

FIR No. 77/19
PS: I. P. Estate
U/s: 302/307/120-B IPC & 27/54/59 Arms Act
Shallu Vs. State

28.04.2020


Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
IO Inspector Arvind Pratap Singh.
Sh. Rahul Malik, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Shallu (a trans-gender) seeking interim bail on the ground of illness of her step daughter Komal. Reply filed by the IO.

IO submits that he has verified the medical documents of Komal, who is admitted in Medi Poly Clinic near Bank Colony, Band Road, Devli, Delhi-110 080 and diagnosed with typhoid and there is nobody in the family to look after her. **It is relevant to mention that IO has not mentioned the factum of admission of Komal in the hospital and regarding the family members of the applicant, in his reply.**

The applicant's daughter alleged to be ill is 22 years old. IO is directed to verify whether there are cordial relations between daughter and the applicant as admittedly applicant is step mother of Komal. It would be appropriate if the statement of Komal is recorded by the IO to ascertain whether she needs the presence of her mother during her illness. IO is directed to file complete reply mentioning all the relevant facts on next date.

Put up on 29.04.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 201/18
PS: EOW
U/s: 419/420/467/468/471/120-B IPC
Manoj Vs. State

28.04.2020

Bail application heard through Video Conferencing.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
IO Inspector Dharmender Kumar.
Sh. Rakesh Kumar Sharma, counsel for applicant/accused
was present in Video Conferencing.

This is the application u/s 439 Cr.PC on behalf of applicant/accused Manoj, seeking interim bail for 45 days on the ground that his case is covered with the Minutes dated 07.04.2020 of Hon'ble High Power Committee Meeting. Reply filed by the IO.

Ld. Counsel for applicant has argued that the matter is pending before the concerned court for order on charge from last several dates and due to lock-down situation, there is no possibility that the matter of the applicant would proceed further in near future and applicant is having small child living in Patiala, Punjab, therefore, he be admitted on bail.

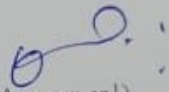
Ld. APP oppose the bail application on the ground that there are serious allegations against the applicant and the present case is not covered within the Minutes dated 07.04.2020 of Hon'ble High Power Committee since the applicant apart from other provisions of IPC is also booked for the offence u/s 467 IPC which prescribes punishment for life imprisonment.

The applicant is booked for the offence u/s 467 IPC which prescribes punishment for life imprisonment, hence, the case of the applicant is not covered within the Minutes dated 07.04.2020 of Hon'ble High Power Committee. There are serious allegations against

FIR No. 201/18
PS: EOW

the applicant, no ground for interim bail is made out. The bail application is accordingly dismissed.

Copy of this order be given dasti to the applicant.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 799/14
PS: Darya Ganj
U/s: 302 IPC
Vinay & Monty Vs. State

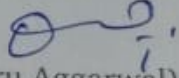
28.04.2020

Bail application heard through Video Conferencing.

Fresh interim bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Pawan Gupta, counsel for applicant/accused was present in Video Conferencing.

The applicant is seeking interim bail on his own medical ground. Let report be called from the concerned Jail Superintendent regarding medical status of applicant, for 04.05.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 112/19
PS: Wazirabad
U/s: 392/397/411/34 IPC
Karan Bhardwaj Vs. State

28.04.2020

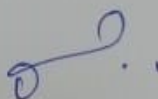
Fresh interim bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Piyush Pahuja, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Karan Bhardwaj seeking interim bail. Reply filed by the IO.

Counsel for applicant submits that at this stage, he does not want to press the present application and same be dismissed as withdrawn. Statement of counsel for applicant recorded separately to this effect.

In view of statement of counsel for applicant, the present application is dismissed as withdrawn.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 79/18
PS: Kotwali
U/s: 328/379/411/34 IPC
Muzaffar Vs. State

28.04.2020


Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Vinay Kumar, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused seeking interim bail. Reply filed by the IO.

Applicant is seeking interim bail in view of the directions of High Power Committee Meeting Minutes dated 07.04.2020. As per the High Power Committee Meeting Minutes dated 28.03.2020, the accused who are involved in more than one case should be on bail in other cases except the one in which bail has been filed.

As per the reply of the IO applicant is involved in other cases. IO is directed to verify whether applicant is on bail or not in the said other cases.

