order dated 29.10.2020 till 04.11.2020.

Heard.

The accused-applicant is granted interim bail of 45 days on 08.06.2020 in accordance with the guidelines issued by the High Powered Committee of H'ble the High Court of Delhi towards decongestion of prisons in Delhi which was subsequently extended on 21.07.2020 in terms of orders passed by H'ble the High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. dated 04.08.2020. Subsequently vide orders dated 18.9.2020 passed in the same writ petition by way of a blanket order all the interim bails for a period of 45 days granted to the UTP's in view of the recommendations of the HPC which were going to expire on 21.9.2020 and thereafter were further extended by a period of 45 days.

Full Bench of Hon'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as **Court on Its Own Motion v. Govt of NCT of Delhi**



& Ors. vide order dated 20.10.2020 has observed and directed as under on the aspect of further extension of interim bails and orders:-

"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:

"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.

Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".

xxxxxxx

xxxxxxx

xxxxxxx

7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are

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admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24th August, 2020 as under:

(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:

(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.

(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3rd November, 2020.

(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.

(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,

(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,

(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.

(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,

(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.

(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.

(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.

(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.

(l) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.

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(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.

(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.

Subsequent to the above referred order of the H'ble Full Bench, the High Powered Committee of Hon'ble High Court of Delhi in its Minutes of Meeting dated 24.10.2020 has observed and resolved as under regarding extension of interim bails granted to UTPs as per the guidelines issued from time to time:

.....
Members of the Committee have considered that as on date against this capacity, there already are 15887 inmates. Even if the additional accommodation of 1800 inmates in the newly created 'temporary jail' is taken into consideration, it would be highly inconvenient for the jail authorities to accommodate UTPs/convicts released on 'interim bail/emergency parole' under the criteria laid down by this Committee, alongside those who would be surrendering in terms of orders dated 20.10.2020 passed by Full Bench of Hon'ble Delhi High Court.

Considering the fact that UTPs/convicts who would be surrendering as per orders passed by Full Bench of Hon'ble High Court are required to be kept in Isolation Cells for a period of 14 days from their respective dates of surrender, Members of the Committee, therefore, found the

Neelguru

contention raised by D.G. (Prisons) to be reasonable.

Members of the Committee are of the opinion that it would be appropriate to prevent any chaos or inconvenience to the jail authorities, if the UTPS/convicts granted 'interim bail/emergency parole' on the basis of criteria laid down by this Committee are asked to surrender from December, 2020. As by that time the quarantined/isolation period of UTPs/convicts surrendering as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court, would be over.

Taking into account the cumulative effect of all these relevant factor i.e.:

- (a) Actual holding capacity of Delhi Prison,
- (b) Present occupancy,
- (c) No. of UTPs/convicts surrendering from 02.11.2020 till 13.11.2020, as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court and
- (d) Period of of 14 days keeping them in Isolation Cells before sending them to regular jail.

Members of the Committee are of the opinion that interim bail granted to 3337 UTPs under HPC criteria needs to be extended for a further period of 30 days.

Member Secretary, DSLSA has further apprised the Committee that Special Bench so constituted by Hon'ble the Chief Justice, which had earlier extended interim bail vide order dated 18.09.2020 has listed the said matter on 03.11.2020

The Committee is of the opinion that in this regard, a judicial order would be required from Hon'ble High Court of Delhi and recommends accordingly.

.....

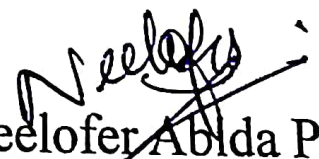
In the event of passing of any such order by Hon'ble High Court of Delhi on the basis of recommendations of this Committee, it is made clear that jail administration shall inform such UTPS about extension of their "interim bail" for a further period of 30 days from



the date, the earlier period of interim bail is expiring, telephonically. D.G. (Prisons) assures that jail administration shall do the needful and shall inform all such UTPs about the exact date of their surrender.

.....
Needless to add that no further extension of interim bail shall be made by this Committee. All such UTPs are at liberty to move their respective Courts seeking regular bail through their private counsel or by panel lawyer of DSLSA, as the case may be, and all such Courts shall consider the bail application so filed on merits, de hors the criteria laid down by this Committee.”

In the wake of the recommendations embodied in the minutes of meeting dated 24.10.2020 of the High Powered Committee, as reproduced supra, and awaiting further orders and direction of the H'ble High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors, in respect of further extension of interim bails allowed to the UTP's based upon the guidelines of the HPC, at this stage the interim bail granted to the accused-applicant, as such interim bail was granted in the first instance as per the guidelines of the HPC, is extended further till 17.11.2020 on the same terms and conditions.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

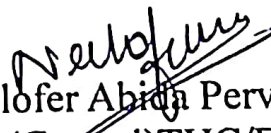
FIR No. 209/2017
PS: Karol bagh
State Vs. Madan
U/s 380/392/395/397/482/452/419/120B/34 IPC

07.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)
Sh. B. S. Chaudhary, counsel for accused-applicant (through vide conferencing)
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for extension of interim bail for 30 days on the ground that accused-applicant is infected with covid-19 infection, on behalf of accused Madan in case FIR No. 209/2017.

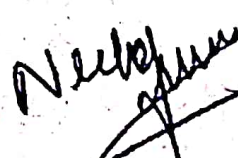
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm
ORDER

This is an application under Section 439 CrPC for extension of interim bail for 30 days on the ground that accused-applicant is infected with covid-19 infection, on behalf of accused Madan in case FIR No. 209/2017.

