

CC No. 274/19
PS: Crime Branch
U/s: 18/27 Drugs and Cosmetics Act
Bijender Singh Vs. State

22.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

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

1. This is fresh application u/s 439 CrPC on behalf of applicant/accused Bijender Singh seeking interim bail on the ground of illness of his wife. Reply filed by the IO. Copy supplied.
2. Arguments heard.
3. Ld. Counsel for applicant submits that applicant is in JC since 2018. Trial is pending in the Court of undersigned and is at the stage of PE. He submits that wife of applicant is not well as she has stone in her gall bladder and is advised surgery scheduled for next week. He further submits that there is no other family member of the applicant to look after his wife. He submits that

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other two co-accused are already on interim bail. Ld. Counsel for applicant submits that out of the one incident, the prosecution lodged three separate cases, one in the form of FIR bearing no. 74/18 and other by filing two separate complaints, one is the present complaint and other bearing no. 427/19. He further submits that applicant has already been admitted on bail in the main case bearing FIR No. 74/18, by this court vide its order dated 13.07.2020.

4. Ld. APP for the State opposed the bail application as he submits that as per contents of the application itself three major children of the applicant are available to look after the applicant's wife. He further submits that bail application of applicant has been dismissed several times by Ld. Predecessor of this Court.

5. I have considered the arguments advanced by Ld. APP for the State and Ld. counsel for applicant. Applicant is in JC since 2018. Due to Pandemic situation of Covid 19 the matter is going to take time to proceed further. The medical documents of the applicant's wife has been verified by the

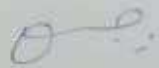
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IO and found to be genuine. Hence, considering the entire facts and circumstances of the case, applicant is admitted on interim bail for 30 days, from the date of release, subject to furnishing bail bond of Rs.20,000/- with local surety of like amount to the satisfaction of this Court. Applicant is directed to surrender before the concerned Jail superintendent on the expiry of period of interim bail.

Application stands disposed off.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-22.07.2020

FIR No. 176/19
PS: Civil Lines
U/s: 302/308/325/34 IPC
Kunal Vs. State

22.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

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

1. This is the first bail application u/s 439 CrPC moved on behalf of applicant/accused Kunal, seeking regular bail. Reply filed by the IO.
2. Arguments heard.
3. Trial of this case is pending in the court of undersigned and is at the stage of prosecution evidence.
4. Total 5 accused are involved in the present case. The case of the prosecution is that on 04.11.2019, accused in connivance with other 4 co-accused persons committed murder of deceased Somwati and also gave beatings to her two sons.
5. Ld. Counsel for applicant submits that applicant and complainant are relatives and due to previous enmity between both the families, applicant has been falsely implicated in the present case by the complainant. He also submits that as per the chargesheet the

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applicant has no active role in the crime but he reached at the spot after the quarrel started between the family of the deceased and complainant's family. He also submits that applicant was not having common intention with other co-accused persons to murder or to cause injuries to victims.

Ld. Counsel also submits that the applicant's wife is not well and needs care. There is no one in the family of the applicant to look after his ailing wife. He also submits that the IO has verified the medical documents of the applicant's wife and found the same to be genuine.

6. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. Matter is at the initial stage of prosecution evidence. None of the prosecution witness has been examined yet including the public witnesses. He submits that if applicant is admitted on bail, he may try to influence the witnesses. He also submits that the bail application of co-accused Imran, having the same role as attributed to the applicant, has been recently dismissed by Hon'ble High Court vide order dated 09.07.2020. He further submits that co-accused Geeta also applied interim bail twice during the lockdown period on one ground or the other but both the times, her interim bail application was dismissed by Ld. ASJ(s).

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Though, he submits that the Hon' ble High Court granted interim bail to co-accused Geeta only for 10 days for attending marriage of her son. He also submits that as per the reply of the IO, the medical documents of applicant' s wife, annexed with the present application, are prior to the arrest of the applicant. He also submits that the other family members of the applicant are available to lookafter his wife. He submits that IO has conducted the detailed inquiry as mentioned in his reply that applicant' s wife is residing with her parents and brothers. She has two young brothers and parents who may lookafter her. Even, in the family of the applicant, his own parents are also available to take care of his wife.

7. I have considered the rival contentions of Ld. APP & Ld. Counsel for applicant and perused the record.

8. There are serious allegations of murder against the applicant. The medical documents of applicant' s wife are prior to the arrest of the applicant. Otherwise also, his other family members are available to lookafter his allegedly ill wife. Keeping in mind all the facts and circumstances of the case, at this stage, no ground for bail is made out. Accordingly, the present bail application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.


Charu Aggarwal
ASJ-02/Central Distt.
THC/Delhi-22.07.2020

FIR No. 276/16
PS: DBG Road
U/s: 302/201/120 B IPC
Laxmi Narayan Vs. State

22.07.2020

Matter taken up through Video Conferencing (Cisco Webex).


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

On last date of hearing, concerned Jail Superintendent was directed to file the conduct report of the applicant and the status of co-accused Geeta whether she is in JC or has been released. Jail Superintendent has filed only the conduct report of the applicant but not the status of co-accused Geeta whether she is in JC or released from the jail.

Concerned Jail Superintendent is directed to file the status of co-accused Geeta as mentioned above on next date.

Reply not filed by the IO. Same be filed on next date.

Put up on 23.07.2020.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-22.07.2020

CC No. 427/19
PS: Crime Branch
U/s: 18 (A) (i)/18 (C)/18(a)/27/28 Drugs and Cosmetics Act
Bijender Singh Vs. State
22.07.2020

Matter taken up through Video Conferencing (Cisco Webex).

Present: Sh. Virender Singh, Ld. Addl. PP for State.

Ld. Counsel for applicant/accused Bijender Singh.

1. This is fresh application u/s 439 CrPC on behalf of applicant/accused Bijender Singh seeking interim bail on the ground of illness of his wife. Reply filed by the IO. Copy supplied.
2. Arguments heard.
3. Ld. Counsel for applicant submits that applicant is in JC since 2018. Trial is pending in the Court of undersigned and is at the stage of PE. He submits that wife of applicant is not well as she has stone in her gall bladder and is advised surgery scheduled for next week. He further submits that there is no other family member of the applicant to look after his wife. He submits that other two co-accused are already on interim bail. Ld. Counsel for applicant



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submits that out of the one incident, the prosecution lodged three separate cases, one in the form of FIR bearing no. 74/18 and other by filing two separate complaints, one is the present complaint and other bearing no. 274/19. He further submits that applicant has already been admitted on bail in the main case bearing FIR No. 74/18, by this court vide its order dated 13.07.2020.

4. Ld. APP for the State opposed the bail application as he submits that as per contents of the application itself three major children of the applicant are available to look after the applicant's wife. He further submits that bail application of applicant has been dismissed several times by Ld. Predecessor of this Court.

5. I have considered the arguments advanced by Ld. APP for the State and Ld. counsel for applicant. Applicant is in JC since 2018. Due to Pandemic situation of Covid 19 the matter is going to take time to proceed further. The medical documents of the applicant's wife has been verified by the IO and found to be genuine. Hence, considering the entire facts and



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circumstances of the case, applicant is admitted on interim bail for 30 days, from the date of release, subject to furnishing bail bond of Rs.20,000/- with local surety of like amount to the satisfaction of this Court. Applicant is directed to surrender before the concerned Jail superintendent on the expiry of period of interim bail.

Application stands disposed off.



(Charu Aggarwal)
ASJ-02/Central Distt
THC/Delhi-22.07.2020