FIR No. 116/19

PS: Prasad Nagar

State Vs. Kamal Chauhan

01.05.2020

Fresh bail application received through e-mail.

Present:

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

Sh. Satish Chand, Ld. Counsel for accused-applicant Kamal

Chauhan.

This is an application for grant of interim bail on the ground of illness of the mother of the accused-applicant. Medical record is also annexed.

Ld. APP submits that copy of the bail application was received via e-mail and the reply is also received, however, the contents thereof pertains to merits of the case of the prosecution against the accused and the medical record and family status has not been verified.

The Medical record and family status of the accused-applicant be verified.

For report and arguments, put up on 08.05.2020.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

FIR No. 30/20 PS: R.Nagar

State Vs. Lakhan Verma

01.05.2020

Present:

Sh. K.P.Singh, Ld. Addl. PP for State with IO-SI Ali Akram.

Sh. Sanjay Singh, Ld. Counsel for accused-applicant Lakhan

Verma.

Reply is filed to the application for grant of interim bail. However, report in respect of medical health condition of the mother of the accused-applicant has not been filed. The I.O.submits that the copy of the annexures was not received and therefore, could not be verified. Copy of the medical records annexed to the application is handed over in the court to the I.O.

IO to verify medical health condition of the mother of the accused-applicant along with faimly status.

For report, put up on **04.05.2020**.

(Neelofer Abida Perveen)
ASJ Kentral)THC/Delhi

FIR No. 73/20 PS: Nabi Karim State Vs. Ehsan

01.05.2020

Fresh bail application received through e-mail.

Present:

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

Sh. Faraz Khan, Ld. Counsel for accused-applicant Ehasan.

Ld. Counsel for accused-applicant submits that the FIR pertains to bailable offences however, the accused-applicant is being threatened by the police officials that he shall be arrested and shall be incarcerated along with Covid patients.

Ld. APP submits that initially, the FIR is registered u/s 323/324/34 IPC and taking into consideration nature of injuries and weapon of offence subsequently offence u/s 307 IPC has also been added and that case pertains to injury sustained by two persons with sharp edged weapon i.e. knife which is still to be recovered. Ld. APP further submits that the accused is arraigned by name in the FIR.

Ld. Counsel for accused-applicant submits that no specific role is attributed to the accused-applicant which is controverted by Ld. APP. It is contended by Ld.APP that the accused-applicant had restrained the injured while the co-accused has inflicted the stab injury. Ld. APP further submits that the injuries inflicted are on vital parts of the body of injured Naeem Khan and that injured Naeem Khan remained hospitalized for a period of 7 days following the incident and was also operated upon

Nedolim.

though opinion on the nature of the injury is still pending. Ld. Counsel for accused-applicant submits that the accused-applicant in fact had intervened to pacify the altercation which took place between the injured and the co-accused and had not restrained any of the injured with any such intention and that he has a video footage of the entire incident which clearly shows that the accused-applicant had intervened in good faith only to save the injured. In such facts and circumstances, interim protection of one week is granted to the accused-applicant to enable the accused-applicant to join the investigation and provide video footage before the I.O., subject to the condition that during the period, the accused-applicant shall join investigation on 02.05.2020 and 05.05.2020 and also as and when called upon to do so by the I.O. For further report and consideration, put up on 08.05.2020.

FIR No. 224/19

PS: Kamla Market

State Vs. Sameer

01.05.2020

Present:

Sh. K.P.Singh, Ld. APP for State.

None for the accused-applicant Sameer.

Reply is filed by the I.O. FIR is for commission of offences under the POCSO Act along with Section 376(3) and other provisions of IPC.

Notice has not been issued to prosecutrix. Issue notice to the prosecutrix for the next date of hearing.

For arguments, put up on 11.05.2020.

(Neelofer Abjeta Perveen)
ASJ (Central)THC/Delhi

FIR No. 73/20

PS: Nabi Karim

State Vs. Dharmender

01.05.2020

Fresh bail application is received on e-mail.

