

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 390/18
PS: Hari Nagar
U/s 25/54/59 Arms Act
State Vs. Pradeep Sharma**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Vikas Bhardwaj and Mr. Rajesh Kaushik, counsels for the applicant.

Concerned IO was directed to verify the medical status of the applicant in terms of order dated 16.06.2020. Ld counsel submits that applicant underwent test in Ram Manohar Lohia hospital for Covid-19 but report has not been received. Applicant is directed to furnish all relevant details to the IO and IO is directed to ensure that the test result of Covid-19 is received back after verification by the IO or SHO concerned, returnable for **08.07.2020**.

Meanwhile, interim bail of applicant is extended till 08.07.2020. IO is directed to get the documents verified on or before next date and submit a report with Ahlmad/Reader of the Court.

One copy of this order be given to counsel through proper channel and one copy be sent to concerned Jail Superintendent through proper channel.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 423/20
PS: Tilak Nagar
U/s 21 NDPS Act
State Vs. Aakash Malik

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Deepak Ghai, counsel for the applicant/accused.

By this order, I shall dispose off the present application requesting for grant of interim bail for a period of two months to applicant Aakash Malik. Facts as stated in the application are as follows:-

This is a case under Section 21 NDPS Act. Accused is stated to be in JC since 05.06.2020. Accused is a patient of heart problem and was admitted in Shri Balaji Action Medical Institute from 06.06.2017. Accused also received a fire arm injury and has undergone a surgical procedure in March 2020. Wife of the applicant namely Nisha is suffering from Calculus in the right kidney and has been advised to undergo operation as early as possible. Medical documents filed. Wife of applicant is also suffering from PCOS and abnormal vaginal bleeding and is under treatment for the same. Wife of applicant is facing acute stone pain and her condition is critical. Apart from three minor children, there is no one to look after the wife of the applicant. Applicant is permanent resident of Delhi and his family is on the verge of starvation. Presence of applicant/accused is required for treatment of the wife in order to save her life. His presence is also required to make arrangements in the operation of his wife and to take care of three minor children. Applicant shall not

FIR No. 423/20
PS: Tilak Nagar
U/s 21 NDPS Act

-2-

misuse the liberty, if granted interim bail. Applicant shall not tamper with the prosecution evidence and is ready to furnish bail bond to the satisfaction of this Court.

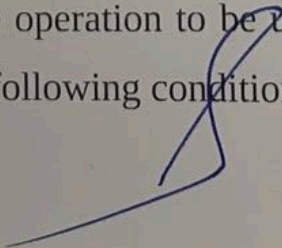
Hon'ble Delhi High Court in a recent case granted interim bail in case of Arvind Yadav vs Govt. of NCT under similar circumstances. It is therefore, requested that applicant may be released on interim bail for a period of two months.

Reply has been filed to this application by the IO. In the reply, it is submitted that applicant was found in possession of 28 grams of smack and has been previously involved in two criminal cases under Gambling Act and NDPS Act but the copies of medical papers filed by the applicant have been got verified and found to be correct.

Bail of the applicant is opposed by the IO as well as Ld. APP. Ld. APP has opposed the bail application in view of reply of the IO.

I have heard arguments from both the sides. Applicant was found in possession of 28 grams of smack which is an intermediate quantity. Applicant has sought interim bail on grounds of medical emergency faced by his wife. There is no one to look after the wife except the minor children. IO has verified the medical documents filed by the applicant and they were found to be correct upon verification. The family of the applicant should not suffer under these extra ordinary circumstances of grounds of medical illness because the applicant is under trial in the present case.

In view of the medical exigency, applicant is granted interim bail for a period of one month in order to look after his wife and family and to make necessary arrangements of the operation to be undergone by wife of the applicant. But, bail is granted subject to following conditions:-

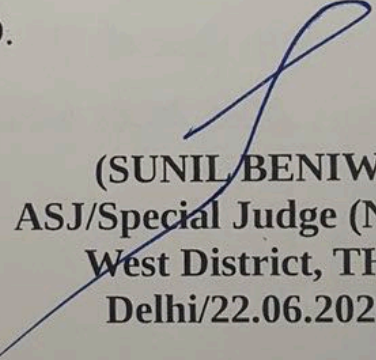


FIR No. 423/20
PS: Tilak Nagar
U/s 21 NDPS Act

-3-

- i. That applicant shall not indulge himself in any other criminal offence.
- ii Applicant shall furnish a bail bond in in the sum of Rs.20,000/- with one surety of like amount subject to the satisfaction of concerned SHO.
- iii Applicant shall not run away from the court and shall attend court on each and every date of hearing.
- iv That applicant shall surrender himself before the Jail authorities on expiry of this interim bail period of one month before the forenoon session.

Copy of this order be sent to Jail Superintendent and one copy be sent to counsel for applicant on his e-mail ID.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 18/17
PS: Moti Nagar
U/s 302/201/120-B/379/34 IPC
State Vs. Shamshad @ Goonga

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Surender Kumar Yadav, counsel for the applicant.

By this order, I shall decide the application requesting for grant of interim bail to applicant Shamshad @ Goonga. Facts as stated in the application are as follows:-

That the applicant has applied for interim bail because of Corona virus situation. That applicant has been falsely implicated by the police. That the applicant is innocent and is not a previous convict. That applicant is the only bread earner of his family. That applicant shall not misuse bail, if granted. That nothing incriminating has been recovered from the possession of the applicant. That applicant shall not tamper with the case of the prosecution. All the public witnesses have been examined and discharged but they have turned hostile and did not support the case of the prosecution. Applicant is ready to furnish surety. It is therefore, prayed that the applicant may be released on bail.

