FIR No.: 474/19 PS:Ambedkar Nagar State vs.Naresh Pal Singh U/s 363/367/377 IPC & 4/6 POCSO

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State. Sh. Vaibhay Shukla. Ld. Counsel for the

applicant/ accused.

Extension is sought on the ground that on account of some error in recording of address of the applicant/ accused, the applicant/ accused could not be released till 18.05.2020, and as such the surgery of his wife which was originally scheduled for 18.05.2020, has now been rescheduled for 06.06.2020.

I have heard the Learned counsel for the applicant/ accused as well as Leanred APP for the State.

Learned counsel for the applicant/ accused has sought 90 days extension on the ground that fibroid is to be removed and follow up care is also necessary.

Learned APP for the State, on the other hand, objects on the ground that surgery is not such, which would require either hospitalization or post operative care for long time.

Leanred counsel for the applicant/ accused states that in view of the circumstances, it is desirable that an extension of 45 days is given from today.



Considering the submissions made by learned counsel for the applicant/ accused and the Learned APP for the State, the extension of 30 days from today is allowed.

The applicant would be at liberty to approach the Court with reliable medical documents, incase such further extension is necessitated.

The application stands disposed off.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 392/19 PS:Sangam Vihar Janak Lali vs. State U/s 323/363/376 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Keshav Kumar, Ld. Counsel for the

applicant/ accused.

Heard.

Order disposes off an appeal filed by the appellant/ accused Janak Lali.

The appeal has assailed the order dated 21.05.2020 of the Learned MM wherein Learned MM, on account of expiry of 15 days, had declined to accept the surety bond, submitted before him, in line with order dated 04.05.2020 of Learned ACJ (South).

It is not disputed that the appellant was admitted to interim bail for a period of 15 days vide order dated 04.05.2020. Further, it is submitted by Learned counsel for the appellant that the grounds of delay were either the surety bond could not be verified or the surety could not appear before the Learned MM for verification and vide order dated 21.05.2020, Learned MM had decline to accept the surety bond on account of lapse of 15 days.

Learned APP for the State agrees that the

delay is technical and even could entirely be attributed to the appellant/ accused.

In view of the above, the appeal is allowed. Let appellant/ accused be released on bail on furnishing of personal bond in the sum of Rs.25,000/-, to the satisfaction of the Duty Metropolitan Magistrate/ Jail Superintendent, subject to the condition that he shall not threaten, intimidate or influence the witnesses in any manner and shall not leave the territory of India without seeking prior permission of this Court.

The accused shall surrender before the Jail Superintendent on the immediate next day after expiry of bail period.

Appeal stands disposed off.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 524/14

PS: Ambedkar Nagar

State vs. Amit

U/s 302/307/147/148 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. PrashantVashisht, counsel for the

applicant/ accused.

Heard.

IO to submit a detailed report qua the examination of main witnesses.

Conduct report be also called from the Jail Superintendent.

List the matter on 02.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 110/18

PS:Ambedkar Nagar

State vs. Deepak @ Patanga

U/s 302/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Pawn Gupta, counsel for the applicant/

accused.

Heard.

Medical Superintendent is directed to submit a detailed report as to whether he requires any urgent surgery or whether there is any medical condition warranting a treatment outside the jail.

Conduct report be also called from the Jail Superintendent.

List the matter on 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 574/16

PS :Ambedkar Nagar

State vs. Vishal Kumar @ Vishu

U/s 302/147/148/149 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Puneesh Grover, Ld. Counsel for the

applicant/ accused.

Heard. Reply filed by the IO perused.

It is not clear from the reply as to what is the status of the trial.

Applicant/ accused has sought bail including on the ground of the criteria laid down by the High Power Committee of the Hon'ble High Court of Delhi while contending that the accused is already in JC for more than 2 years and there is no previous involvement and that the conduct of the accused is good. He submits that the trial has already proceed.

Since there is no report by the IO as to the examination of the witnesses or as to whether the applicant is the main accused, IO is directed to file a detailed report.

Jail Superintendent to file conduct report as well as previous punishment.

List the matter on 02.06.2020 for further proceedings.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No. : 331/19 PS : Neb Sarai State vs. Satpal

U/s 392/395/397/411 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Ms. Sonika Tyagi, Ld. Counsel for the

applicant/ accused.