Present:

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

Sh.Chetan Kumar, Ld. Counsel for accused-applicant

Dharmender @ Ishan @ Eshan.

Sh. Faraz Khan, Ld. Counsel for accused-applicant Ehasan.

It emerges that two applications have been preferred on behalf of the same accused for grant of anticipatory bail through two sets of separate Counsels. Both the counsels submit that the accused has approached them first, however, the present application for grant of anticipatory bail titled as State v. Dharmender @ Ishan @ Eshan is sought to be withdrawn by the Ld. Counsel. Accordingly, the present application is dismissed as withdrawn.

FIR No. 605/17

PS: NDRS

State Vs. Sunil Bihari

01.05.2020

Present:

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

Sh. Sunil Tiwari, Ld. Counsel for accused-applicant Sunil

Bihari.

Arguments heard. Put up for orders at 4:00 p.m.

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

01.05.2020

At 4:00 p.m. Order

This is an application for grant of interim bail of 45 days on the ground that due to spread of COVID-19 in the world, the family members of the petitioner consisting of his wife, 3 minor children are facing undue hardship and sorrow and there is nobody to arrange food and medicine for their proper care. Hon'ble the High Court of Delhi has laid down several guidelines for grant of interim bail in order to decongest the prison in Delhi in the wake of outbreak of COVID-19 pandemic. However the case of the accused-applicant does not meet with any of the criterion laid down by Hon'ble the High Court of Delhi issued in the wake of COVID-19 dated 23.3.2020, 28.3.2020, 7.4.2020 and 13.4.2020, as the present case FIR is registered for commission of offence u/s 302 r.w.section 34 IPC inviting imposition of imprisonment upto life and death sentence.

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In view thereof, no ground is made out to grant interim bail to accused-applicant Sunil Bihari. The bail application is dismissed.

(Neelofer Abieta)Perveen)
ASJ (Central)THC/Delhi

FIR No. 21/20

PS: Sadar Bazar

State Vs. Sanjay Prakash

01.05.2020

Fresh bail application is received on e-mail

Present:

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

Sh. Ashok Kumar, Ld. Counsel for accused-applicant Sanjay

Prakash.

This is an application u/s 439 Cr.P.C for grant of interim bail filed on behalf of accused-applicant Sanjay Prakash in case FIR No.21/20, P.S.Sadar Bazar.

Ld. Counsel for accused-applicant submits that the interim bail is being sought on two grounds, one that being a diabetic the accused-applicant is highly susceptible to Covid-19 infection in custody and secondly, the wife of the accused-applicant in an accident has fractured her leg and there is no one in the family to look after her.

When it is put to the Ld. Counsel for the accused that in the application it is no where mentioned that the accused-applicant is a diabetic, Ld. Counsel submits that inadvertently instead of high blood sugar, high blood pressure has been mentioned in Para-2 and the other paras of the application. When it is further put up to Ld. Counsel that medical record annexed along with the application, all pertain to Neuropsychiatric treatment, being received by the accused himself, Ld. Counsel submits that the medical record in respect of wife of the accused-applicant could not be properly scanned and therefore, was not filed along

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with the application.

One photocopy of OPD Card of Jag Pravesh Chandra Hospital, Shastri Park, Delhi is filed. The same is taken on record. The medical record be verified along with family status.

For report and arguments, put up on 06.05.2020.

(Neel ofer Abida Perveen) ASJ (Central)THC/Delhi

FIR No. 84/20

PS: Nabi Karim

State Vs. Anuj Kumar

01.05.2020

Fresh bail application is received on e-mail.

Present:

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

Sh.Rajat Sang Sharma, Ld. Counsel for accused-applicant

Anuj Kumar.

This is an application for grant of regular bail on behalf of accused Anuj Kumar in case FIR No.84/20, PS Nabi Karim.

As per office report, accused has also preferred another application for grant of regular bail u/s 439 Cr.P.C which came to be listed on 30.04.2020 and was adjourned to 06.05.2020.

