

State vs Monu

FIR NO: 81/13

PS: Kashmere Gate

U/S: 365/395/412/34 IPC

26.06.2020

Matter has been taken up today as report of jail superintendent has been received.

Through video conferencing.

Present: None for State

Sh. Kaushal Thakur, Ld. Counsel for accused/applicant.

As per report received from concerned jail superintendent, accused is in custody in one more case i.e. FIR No. 53/2013 PS Kotwali.

In these circumstances, the application stands disposed off accordingly as no directions are required in this case.

The date of 27.06.2020 stands cancelled.

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(Anuj Agrawal)
ASJ-03, Central District
Tis Hazari Courts, Delhi
26.06.2020

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State Vs. Afzal Ali

FIR No: 216/14

Under Section: 419/468/420/471/370/306/120

PS: Hauz Qazi

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. M.A Qureshi, Ld. Counsel for applicant/accused.

Report of IO has been received today. As per same, he did not attach proper medical papers and medical history of his wife.

Ld. Counsel for accused undertakes to file the same on next date of hearing.

At request, put up on 30.06.2020.

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26.06.2020**

State Vs. Anil @ Raja

FIR No: 227/2016

Under Section: 304/379/403/411 IPC

PS: Burari

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.
Sh. Sher Singh, Ld. Counsel for accused/applicant.

Report from concerned jail superintendent has been received. As per same, the conduct of accused at jail is satisfactory. IO has already reported 'no previous involvement' of accused. The accused fulfills all the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020.

In these circumstances, accused Anil @ Raja is admitted on interim bail for a period of 45 days on furnishing Personal Bond in the sum of Rs. 20,000/- to the satisfaction of concerned jail superintendent. Accused shall surrender on the expiry of period of 45 days.

Copy of the order be sent to concerned jail superintendent for information and compliance. Copy of the order be given dasti to Ld. Counsel for applicant/accused, at request.

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26.06.2020

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State Vs. Yoginder @ Joginder @ Jogga

FIR No: 532/14

Under Section: 302/307/201/34 IPC

PS: Subzi Mandi

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Yash Wahi, Ld. Counsel for accused/applicant.

Report from concerned jail superintendent has been received. As per same, the conduct of accused at jail is satisfactory. IO has already reported 'no previous involvement' of accused. The accused fulfills all the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020.

In these circumstances, accused Yoginder @ Joginder @ Jogga is admitted on interim bail for a period of 45 days on furnishing Personal Bond in the sum of Rs. 20,000/- to the satisfaction of concerned jail superintendent. Accused shall surrender on the expiry of period of 45 days.

Copy of the order be sent to concerned jail superintendent for information and compliance. Copy of the order be given dasti to Ld. Counsel for applicant/accused, at request.

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26.06.2020

State Vs. Vikas @ Sanju & Anr

FIR No: 98/18

Under Section: 307/302/201/120B/34 IPC

PS: Crime Branch (Sadar Bazar)

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Anurag Jain, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused is seeking interim bail on the ground that his case is covered vide minutes dated 18.05.2020 of High Powered Committee.

Heard. Record perused.

Report of jail superintendent received. As per the report of jail superintendent, accused Vikas @ Sanju has been awarded with multiple punishments in jail, however, the conduct of applicant/accused is satisfactory for the last one year.

Report of IO has already been received. As per same, accused/applicant is involved in six more cases apart from present case. Ld. Counsel for accused seeks some time to verify the said previous involvement.

Let the same be done by Ld. Counsel by next date of hearing. The State shall supply copy of report of IO to the counsel. **The nominal roll of the accused be also filed by concerned jail superintendent in addition by next date of hearing.**

At request, put up for further hearing on 01.07.2020. Copy of the order be sent to concerned jail superintendent for compliance.

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ASJ-03, Central District
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26.06.2020

State Vs. Rabi-ul-Islam

FIR No: 216/2014

Under Section: 419/420/368/372/376/324/34 IPC

PS: Hauz Qazi

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. J.S Mishra, Ld. LAC for accused/applicant.

Report from concerned jail superintendent has been received. As per same, the conduct of accused at jail is satisfactory. IO has already reported 'no previous involvement' of accused. The accused fulfills all the criteria as laid down by High Powered Committee vide minutes dated 18.05.2020.

In these circumstances, **accused Rabil-UL-Islam is admitted on interim bail for a period of 45 days on furnishing Personal Bond in the sum of Rs. 20,000/- to the satisfaction of concerned jail superintendent. Accused shall surrender on the expiry of period of 45 days.**

Copy of the order be sent to concerned jail superintendent for information and compliance. Copy of the order be given dasti to Ld. Counsel for applicant/accused, at request.

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ASJ-03, Central District
Tis Hazari Courts, Delhi
26.06.2020

State Vs. Mohd. Arif

FIR No: 77/19

Under Section: 302/307/34 IPC & 25/54/59 Arms Act

PS: I.P. Estate

26.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. APP for the State.

Sh. Mohd. Illias, Ld. Counsel for applicant/accused.

Arguments heard. Record perused.

Report of IO in terms of directions dated 22.06.2020 has been received today. As per same, it has been verified by the concerned doctors that surgery of wife of accused is not essential/urgent. It has further been reported by IO that two brothers of accused, though residing separately, are ready to help wife of accused in case of need and emergency.

In the matter of Ather Parvez Vs. State (Crl. Ref. No. 01/2015 Date of decision 26.02.2016), it has been observed by Hon'ble Delhi High Court that:

“...The trial of the appellate courts after conviction are entitled to grant “interim bail” to the accused/convict when exceptional and extra-ordinary circumstances would justify this indulgence. The power is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release...”

It is a settled principle of law that interim bail can only be granted in exceptional circumstances. In the instant application, there is no ground much less exceptional grounds to release the applicant/accused on interim bail. The accused is facing trial for commission of a very serious offence.

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State Vs. Mohd. Arif

FIR No: 77/19

Under Section: 302/307/34 IPC & 25/54/59 Arms Act

PS: I.P. Estate

During course of arguments, Ld. Counsel has forcefully submitted that accused may be granted interim bail for a period of one month, so that he can make adequate arrangements for his family who are suffering in his absence.

This argument of Ld. Counsel does not disclose good grounds to be entertained as the very incarceration of an accused not only curtails his 'personal liberty' but also certain other rights like 'right to maintain and take care of one's family'. Even otherwise, the accused is in custody since long and therefore, it is evident that his family members are maintaining themselves at their own even in his absence.

In view of the above, **I am not inclined to release the applicant/accused Mohd. Arif on interim bail. His interim bail application is accordingly dismissed.**
Application accordingly disposed.

Copy of the order be sent to jail superintendent for information. Copy of the order be given dasti to Ld. Counsel for applicant/accused, if requested.

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(Anuj Agrawal)
ASJ-03, Central District
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26.06.2020

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