Heard.

The bail is sought including on the ground that two of the co-accused have already been granted regular bail and further that the accused has to look after his sick wife and sick child. Learned counsel for the accused has also relied on certain medical documents annexed with the bail application.

Learned APP for the State, on the other hand, objects on the ground that the offence is heinous one and there is no report of the IO as to whether the other co-accused have been admitted to regular bail or interim bail and further that considering the age of the accused there is no ground for the applicant to claim any threat on account of Covid-19 pandemic.

In so far as the medical documents are concerned, the same have not been verified. Nor there is report qua the staus of trial.

Chargesheet is stated to be already filed and

it is admitted case that the witnesses are yet to be examined.

Jail authorities are directed to submit a report qua the conduct of the applicant/ accused.

IO as well to file report qua the medical documents furnished by the applicant/ accused along with bail application.

List the matter on 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 61/20

PS:Tigri

State vs. Akshav

U/s 392/397/506/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Rajesh Dwivedi, Ld. Counsel for the

applicant/ accused.

Heard.

Learned counsel for the applicant/ accused states that the co-accused have been granted regular bail by the Court of Learned MM vide order dated 28.03.2020.. He submits that chargesheet has already been filed and there is no justification for any judicial custody.

Learned APP for the State, on the other hand, objects on the ground that the applicant cannot claim parity inasmuch as the applicant is the main accused and there is a threat of his approaching or influencing the witnesses.

Let IO to file a detailed report as the previous involvement/conviction of the applicant or his role in the present case.

List the matter on 30.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 705/15 PS:Sangam Vihar State vs. Mohd. Asif U/s 377/506 IPC & 6 POCSO

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Ms. Lakshmi Bidhuri, Ld. Counsel for the

applicant/ accused.

Heard.

IO to file detailed report as to the status of the

trial.

Jail Superintendent to file conduct as well a medical report of the accused.

Notice be issued to the victim/ complainant for 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 122/17 PS: Neb Sarai State vs. Anees Ali U/s 302/201 IPC

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.JltenderTyagi, Ld. Counsel for the

applicant/ accused.

Heard.

IO to file detailed report as to the status of the

trial.

Jail Superintendent to file conduct of the

accused.

List on 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 507/15 PS:Sangam Vihar State vs. Imran Ali U/s 364/302/34 IPC

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. A.K Singh, Ld. Counsel for the applicant/

accused.

Heard.

Report from Jail Superintendent is stated to be awaited.

Let the report qua the conduct of the accused be filed by the Jail Superintendent for 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 112/19 PS: Neb Sarai

State vs. Abhimanyu

U/s 307/34 IPC & 25/27/54/59 Arms Act

27.05.2020

Present: Sh. Ani

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Rajpal Kasana, Ld. Counsel for the

applicant/ accused.

Heard.

Learned counsel for the accused seeks bail including on the ground of Covid-19 by relying on the recommendations/ directions passed by the Hon'ble High Power Committee, Delhi High Court, while contending that accused is in JC since 14 months.

It is submitted that the one of the co-accused has been admitted to bail and that the present applicant is not the main accused and as such he is entitled to parity along with other accused.

Learned APP for the State, on the other hand, objects on the ground that offence is heinous and that applicant has previous involvement.

Let a detailed report be filed by the IO.

Jail authorities to file report qua the conduct of the accused.

List on 05.06.20202 before the concerned

court.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 383/18 PS:Ambedkar Nagar State vs. Ashish U/s 307/341/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Rohit Kumar, Ld. Counsel for the

applicant/ accused.

Heard.

Jail Superintendent to file conduct report as well as medical report of the accused.

Copy of the report of the IO be also placed before the concerned Court on 30.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 684/16 PS:SangamVihar

State vs. Gajender @ Golu

U/s 302/34 IPC

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State. Sh. Sumit Choudhary, Ld. Counsel for the applicant/ accused.

Heard. Report perused.

It transpires that the applicant has been subjected to punishment according to the rules on the ground that he was found to be in possession of prohibited items in jail, on several occasions.