Ld. Counsel for accused-applicant submits that previous bail application was filed through e-mail however, he did not receive any confirmation of the listing of the matter on the next date and it is under such circumstances that he has again also through e-mail has filed the fresh bail application.

The present bail application is dismissed as withdrawn without imposing costs as the Ld. Counsel has sufficiently explained to the satisfaction of the court the circumstances under which successive bail applications on behalf of the same accused came to be listed.

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

FIR No. 131/19

PS: Civil Line

State Vs. Vikas Jha

Fresh bail application is received on e-mail.

Present: Sh. K.P.Singh, Ld. Addl. PP for State with SI Rohit, IC Cyber

Cell, North District/I.O.

Sh.A.P.Singh, Ld. Counsel for accused-applicant Vikas Jha.

This is an application for grant of interim bail u/s 439 Cr.P.C on behalf of accused-applicant in case FIR No.131/19, P.S.Civil Line.

It is contended by the Ld. Counsel for the accused-applicant that the accused-applicant is semi-blind and treatment of his eyes is pending in Eye Hospital and he is likely to loose the vision in his eyes in case timely treatment is not availed. That mother of the accused-applicant is also running fever for the last several days. That the accused-applicant is in JC since 10.08.2019 and that earlier he had also moved an application for grant of interim bail which was dismissed. That all the offences are punishable up to 7 years of imprisonment and the accused-applicant is also entitled to the bail under the guidelines issued by Hon'ble the Supreme Court of India in the light of the global pandemic COVID-19.

Reply is filed. Ld. APP submits that the accused-applicant does not have clean antecedents and is involved in 17 cases pertaining to offences of similar nature. Ld. APP submits that no such document pertaining to any such medical condition has been annexed along with the application and in case accused-applicant has any such problem in the eyes

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the same can be taken good care of while in custody at the medical facility provided in jail.

Heard. The FIR pertains to commission of offences u/s 420, 468, 471, 120b IPC. The accused is therefore facing trial in a case which prescribes maximum sentence of imprisonment 7 years for the several offences. Accused is in custody since 10.08.2019. The accused does not have clean antecedents however it is asserted by the Ld. Counsel for accused and it is affirmed by the I.O.that in all the other pending cases the accused has been granted bail. The case of the accused-applicant is therefore covered under the criterion laid down by Hon'ble the High Court of Delhi issued in the wake of COVID-19 dated 23.03.2020 as modified on 28.03.2020 constituting part of the guidelines framed for decongesting of prisons in Delhi and in pursuance thereto, the accused-applicant is ordered to be released on bail of 45 days upon furnishing personal bond in the sum of Rs.50,000/- to the satisfaction of Jail Superintendent.

FIR No. 224/18

PS: Subzi Mandi

State Vs. Sharwan Kumar

01.05.2020

Fresh bail application has been received through e-mail.

Present:

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

Sh.S.K.Sinhja, Ld. Counsel for accused-applicant.

Hearing has been conducted through Videoconferencing using Webex Portal.

This is an application for grant of interim / regular bail on account of ongoing COVID-19 pandemic.

I have heard the Ld. Counsel for the accused-applicant and I have gone through the contents of the application.

It emerges that the FIR bearing No.224/18 is under Sections 419, 420, 467, 468, 471 and 34 IPC, P.S.Subzi Mandi. The offence u/s 467 IPC is punishable with imprisonment upto life. The case of the accused-applicant therefore, does not meet with any of he criterion laid down under the several guidelines for release of UTPs on 45 days interim bail issued by the Hon'ble High Court of Delhi from time to time in the wake of COVID-19 pandemic to decongest the jail. No other ground has been raised in the present application. The application for grant of regular / interim bail on the ground of ongoing COVID-19 is therefore dismissed.