Reply has been filed. It is submitted in the reply that a total of 17 witnesses have been examined in the present case. Previous conviction slip has been annexed with the reply. It is submitted that prosecution witness no. 12, 2, 15 & 13 and prosecution witness no. 8, 4 & 7 have been examined and they have not received any threat from the applicant.

FIR No. 18/17

-2-

PS: Moti Nagar

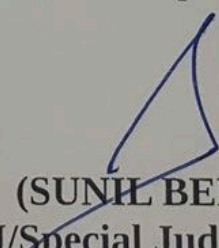
U/s 302/201/120-B/379/34 IPC

State Vs. Shamshad @ Goonga

Ld. APP has fairly submitted that since all the public witnesses have been examined in this case, he has no objection if the applicant is released on interim bail subject to good conduct.

I have heard arguments from both the sides. FIR was registered under Section 302/201/120B/379/411/34 IPC. This court is inclined to agree with the submissions of Ld. APP. Since most of the witnesses have already been examined and Hon'ble High Court of Delhi vide minutes of meeting dated 18.05.2020 has laid down advisory for the release of certain category of under trials and the present applicant fits in that criteria, applicant is granted interim bail for a period of two months at the end of which applicant is directed to surrender before the jail authorities in the pre-lunch session subject to furnishing a bail bond in the sum of Rs.50,000/- with one surety of like amount subject to satisfaction of concerned SHO and subject to condition of good conduct while on interim bail.

Copy of this order be sent to the official e-mail ID of the advocate of the applicant and one copy be sent to concerned Jail Superintendent through proper channel.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 18/17
PS: Moti Nagar
U/s 302/201/120-B/379/411/34 IPC
State Vs. Guddu

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Manoj Kumar Duggal, counsel for the applicant through video conferencing.

By this order, I shall decide the application requesting for grant of interim bail to applicant Shamshad @ Goonga. Facts as stated in the application are as follows:-

That the applicant has applied for interim bail as he has apprehension of getting infected from Corona virus. That the applicant was arrested on 18.01.2017 and since then he is in JC. That no purpose would be served in keeping the applicant in judicial custody. Applicant is ready to produce surety to the satisfaction of the court. Applicant is having fixed abode of living and there is no apprehension of his absconding, if granted interim bail. It is therefore, prayed that the applicant may be released on interim bail for a period of 45 days.

Reply has been filed. It is submitted in the reply that a total of 17 witnesses have been examined in the present case. Previous conviction slip has been annexed with the reply. It is submitted that prosecution witness no. 12, 2, 15 & 13 and prosecution witness no. 8, 4 & 7 have been examined and they have not received any threat from the applicant.

FIR No. 18/17

-2-

PS: Moti Nagar

U/s 302/201/120-B/379/411/34 IPC

State Vs. Guddu

Ld. APP has fairly submitted that since all the public witnesses have been examined in this case, he has no objection if the applicant is released on interim bail subject to good conduct.

I have heard arguments from both the sides. FIR was registered under Section 302/201/120B/379/411/34 IPC. This court is inclined to agree with the submissions of Ld. APP. Since most of the witnesses have already been examined and Hon'ble High Court of Delhi vide minutes of meeting dated 18.05.2020 has laid down advisory for the release of certain category of under trials and the present applicant fits in that criteria, applicant is granted interim bail for a period of two months at the end of which applicant is directed to surrender before the jail authorities in the pre-lunch session subject to furnishing a bail bond in the sum of Rs.50,000/- with one surety of like amount subject to satisfaction of concerned SHO and subject to condition of good conduct while on interim bail.

Copy of this order be sent to the official e-mail ID of the advocate of the applicant and one copy be sent to concerned Jail Superintendent through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

FIR No. 589/2020
PS : Paschim Vihar West
U/s 324/341/307/34 IPC
State Vs. Charan Singh Tyagi

22.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri Pravin Kumar Pachauri.

By this order, I shall decide the bail application filed on behalf of applicant Charan Singh Tyagi.

Facts as stated in the bail application are as follows :

It is submitted that applicant has been falsely implicated in this case and has nothing to do with the alleged offence. It is submitted that complainant has filed a false case against the accused. Accused is a labourer and there is no other source of income in the family of accused. That nothing has been recovered from the possession of applicant. That applicant is not required for further investigation or custodial interrogation. It is therefore prayed that applicant may be granted bail.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

It is submitted that FIR was registered on the complaint of complainant Sanju. Because of some dispute over money between the complainant and the applicant, it is alleged that the applicant took out a knife and stabbed the complainant in the stomach and on the left elbow of the complainant and thereafter, ran away leaving the complainant in an injured condition. Complainant stated that the applicant had stabbed him on provocation give by other co-accused with an intention to murder the complainant.


IO has opposed the bail application further on the ground that other co-accused are yet to be arrested and are evading arrest and if bail is granted to the applicant, then he may interfere in the investigation.

I have heard arguments from both the sides.

There are other co-accused in the matter who are yet to be arrested. Allegations are that because of a monetary dispute, applicant stabbed the complainant in his stomach and other parts of the body with a knife. Case is under investigation and other co-accused are yet to be arrested. There is every possibility that if bail is granted at this stage, applicant may interfere in the investigation and intimidate the prosecution witnesses and the injured. Therefore, keeping in view these circumstances, the present bail application of applicant is rejected as there is no merit in the application at this stage.

One copy of this order be sent to the email ID of the Ld. Counsel for applicant and one copy be sent to the concerned Jail Superintendent through proper channel if email ID has been provided.

The application stands disposed of accordingly.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 220/20
PS: Rajouri Garden
U/s 307/34 IPC
State Vs. Jamil**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Vikas Bhardwaj and Mr. Rajesh Kaushik, counsels for the applicant.