Put up on 30.04.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 140/19
PS: Darya Ganj
U/s: 302/147/149/34 IPC
Farhal Vs. State


28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
IO Inspector Raj Kumar.
Sh. Hemant Chaudhary, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Farhal. Reply filed by the IO.

The applicant is seeking interim bail on the ground of illness of his mother. The IO has verified the medical documents of his mother, however, he has not verified whether there is anybody else in the family to look after the mother of the applicant. IO is directed to verify the same.

Put up on 29.04.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 426/18
PS: Karol Bagh
U/s: 392/394/411/34 IPC
Vikram @ Vicky Vs. State


28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Sachin Aggarwal, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Vikram @ Vicky seeking interim bail. Reply filed by the IO.

Counsel for applicant submits that at this stage, he does not want to press the present application and same be dismissed as withdrawn. Statement of counsel for applicant recorded separately to this effect.

In view of statement of counsel for applicant, the present application is dismissed as withdrawn.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 79/20
PS: Kotwali
U/s: 328/379/411 IPC
Bhola Vs. State

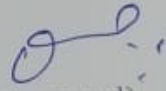
28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Vinay Kumar, counsel for applicant/accused Bhola.

This is the application u/s 439 Cr.PC on behalf of applicant/accused Bhola for interim bail. Reply filed by the IO.

Counsel for applicant submits that applicant is resident of Bihar, therefore, if he be released on bail, he cannot go to his native village. He submits that at this stage, he does not want to press the present application and same be dismissed as withdrawn. Statement of counsel for applicant recorded separately to this effect.

In view of statement of counsel for applicant, the present application is dismissed as withdrawn.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 35/20
PS: Pahar Ganj
U/s: 394/397/34 IPC
Gopal Banik Vs. State

28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Vineet Jain, counsel for applicant/accused.

This is the second anticipatory bail application u/s 438 Cr.PC on behalf of applicant. Reply filed by the IO.

Ld. APP strongly oppose the bail application on the ground that earlier bail application of the applicant was dismissed by Ld. Session Court on 11.03.2020 and no fresh ground is averred in the application for which applicant has moved the present successive anticipatory bail application. He also submits that the applicant is evading his arrest, therefore also no ground for anticipatory bail is made out.

Counsel for applicant could not point out any ground of filing fresh anticipatory bail application or any change of circumstance between the dismissal of earlier bail application and moving of present bail application.

In the reply filed by the IO, he has specifically stated that custodial interrogation of the applicant is required to recover the weapon and he is evading his arrest.

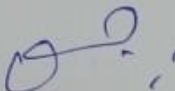
In "*Jagtar Singh Vs. Satendra Kaur*", 2002 (6) Scale 177, the Hon'ble Supreme Court observed that normally when the accused are absconding, there is no question of granting anticipatory bail or regular bail to them. As held by the Hon'ble Supreme Court in "*State of Maharashtra Vs. Mohd. Sajid Hussain*", 2008 (1) SCC (Cr.) 176, one of the factors, while considering the application for grant of anticipatory bail, is the possibility of the applicant, if granted bail, fleeing from justice. If a person is absconding, despite raids conducted

FIR No. 35/20
PS: Pahar Ganj

by the police the prosecution may not be unjustified in saying that anticipatory bail ought not to be granted to such a person who may even flee from justice by not attending the trial. In the absence of exceptional and peculiar circumstances, the Court, therefore, should not grant anticipatory bail to a person, who is evading the process of law by continuing to remain absconding.

Considering that as per prosecution, applicant is evading his arrest and recovery of weapon of offence is yet to be effected, no ground for anticipatory bail is made out. Otherwise also, the counsel could not point out any fresh ground for seeking anticipatory bail or any change of circumstance in dismissal of earlier bail application and moving of present bail application. Accordingly, the anticipatory bail application is hereby dismissed.

Copy of this order be given dasti to the applicant.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020


FIR No. 122/19
PS: Crime
U/s: 20/25/59 NDPS Act
Suman Kumar Vs. State

28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Ashok Kumar, counsel for applicant/accused.

Report not received from the concerned Jail
Superintendent. Report be called from the concerned Jail
Superintendent on or before next date.