Ld. Counsel for accused-applicant submits that an application

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for grant of regular bail is also pending consideration which is now listed for 12.05.2020. The dismissal of the present bail application has no bearing on the application for grant of regular bail listed for hearing on 12.05.2020 as the present bail application for interim bail is only on account of ongoing COVID-19 pandemic.

Order be forwarded via e-mail through the appointed Co-ordinator.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

FIR No. 054/20

PS: Crime

State Vs. Bali Khan

01.05.2020

Present:

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

Sh.Jai Subhal Thakur Advocate and Sh.Mohan Kumar Monga

Advocate, Ld. Counel for accused-applicant Bali Khan.

This is an application for grant of interim bail on the ground of illness of mother as raised in Para 9 of the application. It is contended that the mother of the accused-applicant aged about 56 years is suffering from Somatoform Disorder (a kind of mental disorder) and is under treatment for the same from Jain Hospital, Vikas Marg Extension, Delhi.

Reply is filed. The doctor concerned has certified that mother of the accused-applicant is under treatment at Jain hospital since 23.03.2020 and is diagnosed to have Somatoform, disorder having stress, anxiety, somatoform symptoms and insomnia and has two OPD visits till now and was lastly attended on 22.04.2020 and she was advised treatment for the next one month. It is further certified that the mother of the accused-applicant was never admitted or operated upon nor in future there is any such advise or requirement for getting her hospitalised or operated upon for treatment of the disorder and she has not returned after the last visit.

I.O.also submits that the parents of the accused-applicant are not residing at the address furnished and could not be traced. Ld. Counsel

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for the accused-applicant submits that due to lockdown, the parents of the accused-applicant are stuck in Karol Bagh and have not been able to reach their rental premises at Brahmpuri, Delhi and that their current address is C-153, Jhilmil Colony, Second Floor.

I have heard the Ld.Defense Counsel and the Ld. APP and have gone through the contents of the bail application as well as reply and the documents annexed and the report filed.

The mother of the accused-applicant has not been advised hospitalization for the treatment of the disorder as has been certified by the doctor concerned. The father of the accused-applicant is capable of taking care and attending to the mother of the accused-applicant. Interim bail can be granted only under exceptional circumstances in cases of extreme exigencies where personal presence of the accused-applicant is indispensable. Such is not the case in hand. No ground is made out to grant interim bail to accused-applicant Bali Khan and the present application is dismissed accordingly.

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

FIR No. 104/20

PS: Kotwali

State Vs. Wasim

01.05.2020

Present:

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

Sh.Omkar Sharma, Ld. Counsel for accused-applicant Wasim.

Hearing has been conducted through Videoconferencing using Webex portal.

This is an application for calling of report from Rohini Jail as to why the accused has not been released in the present case till date.

Report has been received from Deputy Superintendent Central Jail No.190, Rohini Jail. It is submitted that the accused-applicant could not be released from jail on 27.04.2020 as his address was of outside Delhi pertaining to Meerut, U.P. and he could not provide the particulars of any known person in Delhi and therefore service of 3rd batalion (DAP) were engaged to transport the accused from Rohini Jail to his native place at Meerut, U.P.

Compliance report be called in respect of release of accused-applicant Wasim pursuant to the bail orders.

For report, put up on **04.05.2020**. Order be also sent via e-mail for information of Ld. Counsel for accused-applicant.

FIR No. 139/11 PS: I.P. Estate State Vs. Raju Lal Jat

01.05.2020

Present:

I.O.Inspector Arvind Pratap Singh.

Sh. Anand Kumar Dwivedi, Advocate and Sh. Sourabh Singh

Tomer, Advocate, Ld.Counsel for accused-applicant Raju Lal

Jat.

This is an application for grant of interim bail for 30 days. It was put to the Ld. Counsel for accused-applicant that interim bail is being sought on the ground of what exigency. Ld. Counsel submitted that interim bail is being sought on the ground of illness of mother as the mother of the accused is paralyzed and is unable to move and there is no one in the family to take care of the medical requirements of the mother and maintenance of the entire family including his two minor children and wife. Ld.Counsel submitted that the medical record was not filed along with the application but on the direction of the court was subsequently furnished.