Concerned IO and SHO is directed to ensure that reply is filed on the official ID of this court and one copy be supplied to counsel for applicant on his e-mail ID Adv.vikas.bhardwaj@gmail.com.

Put up for arguments on 27.06.2020.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 198/16
PS: Khyala
U/s 302/365/201/34 IPC
State Vs. Sonu**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. S.K Singh, counsel for the applicant.

Reply not filed by the IO in terms of order dated 12.06.2020.

Issue fresh notice to the IO to file reply, through DCP concerned, returnable for **23.06.2020**. Also, issue notice to DCP concerned to explain as to why reply was not filed by the IO on time.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020**

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 130/20
PS: Punjabi Bagh
U/s 307/34 IPC
State Vs. Sonu @ Amar

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Ms. Dhaneshwari Bharti, counsel for applicant.

By this order, I shall dispose off the application requesting for grant of interim bail to accused/applicant Sonu @ Amar. Facts stated in the application are as follows:-

That the applicant surrendered before the police on 11.02.2020. That wife and minor child of applicant are suffering from starvation. Wife of applicant does not have any source of income and there is no male member in the house to look after the wife and child. Applicant has to arrange money after being released from judicial custody. Applicant has been falsely implicated in the present case and nothing has been recovered from his possession. That the applicant is not a previous convict. Applicant is resident of Delhi and shall not misuse the provision of bail, if granted to him. It is therefore, requested that applicant may be released on interim bail.

Reply to this bail application has been filed. Ld. APP for the state has opposed this bail on the following grounds:-

that the case was registered on complaint of Aniket Mathur. He stated that on the intervening night of 10 & 11.02.2020 when he went for a party alongwith his friends at restaurant, a fight brought out between the complainant and

FIR No. 130/20
PS: Punjabi Bagh
U/s 307/34 IPC
State Vs. Sonu @ Amar

-2-

accused Vivek @ Goldy who was already present in the restaurant and was known to the complainant. After some time, applicant Vivek and complainant Aniket Mathur came outside the restaurant and exchanged hot words. Meanwhile, applicant also called his friends Karan and Amar on the spot and all the three persons threatened the complainant and in the middle of arguments, accused Amar provoked accused Karan and Vivek to shoot the complainant and his friends with pistol due to which, complainant also sustained gunshot on his back. Accordingly, the case was registered.

During investigation, accused Karan and Vivek were arrested and country made pistol was recovered from the possession of Karan. On interrogation, accused Karan and Amar disclosed that the pistols were provided to them by Amar. Subsequently on 14.02.2020, third accused Amar was arrested by Special staff and country made pistol was recovered from his possession. Thereafter, the case FIR No. 130/20 under Section 25/25/59 Arms Act was registered separately at PS Khyala. Bail of accused Amar is opposed on following grounds:-

- i weapon of offence has been recovered from his possession.
- ii applicant provoked his associates to fire the complainant and his friends.
- ii applicant supplied pistols to his associates.
- iv applicant was named in this case.
- v Chargesheet has been filed and is pending trial. Moreover, the applicant is having criminal antecedents and FIR No. 515/16, PS Safdarganj Enclave and FIR No. 130/20 PS Khyala has been registered against him.

FIR No. 130/20

-3-

PS: Punjabi Bagh

U/s 307/34 IPC

State Vs. Sonu @ Amar

vi Wife of applicant is a home maker who lives separately with her daughter at Tagore Garden on rent.

I have heard arguments from both the sides.

Ld. APP has submitted that applicant is a habitual criminal. Allegations against the accused are very serious in nature. Trial has not begun. Evidence of important witnesses have not been recorded. Accused is found to be involved in multiple criminal cases. There is a strong possibility that he may try and threaten and influence the witnesses to turn them hostile. There is also a possibility that applicant might indulge in other serious cases, if granted bail.

In view of these above-mentioned discussions, this court does not find any merit in the application at this stage. Hence, the application is dismissed.

Copy of this order be sent to the official e-mail ID of the advocate of the applicant and one copy be sent to concerned Jail Superintendent through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 130/20
PS: Punjabi Bagh
U/s 307/34 IPC & 25/27 Arms Act
State Vs. Vivek @ Goldi

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Ms. Dhaneshwari Bharti, counsel for applicant.

By this order, I shall dispose off the application requesting for grant of bail to accused/applicant Vivek @ Goldi. Facts stated in the application are as follows:-

That the applicant is a law abiding and peace loving citizen of India. That applicant has been falsely implicated and was arrested by police official on 11.02.2020 and since then, he is in JC. Applicant is an innocent person and has not committed any offence at all and has nothing to do with alleged offence. That nothing has been recovered from his possession. That investigation has already been completed and no fruitful purpose will be served by keeping the applicant in JC. That applicant is the sole bread earner of his family and due to his detention in JC, his family members are suffering from starvation. Applicant undertakes to abide by all the terms and conditions imposed by this court. It is therefore, requested that applicant may be granted bail.

Reply to this bail application has been filed. Ld. APP for the state has opposed this bail on the following grounds:-

That the case was registered on complaint of Aniket Mathur. He stated that on the intervening night of 10-11.02.2020 when he went for a party alongwith

FIR No. 130/20

-2-

PS: Punjabi Bagh

U/s 307/34 IPC & 25/27 Arms Act

State Vs. Sonu @ Amar

his friends at restaurant, a fight broke out between the complainant and accused Vivek @ Goldy who was already present in the restaurant and was known to the complainant. After some time, applicant Vivek and complainant Aniket Mathur came outside the restaurant and exchanged hot words. Meanwhile, applicant also called his friends Karan and Amar on the spot and all the three persons threatened the complainant and in the middle of arguments, accused Amar provoked accused Karan and Vivek to shoot the complainant and his friends with pistol due to which, complainant also sustained gunshot on his back. Accordingly, the case was registered.