Learned counsel for the accused submitted that the same cannot be a ground for denial of the interim bail in line with the directions/ recommendations issued by the Hon'ble High Power Committee, Delhi High Court.

Learned APP for the State, on the other hand, objects including on the ground that the conduct of the accused is not satisfactory and further that he is the main accused as well as on the ground that complete report from the IO is not available.

IO is directed to file a detailed report qua the status of the trial as well as his previous involvement/ conviction, if any.

List the matter on 30.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 138/17

PS: Ambedkar Nagar

State vs. Avneesh Arora @ Pishu

U/s 302/307/427/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.JitenderTyagi, Ld. Counsel for the

applicant/ accused.

Heard.

IO to file a detailed report as to the status of

the trial.

Jail Superintendent to file conduct report of the accused.

List the matter on 29.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through

e-mail.

FIR No.: 574/16 PS:Ambedkar Nagar State vs. Johnson U/s 302/147/149/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.JitenderTyagi, Ld. Counsel for the

applicant/ accused.

Heard. Report perused.

Copy of the report filed by the IO be supplied to the Learned counsel for the accused by the concerned branch.

List on 29.05.2020, as requested.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 205/15 PS:Sangam Vihar State vs. Arjun U/s 302/364/365/120B/34 IPC

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. M. A Hashmi, Ld. Counsel for the applicant/

accused.

Heard.

Learned APP for the State submits that report called earlier from Jail Authorities has not been filed as yet.

Let report be filed by the Jail Authorities in terms of the earlier directions passed by Learned Predecessor.

In the meanwhile, IO is directed to file a detailed report qua the status of the trial, number of witnesses examined, whether the main witnesses have been examined or not and as to his previous involvement etc.

List the matter on 03.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 11/17

PS :Ambedkar Nagar State vs. Prakash U/s 302/307/120B IPC

27.05.2020

Present: Sh. Anil Ku

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Kartik Gaur, Ld. Counsel for the applicant/

accused.

Heard.

Learned APP for the State submits that a request from jail authorities has been received for extension of time to file report.

List the matter on 30.05.2020 for report from the Jail Authorities as well as report from the IO.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

(NIKHIL CHOPRA)
ADJ-02 on Duty/SOUTH/SAKET COURTS

NEW DELHI/27.05.2020

FIR No.: 497/17 PS:SangamVihar State vs.Basiran U/s 302/201/120B/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Rajesh Chhetri, Ld. Counsel for the

applicant/ accused.

Heard.

Learned counsel for the accused submits that the accused is 63 years of age and is entitled to interim bail in line with the criterion laid down by the High Power Committee meeting dated 18.05.2020.

He further submits that the applicant has also applied to bail on the ground that her husband is suffering from tuberculosis and needs to lookafter her young children.

Learned APP for the State, however, objects on the ground that the offences are heinous and there is no report filed either by the IO or the Jail Superintendent.

In view of the above, matter is adjourned to 02.06.2020 with directions to the Jail Authority to submit a report qua the conduct of the accused. IO to also file detailed report qua the status of the trial, number of witnesses examined, whether the main witnesses have been examined or not, and as to her previous



involvement etc.

List the matter on 02.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

(NIKHIL CHOPRA)

ADJ-02 on Duty/SOUTH/SAKET COURTS NEW DELHI/27.05.2020

FIR No.: 497/17 PS:Sangam Vihar State vs. Munni Begum U/s 302/201/120B/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Rajesh Chhetri, Ld. Counsel for the

applicant/ accused.

Heard.

Accused is stated to be 54 years of age and stated to have been in JC for more than 2 years.

Applicant/ accused relied upon the recommendations / directions passed by the Hon'ble High Power Committee vide their meeting dated 18.05.2020 while submitting that it would be desirable that she is granted interim bail.

Learned APP for the State objects on the ground that offenses are serious and further that report of IO and Jail Superintendent has not been received.

Jail Superintendent is directed to file report qua the conduct of the accused as well as custody warrant.

IO to file a detailed report qua the status of the trial, number of witnesses examined, whether the main witnesses have been examined or not and as to his previous involvement etc. List on 02.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

(NIKHIL CHOPRA)
ADJ-02 on Duty/SOUTH/SAKET COURTS

NEW DELHI/27.05.2020

FIR No.: 69/19

PS:Tigri

State vs. Nadeem @ Abid @ Faisal

U/s 307/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Atul Gupta, Ld. Counsel for the applicant/

accused.