It emerges that there is one certificate issued from Shree Nidan Hospital and Hope Fertility Centre, Jaipur that certifies that Sh.Hanuman is suffering from Rheumatoid arthrities. Ld. Counsel submits that Sh.Hanuman is the father of the accused-applicant. When it is put to the Ld. Counsel that the medical record furnished does not pertain to the mother of the accused-applicant. Ld. Counsel submits that even if by

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chance the documents have not been furnished pertaining to the mother, the applicant has also taken the ground of illness of father in Para 9 of the application that the father of the applicant is suffering from kidney and breathing problems. It is again put to the Ld. Counsel that the certificate that is annexed along with the application is in respect of Rheumatoid arthritis and not kidney problem and breathing problems. Ld. Counsel for accused-applicant relied upon judgment of Hon'ble the Supreme Court of India rendered in Babu Singh v. State of U.P., however has failed to demonstrate as to how the judgment cited is relevant for the purposes of determination of the present application for grant of interim bail on the ground of illness of mother/father of the accused without furnishing of supporting medical record. There are no documents annexed in support of the ground raised despite opportunity. The application does not therefore merit any further consideration and is hereby dismissed.

FIR No. 415/15 PS: Kotwali State Vs. Lalit @ Babloo

01.05.2020

Fresh bail application is received on e-mail.

Present:

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

None for accused-applicant Lalit @ Babloo.

It is informed by the Co-ordinator that inadvertently matter is

listed for today however, same is to be listed for tomorrow i.e. 02.05.2020.

In view thereof, matter be listed for tomorrow i.e. 02.05.2020.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

FIR No. 179/19

PS: Pahar Ganj

State Vs. Bhagat Ram

01.05.2020

Present:

None.

Report from Jail Superintendent is received. None for the applicant-accused.

Put up at 11:00 a.m.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

01.05.2020

Present:

Sh. K.P.Singh, Ld. APP for the State.

Brother of the accused-applicant in person.

It is submitted by Ld. APP that report from Jail Superintendent had alone been called for and that state may also be afforded opportunity to file reply as the case pertains to offence punishable under Section 302 IPC. Reply be called for.

I.O.to file Reply on or before the next date of hearing.

For reply and arguments, put up on 05.05.2020.

Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

FIR No. 772/15

PS: Timar Pur

State Vs. Shankar Dass (Sunil)

01.05.2020

Fresh bail application is received on e-mail.

Present:

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

Sh. Atul Kumar Gupta, Ld.Counel for accused-applicant

Shankar Dass (Sunil)

Hearing has been conducted through Videoconferencing using Webex portal.

This is an application for grant of interim bail for 45 days on behalf of accused-applicant Shankar Dass (Sunil) filed on the ground of death of mother of the accused-applicant. Ld. Counsel submits that the mother of the accused-applicant expired unfortunately on 30.04.2020 and there is no male member to perform the 13th day death ceremony.

Family status and factum of death be verified by tomorrow.

For report, put up on **02.05.2020**.

Order to be forwarded on Cheail. Ag.

FIR No. 58/16

PS: Burari

State Vs. Suraj Sumit

01.05,2020

Fresh bail application is received on e-mail.

Present:

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

Ms.Usha Shama, Ld. Counsel for accused-applicant.

Hearing has been conducted through Videoconferencing using

Webex Portal.

This is an application for grant of intrim bail on the ground of illness of father of the accused-applicant Suraj. Ld. Counsel for accused-applicant submits that father of the accused-applicant is a patient of chronic lung disease due to which he suffers from shortness of breath, is above 61 years of age and is receiving treatment from Vallabhai Patel Chest Institution. Ld. Counsel further submits that due to the medical conditions of the father he requires constant supervision and attendance and presently his brother, who was taking care of their father is stuck in Ghaziabad at their sisters' place due to the national lockdown prevailing in the wake of COVID-19 pandemic.