During investigation, accused Karan and Vivek were arrested and country made pistol was recovered from the possession of Karan. On interrogation, accused Karan and Amar disclosed that the pistols were provided to them by Amar. Subsequently on 14.02.2020, third accused Amar was arrested by Special staff and country made pistol was recovered from his possession. Thereafter, the case FIR No. 130/20 under Section 25/25/59 Arms Act was registered separately at PS Khyala. Bail of accused Goldy is opposed on following grounds:-

- i applicant provoked his associates to fire the complainant and his friends.
- ii applicant supplied pistols to his associates.
- iii applicant was named in this case.
- iv Chargesheet has been filed and is pending trial.
- v Offence committed by accused persons is serious threat to the inhabitanta.

I have heard arguments from both the sides.

FIR No. 130/20

PS: Punjabi Bagh

U/s 307/34 IPC & 25/27 Arms Act

State Vs. Sonu @ Amar

-3-

Ld. APP has submitted that applicant is a habitual criminal. Allegations against the accused are very serious in nature. Trial has not begun. Evidence of important witnesses have not been recorded. There is a strong possibility that he may try and threaten and influence the witnesses to turn them hostile. There is also a possibility that applicant might indulge in other serious cases, if granted bail.

In view of these above-mentioned discussions, this court does not find any merit in the application at this stage. Hence, the application is dismissed.

Copy of this order be sent to the official e-mail ID of the advocate of the applicant and one copy be sent to concerned Jail Superintendent through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 240/16
PS: Nihal Vihar
U/s 304B/498A/34 IPC
State Vs. Birender**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. R.R Jha, Ld. LAC is present.

Present application is received from jail.

Put up with connected matter on **27.06.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020**

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 240/16
PS: Nihal Vihar
U/s 304B/498A/34 IPC
State Vs. Birender**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Anil Sharma counsel for applicant through video conferencing.

Record of the case has not been produced before me today. Bail is sought on the grounds of parity. So, list the application for **27.06.2020** upon production of record.

IO is directed to furnish complete and comprehensive reply whether any witness has been threatened or intermediated during this period.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020**

22.06.2020

Matter taken up through videoconferencing connected by Ahlmad of the court.

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga.
Shri Atul, counsel for applicant/accused.

By this order, I shall decide the application requesting for grant of anticipatory bail filed on behalf of applicant Shyam Kumar @ Shyama.

Counsel for the applicant submits that the applicant is not having any criminal record and is not a previous convict. That applicant was neither present at the spot nor his any involvement has been shown in the FIR by the prosecution. That the name of the applicant has come up during the interrogation of the main accused Ranjit Mehta. That the main accused Ranjit Mehta has already been granted bail by the court of Ld. MM Ms. Akanksha, Tis Hazari Court, Delhi, on 16.04.2020 and hence, applicant/accused is also entitled for grant of bail on the ground of parity. That the police officials are harassing to the family members of the applicant by extending threats to arrest the applicant soon, without telling any reason and there is every apprehension of the arrest of the applicant in the present case. That there is no chance of absconding or tempering with the prosecution evidence and that the applicant is ready to join the investigation as & when directed by court, IO/SHO.

Facts as stated in the bail application are as follows :

That on 14.04.2020 HC Noor Singh and HC Baljeet while on emergency duty were coming back to PS after attending PCR calls and when they reached outside H. No. 11-A, Tagore Garden, near Kuda Khatta, they saw bunch of people

gathered over there and when they reached near to them, they all dispersed and one person who was later identified as Ranjeet Mehta S/o Shri Sita Ram was in possession of white colour plastic bag containing liquor in it and he was selling the same to persons gathered over there. After that, HC Noor Singh with the help of staff caught hold of him and present case was registered on his complaint and during interrogation, accused Ranjeet Mehta disclosed that he was selling this liquor for Shyam Kumar @ Shyama and was getting minimum wages only.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO.

IO has opposed the bail application further on the ground that applicant is a bootlegger and also a B.C of PS Rajouri Garden and having numerous cases of selling illicit liquor and he needs to be interrogated at large on the basis of his name which is inflicted in present FIR in order to ascertain his role. That his given address is found locked and he is concealing himself since the registration of FIR and not joining the investigation.

Main accused Ranjeet Mehta has already been granted regular bail by the court of Ld. MM. Counsel for applicant has submitted that applicant is innocent and the police only wishes to extort money from the applicant after writing the name of the applicant in the disclosure statement of main accused Ranjeet Mehta. Even when Ranjeet Mehta has not disclosed name of the applicant on his own. It is submitted that applicant is ready to join investigation as & when directed by the IO and shall co-operate fully with the investigation but the police should not be allowed to extort the applicant under the threat of arrest and false implication.

After hearing arguments from both the sides, this court is of the opinion that since main accused Ranjeet Mehta has already been granted bail and the testimony & disclosure statement of co-accused does not have much weightage,

the applicant may be granted anticipatory bail so as to avoid illegal harassment at the hands of the police specifically when applicant is ready to join the investigation. Therefore, applicant Shyam Kumar @ Shyama is granted anticipatory bail in this case and it is hereby ordered that in the event of his arrest by the IO of this case, he shall be released on his furnishing a bail bond in the sum of Rs. 20,000/- with one surety of like amount subject to the satisfaction of the IO/SHO concerned and subject to the further condition that he shall join investigation and co-operate with investigation of this case.

The application stands disposed of accordingly.