Ld. counsel for the accused-applicant contended that accused-applicant was granted interim bail vide order dated 17.08.2020 on the ground of illness of his mother. That thereafter interim bail of the accused-



applicant was extended from time to time. That now accused-applicant has been tested positive on 20.10.2020 and is home quarantined.

Heard.

Interim Bail in the first instance was granted to the accused applicant on the ground of illness of his mother and now it is contended that accused-applicant has been tested positive and this fact has been verified by the State. The interim bail of the accused-applicant was extended as per the directions passed by the Full Bench of Hble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the Hble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:

"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire

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thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.

Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".

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7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24th August, 2020 as under:

(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:

(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.

(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3rd November, 2020.

(c) The prisoners of Patiala House Courts, New Delhi

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District shall surrender on 4 November, 2020.

(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,

(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,

(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.

(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,

(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.

(i) The prisoners of South West District, Dwarka Courts shall surrender on 10 November, 2020.

(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.

(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.

(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.

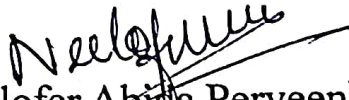
(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.

(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.

The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Full Bench of H'ble the High Court of Delhi however came to be stayed by

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H'ble the Supreme Court of India in SLP (CIVIL) No.23367/2020 titled as National Forum of Prison Reforms vs. Government of NCT of Delhi & others on 29.10.2020 till the next date of hearing ie 26.11.2020. Moreover, the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.


(Neelofer Abida Perveen)
ASJ (Central) THC/Delhi
07.11.2020

FIR No. 277/2018
PS: Crime Branch
State Vs. Devender
U/s 20/25/29 NDPS Act


07.11.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. Surendera, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Devender Kumar in case FIR No. 227/2018.

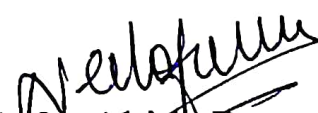
Arguments heard. For orders, put up at 4 pm.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

At 4 pm

ORDER

At the time of passing of orders it emerges that certain clarifications are required. Fro orders/clarifications put up on 9.11.2020.


(Neelofer Abida Perveen)
ASJ (Central)THC/Delhi
07.11.2020

FIR No. 243/2017 & 245/2017

PS: Burari

State Vs. Sahib Khan

U/s 302/201/363/365 IPC

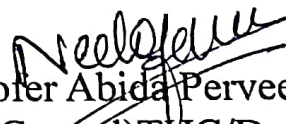
07.11.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)
Sh. Javed Alvi, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

These are two applications under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Sahib Khan in case FIR No.243/2017 and 245/2017.

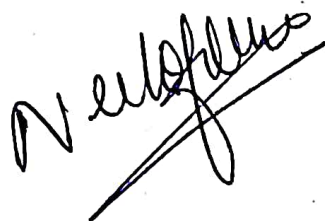
Arguments heard. For orders, put up at 4 pm.


(Neelofar Abida Perveen)
ASJ (Central)TMC/Delhi
07.11.2020

At 4 pm
ORDER

These are two applications under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Sahib Khan in case FIR No.243/2017 and 245/2017.

Ld. counsel for the accused-applicant contended that accused-applicant was granted interim bail vide order dated 05.08.2020 on the



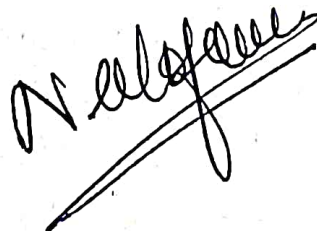
ground of illness of his wife. That thereafter interim bail of the accused-applicant was extended from time to time. That still the health of the wife of the accused-applicant is not well and has been visiting doctor for her ailment.

Heard.

Interim Bail in the first instance was granted to the accused applicant to enable him to arrange for the treatment of his wife. The interim bail of the accused-applicant was extended as per the directions passed by the Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. It emerges that the blanket extensions awarded to the UTP's under the previous orders by the H'ble Full Bench passed in the above said writ petition from time to time were revoked and the interim bails and orders were not granted further extensions vide order dated 20.10.2020 and it came to be observed and directed as under on the aspect of further extension of interim bails and orders:

"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:

"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to



this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.

Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised".

7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24th August, 2020 as under:

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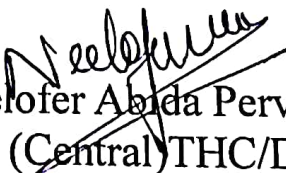
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The above directions particularly pertaining to the schedule of surrender of the UTP's, as contained under the said order of H'ble the Fu

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Bench of H'ble the High Court of Delhi however came to be stayed by H'ble the Supreme Court of India in SLP (CIVIL) No,23367/2020 titled as National Forum of Prison Reforms vs. Government of NCT of Delhi & others on 29.10.2020 till the next date of hearing ie 26.11.2020. Moreover, the directions granting leave to the UTP's to seek extension on the merits of their respective grounds has also been stayed. In the wake of the order dated 29.10.2020 of the H'ble Apex Court therefore there are no directions for extension or otherwise required to be passed by this Court in respect of the UTP's who are on interim bail as extended by virtue of the orders passed by the H'ble Full Bench of H'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors and who all were required to have surrendered in terms of order dated 20.10.2020 passed in the said writ petition as reproduced supra as per the schedule, as the said directions stand stayed till 26.11.2020. Application is disposed of accordingly.


(Neelofar Abida Perveen)
ASJ (Central) THC/Delhi
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