Reply is filed. Ld. APP for the State submits that the father of the accused-applicant is not hospitalized and is receiving treatment as an out door patient for the ailment and that there are other family members to take care and support the father of the accused-applicant and that despite the lock down even if the brother of the accused-applicant had travel to

Maletine,

Ghaziabad, emergency pass on the ground of illness of the father can be availed of by the brother of the applicant online and that the absence of the brother of the accused-applicant is merely set up as an excuse to make out the ground for grant of interim bail.

Heard. From the medical record, it emerges that no immediate hospitalization has been advised for addressing the medical condition of the father of the accused-applicant. Further the brother of the accused-applicant is also capable of taking care and attending to the father of the accused-applicant. Interim bail can be granted only under exceptional circumstances in cases of extreme exigencies where personal presence of the accused-applicant is absolutely indispensable. Such is not the case in hand. No ground is made out to grant interim bail to accused-applicant Suraj @ Sumit and the present application is dismissed accordingly.

Order to be forwarded on e-mail by the appointed coordinator. De vertebelle

FIR No. 327/19

PS: Crime

State Vs. Inder Singh

01.05.2020

Present:

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

Sh. Vinod Kumar Verma, Ld. Counsel for accused-applicant

Inder Singh.

Hearing has been conducted through Videoconferencing using Webex Portal.

The bail application of the accused-applicant by the order dated 29.04.2020 was preponed for hearing on 01.05.2020.

This is application for grant of interim bail on the ground of illness of the accused-applicant. It is contended that the accused-applicant is above 50 years of age and is suffering from severe respiratory chronic diseases and is on regular medication and requires intensive medical care. Ld. Counsel for accused-applicant further submits that no medical record is filed along with the application as the accused is in custody and the family members have only telephonically intimated about the chronic respiratory ailment of the accused-applicant who is in custody. In view thereof, let report be called for from the Medical Superintendent Incharge Tihar Jail in respect of medical health condition of accused Inder Singh.

For report and arguments, put up on **04.05.2020**.

Order be forwarded on e-mail.

(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

01.05.2020.

FIR No. 101/11

PS: Nabi Karim

State Vs. Seema Malhotra

01.05.2020

Fresh bail application is received on e-mail.

Present:

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

Sh.Lovedeep Rashar, Ld. Counsel for accused-applicant

Seema Malhotra.

This is an application u/s 439 Cr.P.C filed on behalf of accused-applicant Seema Malhotra in case FIR No.101/2011, PS Nabi Karim.

Reply is filed however, further time is sought for verification of the Medical record annexed as due to lockdown outstation documents could not be verified.

Report be also called for from Medical Superintendent, District Jail Panipat in respect of Medical health condition of the accused-applicant.

For filing of report and arguments, put up on 06.05.2020.

(Neelofer Abida Rerveen)

ASJ (Central) PHO Delhi

FIR No. 415/15

PS: Kotwali

State Vs. Sunil and Other

01.05.2020

Present:

Sh. K.P.Singh, Ld. Addl. PP for State with SI Daya Nand

Kaushik, I.O.

Sh.Dewan Singh, Ld. Counsel for accused-applicant Sonu.

This is an application for grant of interim bail on the ground that the mother of the accused-applicant has suffered fracture. I.O.submits that some more time is required for verification of the medical record. The family status has also not been verified due to shortage of time.

Ld. Counsel for accused-applicant submits that there is no other member of the family capable of attending to the mother of the accused-applicant as he is the only son and his mother is a widow and that though he has a sister but she does not live in Delhi and that his mother is still bed-ridden.

For report and consideration, put up on **04.05.2020**.

Ld. Counsel submits that hearing may be conducted in the matter on the adjourned date through videoconferencing as today also with great difficulty, he has been able to reach the court.

In view thereof on the next date of hearing, matter shall be taken up through videoconferencing to be co-ordinated through the appointed Co-ordinator.