Copy of this order be sent to the concerned IO as well as counsel for applicant upon the email ID or by any other approved modes.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 361/19
PS: Rajouri Garden
U/s 20 NDPS Act
State Vs. Sunny

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Ghanshyam Kaushik, counsel for applicant.

By this order, I shall decide bail application of applicant/accused Sunny.

Facts as stated in the bail application are as follows:-

It is submitted that as per the case of prosecution, applicant was apprehended with a bag containing 25 kg of ganja. It is submitted that the investigation conducted by the police is contrary to law as laid down by Hon'ble Supreme Court in the case of Mohan Lal vs State. It is submitted that the police officer who received the secret information has conducted investigation in this case which are contrary to the principles of law. Applicant is seeking grant of interim bail on the ground that his wife namely Smt. Shalu has been diagnosed to be suffering from intermittent bleeding from her vagina and has been diagnosed to be having ovarian cysts for which she has been advised surgery by the doctors. Doctors have advised the wife to arrange for two units of blood and an attendant at the time of surgery. Presence of applicant is required at this time of crises on humanitarian as well as on compassionate grounds to look after his wife both at the time of surgery as well as during post operative care. Applicant has to arrange for finances for the treatment of his wife. Earlier bail application was dismissed as date of surgery was not fixed which is now fixed for 12.06.2020. It is prayed that the applicant may be granted interim bail for period of 6 weeks in the facts and circumstances of the case.

Reply has been filed by ASI Raj Kumar. It is submitted that applicant was arrested on a secret information. Upon search, 25 kg of Ganja was found in his

FIR No. 361/19
PS: Rajouri Garden
U/s 20 NDPS Act

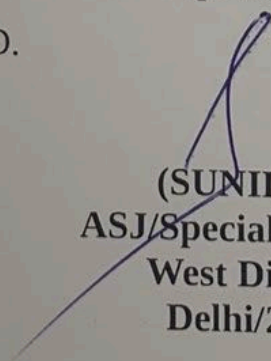
-2-

possession. Chargesheet has already been filed in the court. But the medical documents filed by the applicant have been verified from N.C hospital. Present interim bail is opposed.

I have heard arguments from both the sides. As per the verification prescription given by Dr. Gajinder Nayyar verified by the IO, patient Shalu is a case of right ovarian cyst which requires small surgery. Applicant has submitted that there is no one else to look after his wife and make arrangements during and after operation. Family of applicant should not suffer because of the acts of applicant. Trial of the case is likely to take long time in view of present situation and circumstances. As per the report of IO, there is nothing mentioned where there is anyone else in the family of applicant to look after the wife of the applicant. Therefore, considering these situations, applicant is granted interim bail for one month subject to following conditions:-

- i. That applicant shall not indulge himself in any other criminal offence.
- ii Applicant shall furnish a bail bond in in the sum of Rs.20,000/- with one surety of like amount subject to the satisfaction of concerned SHO.
- iii Applicant shall not run away from the court and shall attend court on each and every date of hearing.
- iv That applicant shall surrender himself before the Jail authorities on expiry of this interim bail period of one month before the forenoon session.

Copy of this order be sent to Jail Superintendent and one copy be sent to counsel for applicant on his e-mail ID.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

FIR No. 390/18
PS : Hari Nagar
U/s 302/201/120-B/34 IPC &
25/54/59 Arms Act
State v. Roshan Paswan

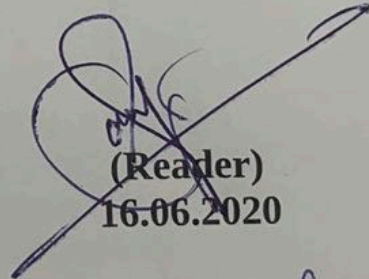
16.06.2020

Present: Learned Addl. PP for State could not be connected due to some technical problem at his end.

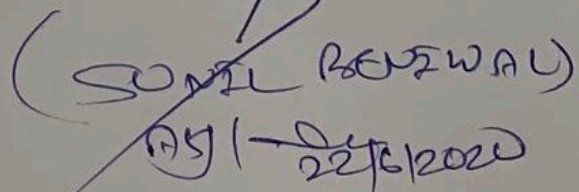
None for the accused/applicant.

Undersigned has contacted the Ld. counsel on telephone and Ld. counsel has submitted that he is not in a position to argue the application right now through videoconferencing and seeks adjournment.

As per directions of Ld. PO through videoconferencing, matter is adjourned for 22.06.2020.


(Reader)
16.06.2020

22/6/2020
Pr. Ld Addl. PP for State through v.c
Sh. Dimesh is connected on
telephone by Reader on his mobile
no 9711419822. at request of Ld
Counsel for adj. put off
22/6/2020


(SONIL BANZWAL)
22/6/2020

FIR No. 135/19
PS : Khyala
U/s 21 & 25 NDPS Act
State v. Jeoffery Boateng

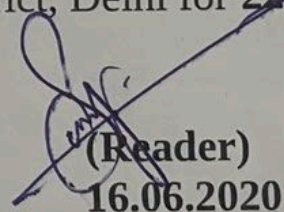
16.06.2020

Present: Learned Addl. PP for State could not be connected due to some technical problem at his end.
None for the accused/applicant.

Report filed by Ct. Jagdish, PS Khyala on behalf of Inspector Arvind Kumar in which it is stated that report in this regard may be called from Inspector : Narcotics Squad, West District, New Delhi.

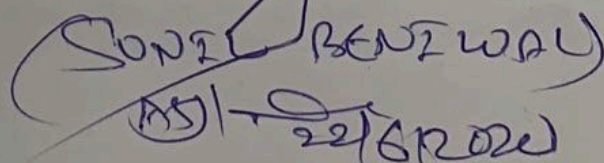
Undersigned has contacted the Ld. counsel on telephone and Ld. counsel has submitted that he is not in a position to argue the application right now through videoconferencing and seeks adjournment.