Put up on 02.05.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 155/18
PS: DBG Road
U/s: 395/452/304/34 IPC
Leelu Etc. Vs. State

28.04.2020

Fresh interim bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

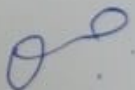
Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Vijay Kumar, counsel for applicant/accused.

This is an application u/s 439 Cr.PC on behalf of applicant/accused Vinay.

Arguments on the bail application heard.

The applicant is seeking interim bail on the ground that due to pandemic disease Covid-19, the minor three children aged about 10, 8 and 6 years of the applicant are missing him. Apparently, this is no ground for bail and not even reply of the IO is required on the ground averred in the application. Application is accordingly dismissed.

Copy of this order be given dasti to the applicant.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 94/19
PS: Darya Ganj
U/s: 376/323/506 IPC
Shahbaaz Vs. State

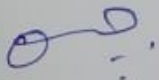
28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Inspector Raj Kumar on behalf of IO.
None for applicant.

Applicant is seeking interim bail on the ground of illness of his mother. In the reply filed by the IO, he is seeking further time to verify the medical documents of applicant's mother as Inspector Raj Kumar present in the court submits that concerned Doctor is not available in the hospital and his duty in the hospital is on 01.05.2020, thereafter, only the medical documents annexed with the application would be verified.

IO is directed to verify the medical documents of applicant's mother and file his report on next date.

Put up on 04.05.2020.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 198/19
PS: Kashmere Gate
U/s: 307/397/412/34 IPC
Aamir Hussain Vs. State

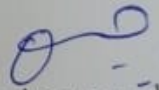
28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Amit Saini, counsel for applicant/accused Aamir
Hussain.

This is the bail application u/s 439 Cr.PC on behalf of
applicant/accused Aamir Hussain. Reply filed by the IO.

Counsel for applicant submits that at this stage, he does
not want to press the present application and same be dismissed as
withdrawn. Statement of counsel for applicant recorded separately to
this effect.

In view of statement of counsel for applicant, the present
application is dismissed as withdrawn.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 149/17
PS: Sarai Rohilla
U/s: 393/394/397/302/411/120-B/34 IPC
Mangale @ Lala Vs. State

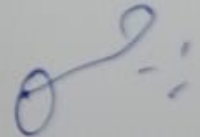
28.04.2020

Fresh interim bail application received by way of assignment. It be checked and registered.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Suraj Prakash Sharma, counsel for applicant/accused.

Ld. APP submits that he has received the softcopy of the reply from the IO on Whatsap. Ld. Counsel seeks adjournment and request that application be put up on 02.05.2020.

At request, put up on 02.05.2020. In the meantime, hardcopy of the reply be placed with the bail application.



(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 27/20
PS: Timar Pur
U/s: 186/307/353 IPC & 25/27 Arms Act
Waseem Vs. State

28.04.2020

Fresh bail application u/s 439 Cr.PC received by way of assignment.
It be checked and registered.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Shahid Ali, counsel for applicant/accused.

Reply not filed by IO. Same be filed on or before next date.
Ld. Counsel submits that on next date of hearing the
matter be taken up through video conferencing. Request allowed.

Put up on 02.05.2020.



(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

FIR No. 183/19
PS: Kotwali
U/s: 302/201 IPC
Ajay Singh Raghav Vs. State

28.04.2020

Bail application heard through Video Conferencing.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Sh. Kunal Manav, counsel for applicant/accused was present in the Video Conferencing.

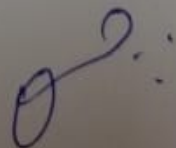
This is an application u/s 439 Cr.PC on behalf of applicant/accused Ajay Singh Raghav for interim bail on the ground of illness of his wife. Reply through Whatsap and e-mail filed by the IO.

The applicant is seeking interim bail on the ground that his wife has sustained injury in her leg due to which she is unable to move and lead her normal life. Applicant has two minor children and there is no male member in the family to look after his wife.

Ld. Counsel for applicant has argued on the same lines as averred in the application. Apart from that he submitted that the parents of the application were earlier residing with the wife of the applicant, however, just prior to lock down they went to their native village where they have struck up.

Ld. APP submits that IO has verified that parents of applicant are still residing with his wife who may look after her.