Heard.

It transpires that detailed report from IO as not been filed.

Even copy of the FIR has not been placed on record.

Learned APP for the State objects the application on the ground that in the absence of IO's report as well as FIR, role of the applicant cannot be ascertained and it would be desirable that a detailed report be called from the IO.

Learned counsel for the applicant, on the other hand, submits that he has filed the application in line with the criterion laid down by the Hon'ble High Power Committee in their meeting dated 18.05.2020.

Considering the above, IO is directed to file a detailed report qua the status of the trial, number of witnesses examined, whether the main witnesses have been examined or not and as to his previous involvement etc.

List the matter on 29.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 796/14 PS: Ambedkar Nagar State vs. Samraj @ Faadu U/s 302/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Arun Sharma, Ld. Counsel for the applicant/

accused.

Heard. Report from Jail Authority perused.

However, it is not clear as to for what offences, the applicant/ accused was tried under the proceedings in FIR No.279/14 PS Neb Sarai.

Bail is objected to by the Learned APP for the State on the ground that acquittal of the accused would imply his previous involvement which dis-entitles the applicant from the concessions of the Hon'ble High Power Committee's recommendations. Let a complete report be filed.

List the matter on 29.05.2020 for further proceedings.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 574/16 PS:Ambedkar Nagar State vs. Rajesh &Ors. U/s 302/427/147/148/149 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Narendra Sharma, Ld. Counsel for the

applicant/ accused.

Heard. Report perused.

Learned counsel for the applicant/ accused submits that in view of the guidelines issued by the Hon'ble High Court in view of the Covid-19 Pandemic, the applicant/ accused is entitled to interim bail. He further submits that the accused is suffering from Varicocele and needs medical attention and since trial is about to be concluded, there is no chance of him influencing the witnesses.

Learned APP for the State objects the bail application on the ground that the offences are heinous and there is no threat of the accused being infected by the Covid-19.

Considering the COVID-109 Pandemic, the directions of the Hon'ble High Court regarding decongestion of jails for ensuring social distancing as well as keeping in view of the medical condition of the accused, the accused/ applicant is admitted to interim

bail for 45 days, on furnishing of bail bond in the sum of Rs.50,000/- along with surety bond in the like amount, to the satisfaction of the Duty Metropolitan Magistrate, subject to the condition that he shall not threaten, intimidate or influence the witnesses in any manner and shall not leave the territory of India without seeking prior permission of this Court.

The accused shall surrender before the Jail Superintendent on the immediate next day after expiry of 45 days from today i.e. 27.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 215/18

PS :Ambedkar Nagar State vs. Mohd. Chand

U/s 302/34 IPC

27.05.2020

Present: Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh.Mujeeb Khan, Ld. Counsel for the

applicant/ accused.

Heard.

Leaned APP for the State submits that conduct report from Jail Superintendent is still awaited and there is no clarity as to whether the applicant is entitled to the benefits of guidelines laiddown by the Hon'ble High Power Committee vide their meeting dated 18.05.2020.

Let a detailed report be filed by the Jail Superintendent.

As per the report of the IO it is submitted that there is no previous involvement of the accused.

Let copy of the previous reports/ replies be supplied to the Learned counsel for the accused on his email ID.

Jail Superintendent to file report qua the conduct of the accused with advance copy to the Learned counsel for the accused.



List the matter on 02.06.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

FIR No.: 451/18

PS:Tigri

State vs. Ravi Kumar

U/s 307 IPC

27.05.2020

Present:

Sh. Anil Kumar, Ld. Addl. P. P. for the State.

Sh. Ravi Bhushan Choubey, Ld. Counsel for

the applicant/ accused.

Sh. R. P Pandey, counsel for the complainant.

Heard.

Learned APP for the State submits that the report by the Jail Superintendent qua the conduct of the accused has not been filed.

Let the same be filed for 30.05.2020.

Copy of this order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused through e-mail.

(NIKHIL CHOPRA)

ADJ-02 on Duty/SOUTH/SAKET COURTS NEW DELHI/27.05.2020