As per directions of Ld. PO through videoconferencing, let notice be issued to Inspector : Narcotics Squad, West District, Delhi for 22.06.2020.


(Reader)
16.06.2020

22/6/2020

Pr Ld Addl PP for state through
at request of Ld Counsel on telephonic
Conversation with Reader.
Case on adj to 27/6/2020


SONIL BENIWAL
ASJ - 22/6/2020

suved

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 71/20
PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Rahul Gupta**

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Kapil Chaudhary, Counsel for the applicant through video conferencing.

Application is taken up through video conferencing.

By this order, I shall decide the bail application requesting for grant of anticipatory bail to accused/applicant Rahul Gupta. Facts as stated in the application are as follows:-

That applicant is the husband of the complainant and the marriage was a dowry-less marriage. It is submitted that the it was an arrange intercaste and no dowry whatsoever was demanded or exchanged. Marriage was performed on 14.02.2017. Complainant did not bring any jewellery or costly items and therefore, allegations about the custody of dowry articles being in possession of accused/applicant are false. The real fact of the matter is that the complainant being the wife was forcing the applicant to reside somewhere else as she does not believe in joint family system but the applicant being the elder son was not ready to live separately from his family as all the family responsibilities were on his shoulders. The whole dispute arose when father of the complainant made demands of Rs.5 lacs in the month of January 2019 in order to overcome financial difficulties in his business. The applicant could not meet this demand and refused the same as marriage of his sister was fixed for 29.05.2019. That a girl child namely Mahima @

Mahi was born out of the wedlock of the complainant and the applicant. A function in happiness of the same was also held on 08.11.2018. Thereafter, on 08.02.2019, complainant left the matrimonial house and started residing at the house of her father. The present FIR is a counter blast to petition under Section 9 of Hindu Marriage Act against the applicant and his family members. Complainant also did not attend the marriage of her sister-in-law despite repeated requests. That whenever there is a matrimonial dispute between the husband and wife it has become the habit of the wife/complainant to include the entire family in order to put pressure by making false allegation of demand of dowry whereas in reality, the complainant wants to separate the applicant from his parents to force him to reside somewhere else.

Reply has been filed to this application. In the reply, it is alleged that family of complainant spent around Rs.25 lacs on her marriage but shortly after the husband started mistreating the wife and also started making demand of dowry. In October 2018, complainant delivered a baby girl. It is alleged that because of delivery of a baby girl, the applicant and his family members started harassing and demanding more dowry from the complainant. Bail application is opposed on following grounds:-

1. Investigation is in initial stage and custodial interrogation of the accused persons may be required for further investigation.
2. Accused/applicant has joined investigation upon service of notice and further interrogation is required.
3. Apart from applicant, no other accused person has joined interrogation and notices will be served shortly to this effect.

PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Rahul Gupta

4. If bail is granted to the accused persons, they may threaten the complainant and her family members.
5. If bail is granted to the accused, his confidence and morale will boost and he may cause further harm to the complainant.

I have heard arguments from both the sides. Ld. APP has opposed the application in view of the grounds made by the IO. Ld. APP submits that the dowry articles including the jewellery are in the custody of the husband who is not releasing the same.

Counsel for the applicant/accused has submitted that no demand of dowry was ever made and complainant was never subjected to any cruelty. Counsel for accused has further submitted that it has become a routine affair for the wife to dominate her husband by falsely implicating all the family members of the husband by leveling allegations of harassment, cruelty and dowry. Counsel for applicant has further submitted that even the Hon'ble Supreme Court in its latest judgment has outlined such a practice being adopted by cantankerous daughter-in-laws against her in-laws in order to try and dominate them. Ld. Counsel has further submitted that the applicant is ready to join investigation as and when desired by the IO but the complainant as well as IO are using the present case as a tool to exploit and extort the applicant. It is further submitted by counsel for applicant that almost three months have expired since the registration of FIR and till date, IO has not contacted the applicant or other family members to conduct any source of investigation and the IO is going about this whole case at his ~~own~~ leisure. It is further submitted that Hon'ble High Court of Delhi in a recent case as outlined this fact that accused persons should not be committed to judicial custodies at the whims and fancies of

FIR No. 71/20

-4-

PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Rahul Gupta

the complainant or the police and they should be imprisoned only when they are found guilty of the commission of offence after conclusion of trial.

After hearing arguments, this court is inclined to agree with the submissions of counsel for the applicant. As per the report of IO, there is no documentary evidence of commission of alleged offence by the applicant. At this stage, the whole case is revolving merely on oral statements of the complainant. No documentary evidence whatsoever has been produced of the commission of any offence or of the fact that any sort of jewellery or dowry items are in possession of the husband of the complainant or that any demand of dowry was made or any cruelty was inflicted upon the complainant by the applicant. Therefore, under the given facts and circumstances, the investigating officer and the concerned SHO are directed that in the event the investigating officer or the SHO decides to arrest or take any other coercive action against the applicant, IO and SHO shall give two weeks advance notice of the same against acknowledgment in writing to the applicant, so as to enable the applicant to avail proper legal remedy.

The present application for grant of anticipatory bail is not allowed at this stage but interim protection of two weeks is granted to the applicant against any coercive action that may be undertaken by the IO and SHO in future.

Copy of this order be sent to counsel for applicant through e-mail. One copy be sent to IO and SHO through proper channel and approved means.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 71/20
PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Sunita Gupta

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.
Mr. Kapil Chaudhary, Counsel for the applicant through video conferencing.

Application is taken up through video conferencing.