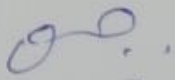
The applicant has annexed medical documents of his wife alongwith the application which clearly shows that she has no such medical illness that she is unable to move. As per the medical documents annexed on behalf of the applicant himself, his wife has not been advised either any bed rest or not to do any work. Otherwise also, as per reply of the IO the parents of the applicant are present in the house to look after his wife and children.



FIR No. 183/19
PS: Kotwali

In view of the same, the bail application is hereby
dismissed.

Copy of this order be given dasti to the applicant.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020

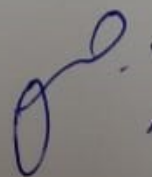
FIR No. 297/18
PS: Prasad Nagar
U/s: 304/34 IPC
Neeraj @ Nonu Vs. State

28.04.2020

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.
Counsel for applicant/accused Neeraj @ Nonu.

This is an application u/s 439 Cr.PC on behalf of applicant/accused, seeking interim bail on the ground that due to Covid-2019, applicant's family is facing extreme hardships as the applicant is the sole bread earner in his family and also on the ground of casual approach of the IO in investigating the case and proceeding further with the same. Reply filed by the IO. Applicant is booked for the offence u/s 304/34 IPC.

Ld. Counsel for applicant submits that applicant is in JC since 03.11.2018 and chargesheet has been filed in the court of concerned Ld. MM but due to lackluster approach of the police the chargesheet has not been yet committed to the Sessions despite the accused being in custody from last 1 ½ years. He submits that the IO has not annexed the statements u/s 161 Cr.PC of the witnesses and report of crime team alongwith the chargesheet. Ld. Counsel also pointed out that even the FSL report has not been filed by the IO despite passing of considerable time of almost 1 ½ years. Ld. Counsel has drawn my attention on the orders dated 20.02.2020 and 19.03.2020 passed by concerned Ld. MM highlighting the lakadaisical approach of the IO, annexed with the present application. He further submits that vide order dated 03.03.2020, the Ld. Session Court admitted the applicant/accused on interim bail for 10 days which was not misused by the applicant and he surrendered before the concerned Jail Superintendent within time.



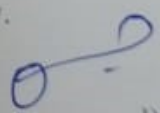
FIR No. 297/18
pS: Prasad Nagar

I have gone through the orders dated 20.02.2020 and 19.03.2020 of Ld. MM in which the Ld. MM has candidly recorded the casual approach of the IO of this case that he has not annexed the statements u/s 161 Cr.PC and report of the Crime Team alongwith the chargesheet. Even in the order dated 19.03.2020, Ld. MM again observed that as per the report received by him from Director, FSL, no samples relating to the present case were found in the Laboratory, therefore, he had requested that SHO be directed to mention the date of deposit of the samples and FSL Number. Today, SHO has filed his two pager detailed reply but has not even whispered about the queries raised by Ld. MM vide orders dated 20.02.2020 & 19.03.2020. The ignorant and casual approach of the IO and concerned SHO are manifest in this case that how they are playing with the personal liberty of an individual.

Considering the entire facts and circumstance, the present situation of pandemic disease Covid-2019 and the fact that that the applicant was admitted on interim bail earlier which he did not misuse, applicant is admitted on interim bail for 30 days subject to furnishing of personal bond to the tune of Rs. 50,000/- to the satisfaction of concerned Jail Superintendent and subject further conditions:-

- (i) Applicant/accused shall not approach any public witness directly or indirectly and not interfere in the further investigation, if any;
- (ii) He shall not visit the vicinity where the public persons are residing;
- (iii) He shall surrender before the concerned Jail Superintendent on 27.05.2020.

The present application is disposed off accordingly.


(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi-28.04.2020

FIR No. 74/18
PS: Crime Branch
U/s: 420/468/471 IPC & 18 (a)/27 (b) (11)/27 (c) Drug and
Cosmetics Act
Bijender Singh Vs. State

28.04.2020

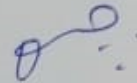
Fresh interim bail application received by way of assignment. It be checked and registered.

Present: Sh. N. N. Tripathi, Ld. Addl. PP for State.

Counsel for applicant heard through Video Conferencing.

The application for interim bail filed by the applicant Ashok Kumar. Reply not filed by the IO. Same be called on or before next date.

Put up on 30.04.2020.



(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
28.04.2020