By this order, I shall decide the bail application requesting for grant of anticipatory bail to accused/applicant Sunita Gupta. Facts as stated in the application are as follows:-

That applicant is the mother-in-law of the complainant and the marriage was a dowry-less marriage. It is submitted that the it was an arrange intercaste and no dowry whatsoever was demanded or exchanged. Marriage was performed on 14.02.2017. Complainant did not bring any jewellery or costly items and therefore, allegations about the custody of dowry articles being in possession of accused/applicant are false. The real fact of the matter is that the complainant being the wife was forcing the husband to reside somewhere else as she does not believe in joint family system but the son of the applicant was not ready to live separately from his family as he is the elder son and all the family responsibilities were on his shoulders. The whole dispute arose when father of the complainant made demands of Rs.5 lacs in the month of January 2019 in order to overcome financial difficulties in his business. The applicant could not meet this demand and refused the same as marriage of his sister was fixed for 29.05.2019. That a girl child namely Mahima @

PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Sunita Gupta

Mahi was born out of the wedlock of the complainant and son of the applicant. A function in happiness of the same was also held on 08.11.2018. Thereafter, on 08.02.2019, complainant left the matrimonial house and started residing at the house of her father. The present FIR is a counter blast to petition under Section 9 of Hindu Marriage Act against the applicant and his family members. Complainant also did not attend the marriage of her sister-in-law despite repeated requests. That whenever there is a matrimonial dispute between the husband and wife it has become the habit of the wife/complainant to include the entire family in order to put pressure by making false allegation of demand of dowry whereas in reality, the complainant wants to separate the son of applicant from his parents to force him to reside somewhere else.

Reply has been filed to this application. In the reply, it is alleged that family of complainant spent around Rs.25 lacs on her marriage but shortly after the husband started mistreating the wife and also started making demand of dowry. In October 2018, complainant delivered a baby girl. It is alleged that because of delivery of a baby girl, the in-laws started harassing and demanding more dowry from the complainant. Bail application is opposed on following grounds:-

1. Investigation is in initial stage and custodial interrogation of the accused persons may be required for further investigation.
2. Applicant is yet to be interrogated.
3. Accused Rahul has joined investigation upon service of notice and further interrogation is required.
4. Apart from Rahul, no other person has joined interrogation and notice will be served shortly.

PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Sumita Gupta

5. If bail is granted to the accused persons, they may threaten the complainant and her family members.
6. If bail is granted to the accused, her confidence and morale will boost and she may cause further harm to the complainant.

I have heard arguments from both the sides. Ld. APP has opposed the application in view of the grounds made by the IO. Ld. APP submits that the dowry articles including the jewellery are in the custody of the husband who is not releasing the same.

Counsel for the applicant/accused has submitted that no demand of dowry was ever made and complainant was never subjected to any cruelty. Counsel for accused has further submitted that it has become a routine affair for the wife to dominate her husband by falsely implicating all the family members of the husband by leveling allegations of harassment, cruelty and dowry. Counsel for applicant has further submitted that even the Hon'ble Supreme Court in its latest judgment has outlined such a practice being adopted by cantankerous daughter-in-laws against her in-laws in order to try and dominate them. Ld. Counsel has further submitted that the applicant is ready to join investigation as and when desired by the IO but the complainant as well as IO are using the present case as a tool to exploit and extort the applicant. It is further submitted by counsel for applicant that almost three months have expired since the registration of FIR and till date, IO has not contacted the applicant or other family members to conduct any source of investigation and the IO is going about this whole case at his own leisure. It is further submitted that Hon'ble High Court of Delhi in a recent case as outlined this fact that accused persons should not be committed to judicial custodies at the whims and fancies of

FIR No. 71/20

-4-

PS: Ranjeet Nagar
U/s 498A/406/34 IPC
State Vs. Sumita Gupta

the complainant or the police and they should be imprisoned only when they are found guilty of the commission of offence after conclusion of trial.

After hearing arguments, this court is inclined to agree with the submissions of counsel for the applicant. As per the report of IO, there is no documentary evidence of commission of alleged offence by the applicant. At this stage, the whole case is revolving merely on oral statements of the complainant. No documentary evidence whatsoever has been produced of the commission of any offence or of the fact that any sort of jewellery or dowry items are in possession of the husband of the complainant or that any demand of dowry was made or any cruelty was inflicted upon the complainant by the applicant. Therefore, under the given facts and circumstances, the investigating officer and the concerned SHO are directed that in the event the investigating officer or the SHO decides to arrest or take any other coercive action against the applicant, IO and SHO shall give two weeks advance notice of the same against acknowledgment in writing to the applicant, so as to enable the applicant to avail proper legal remedy.

The present application for grant of anticipatory bail is not allowed at this stage but interim protection of two weeks is granted to the applicant against any coercive action that may be undertaken by the IO and SHO in future.

Copy of this order be sent to counsel for applicant through e-mail. One copy be sent to IO and SHO through proper channel and approved means.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

22.06.2020

Present: Learned Addl. Public Prosecutor Shri Parvesh Kumar Ranga through videoconferencing.
Counsel for applicant/accused Shri Mahendra Pratap.
Counsel for complainant Shri Alok Pandey.

By this order, I shall decide the application requesting anticipatory bail filed on behalf of applicant/accused Tazyeen Magsood Sheikh.

Facts as stated in the bail application are as follows :

That applicant is a director of limited company known as Innovative Ideals and Services (India) Pvt. Ltd. engaged in the business of importing mobile phones, security devices etc. Original complainant is one Mr. Nihar Gupta. FIR was registered pursuant to orders of Ld. MM, West District, Tis Hazari Court, Delhi, against multiple accused. FIR has been registered U/s 420 IPC.

It is submitted that the applicant is innocent and present FIR has been lodged to extort money from the applicant. That the applicant and his company was in the process of importing smart phones from China to distribute them in Indian Market when a broker known as Mr. Nitin Kedia who was known to the Managing Director of the company, approached Mr. Magsood Dabir Sheikh and offered to enter into a Joint Venture Agreement for the import and sale of the mobile phones. The company of the applicant took 4,000/- mobile phones worth approximately Rs. 1.87 Crore plus other charges. It is submitted that the applicant was not actively involved in this transaction and is a sleeping director and not an active director in the said accused company. It is submitted that it is accused no. 6 Mr. Kedia who is actually guilty of the said offence and that the applicant has been falsely implicated in the present case. It is submitted that

the applicant is ready to join the investigation but only through videoconferencing because of prevalent circumstances of Covid-19 virus. It is prayed that applicant be granted anticipatory bail and he is ready to abide by any condition imposed by the court for the grant of anticipatory bail.

Reply has been filed on behalf of IO.

Learned Addl. Public Prosecutor has strongly opposed the bail application in view of reply filed by the IO.

It is submitted that as per statement of complainant Nihar Gupta, the complainant was lured by directors of the accused company and was made to invest money for profits in near future and was assured by the alleged persons that the said investment is only for three months and there will be good returns. The complainant through various cheques made payment to the alleged persons. That the applicant Tazyeen Magsood Sheikh is one of the directors of the accused company which is involved in the business of importing mobile phones, security devices etc. for security requirements. It is submitted that despite several telephonic conversations with the accused and directions to join investigation, accused has avoided to join the investigation and therefore, notice U/s 41-A Cr.P.C were served upon the accused on Whatsapp and on their official email ID to join investigation on 24.06.2020. The case file will be transferred to Economic Offences Wing for further investigation. The cheating amount is found to be more than Rs. 2 Crore. Anticipatory bail applications of accused Magsood Dabir Sheikh and Dabir Ahmed Shamsuddin have already been dismissed by the Ld. ASJ, Tis Hazari Court, Delhi, vide order dated 28.05.2020 and anticipatory bail application of accused Dabir Ahmed Shamsuddin Sheikh is pending before the Hon'ble High Court of Delhi and is listed for 26.06.2020. Therefore, present bail application of accused Tazyeen Magsood Sheikh is vehemently opposed as investigation is at initial stages.

I have heard arguments from both the sides.

Even counsel for the complainant had appeared and had argued the matter

against granting bail to the present applicant. As per the case of the IO, the cheated amount is more than Rs. 2 Crore. Anticipatory bail applications of two other co-accused have already been dismissed by the court. While anticipatory bail application of accused Dabir Ahmed Shamsuddin Sheikh is pending before Hon'ble High Court of Delhi. Present bail application is opposed on the ground that investigation is at very initial stage.

In the opinion of the court, no ground is made out for grant of anticipatory bail at this stage. Earlier anticipatory bail applications of other co-accused persons have already been dismissed. Matter is seized by Hon'ble High Court of Delhi in the bail application of another co-accused. Investigation is at the early stages. Granting anticipatory bail at this stage may hamper further investigation of this case. Therefore, under these circumstances, the court does not find any merit in the present bail application and hence, the same is dismissed. But on a note of caution, the Investigating Officer of the case is directed to ensure that no physical harassment is caused to the applicant by directing the applicant to appear in person if the same is not required because of the present Covid-19 virus pandemic. The IO is directed to ensure that physical appearance of applicant is directed for the purpose of future investigation only if the same can not be dispensed with and if the interrogation can not be conducted efficiently and comprehensively by way of videoconferencing or other online mode. The Investigating Officer is free to use his own discretion and wisdom at his disposal while directing the applicant for physically joining the interrogation. But in the end, it shall be call of IO to do so.

One copy of this order be sent to the counsel for applicant and counsel for complainant and to the Investigating Officer & SHO through proper channel and e-mail ID if provided in the records.

(SUNIL BENIWAL,
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
22.06.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 62/13
PS: Paschim Vihar
U/s 302/201/120B/34 IPC
State Vs. Vipin Kumar Tanti

22.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State through Video Conferencing.

Mr. Pawan Gupta counsel for applicant appeared through video conferencing.

As per the order bearing no. 16/DHC/2020 dated 13.06.2020 by the Hon'ble High Court, "the matters listed in the courts subordinate to Delhi High Court on 15.06.2020 shall be adjourned en bloc by each court in terms of the earlier direction; and w.e.f 16.06.2020, all the subordinate courts, shall take up urgent cases (except where evidence is to be recorded) of their respective courts through video conferencing mode and other matters shall be adjourned accordingly".

In view of the same, matter be sent to the concerned court of Sh. Manish Gupta, Ld. ASJ-04, West, THC, Delhi, for **24.06.2020**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/22.06.2020

IN THE COURT OF SH. VISHAL SINGH
LD. ASJ-03 THC, WEST DELHI

Bail Application No. 721

FIR No. 52/2019

PS: Moti Nagar

U/s 374 IPC, 79 JJ Act, 3/4 Child Labour Act

Rajinder Gulati vs. State

06.05.2020

The court of undersigned is having duty today as per Circular/Duty Roster.

Present: Id. Addl. PP for State.
None for the accused.
IO is absent.

Put up for appearance of applicant and consideration on

22.06.2020.

(Vishal Singh)
ASJ - 03, THC(West), Delhi
06.05.2020

22/6/2020
Pr UD ADA PP for Madhura vs
Pr name Madhura repeated claim
Pr up of 22/6/2020

~~SOVIL BENTINER~~
~~22/6/2020~~