

State Vs. Anil Kumar

FIR No.141/2020

PS: Rajender Nagar

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

27.07.2020

Present: Sh. Vakil Ahmed Ld. APP for State (through VCC over Cisco Webex)

Sh. Manjeet Mathur Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/SI Vinod Kumar (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 11:53 AM.

The present urgent application was filed on behalf of the applicant on email id of this court on 25.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

Scanned copy of reply of under the signatures of IO/SI Vinod Kumar, is received through email id of the court. Copy of same is already supplied to counsel of applicant/accused, through email.

This order shall dispose off the application for grant of regular bail u/s 437 Cr.PC, moved on behalf of **applicant/accused Anil Kumar.**

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that the applicant/accused has no involvement in the present case. It is further averred that the no recovery has been effected from the applicant/accused. It is further averred that the applicant/accused has two minor children to look after. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements. It is also submitted that the investigation in the case is still not complete and the applicant/accused has refused to undergo TIP, therefore his complicity in the case could be gauged by drawing an

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adverse inference against him.

It is informed that the involvement of applicant/accused in present case FIR No.141/2020 and in case FIR No. 139/2020, both at PS Rajender Nagar, was disclosed during the investigation of the case FIR No.146/2020 at PS Rajender Nagar.

On perusal of the scanned copy of previous conviction/involvement report received along with reply of IO (through email), it emerges that the accused is having previous involvements in certain other cases, involving serious offences. More particularly, the accused/applicant Anil has been shown to have complicity in respect of case FIR No.284/2004 u/s 379/411 IPC, case FIR No. 103/2004 u/s 379 IPC, case FIR No.188/2004 u/s 379 IPC, all at PS Naraina and case FIR No.532/2015 u/s 380/411/34 IPC at PS Ranjit Nagar. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant Anil. Accordingly, the present application deserves dismissal and same is hereby dismissed.

Scanned copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant/accused electronically and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.

(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

27.07.2020

State Vs. Anil Kumar

FIR No.139/2020

PS: Rajender Nagar

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

27.07.2020

Present: Sh. Vakil Ahmed Ld. APP for State (through VCC over Cisco Webex)

Sh. Manjeet Mathur Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/ASI Vijay Shankar (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 11:49 AM.

The present urgent application was filed on behalf of the applicant on email id of this court on 25.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

Scanned copy of reply of under the signatures of IO/ASI Vijay Shankar, is received through email id of the court. Copy of same is already supplied to counsel of applicant/accused, through email.

This order shall dispose off the application for grant of regular bail u/s 437 Cr.PC, moved on behalf of **applicant/accused Anil Kumar**.

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that the applicant/accused has no involvement in the present case. It is further averred that the no recovery has been effected from the applicant/accused. It is further averred that the applicant/accused has two minor children to look after. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements. It is also submitted that the investigation in the case is still not complete and co-accused Akash is yet to nabbed by the police. It is also contended that applicant/accused has refused to

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undergo TIP, therefore his complicity in the case could be gauged by drawing an adverse inference against him.


It is informed that the involvement of applicant/accused in present case FIR No.139/2020 and in case FIR No. 141/2020, both at PS Rajender Nagar, was disclosed during the investigation of the case FIR No.146/2020 at PS Rajender Nagar.

On perusal of the scanned copy of previous conviction/involvement report received along with reply of IO (through email), it emerges that the accused is having previous involvements in certain other cases, involving serious offences. More particularly, the accused/applicant Anil has been shown to have complicity in respect of case FIR No.284/2004 u/s 379/411 IPC, case FIR No. 103/2004 u/s 379 IPC, case FIR No.188/2004 u/s 379 IPC, all at PS Naraina and case FIR No.532/2015 u/s 380/411/34 IPC at PS Ranjit Nagar. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant Anil. Accordingly, the present application deserves dismissal and same is hereby dismissed.

Scanned copy of this order is being sent to Sh. Manoj Kumar(Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant/accused electronically and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.


(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
27.07.2020

State Vs. Untrace

e-FIR No.003200/2020

PS: I.P. Estate

27.07.2020

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

Present: Sh. Rishabh Gulati Ld. Counsel for applicant (through VCC over Cisco Webex)

IO/HC Manoj Kumar (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application at 12:52 PM.

The present urgent application was filed on behalf of the applicant on email id of this court on 24.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

Scanned copy of status report under the signatures of IO/HC Manoj kumar, is received through email id of the court. Copy of same be supplied to counsel of applicant/accused, through email.

IO has reported that the despite directions, the applicant has not produced the documents of allegedly stolen auto till date, hence the status of investigation was not provided to him.

Counsel for applicant submits that applicant would be supplying all the documents of vehicle to IO, within two days.

In view of above noted circumstances, applicant through counsel is directed to cooperate with IO, in the remaining investigation of the case and supply the necessary documents to IO/HC Manoj Kumar within two days.

At request, put up on **06.08.2020**, awaiting the further report qua status of investigation. *It is clarified that if normal functioning of courts does not resume till next date, be listed for purpose fixed through VCC Cisco Webex.*

Scanned copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant electronically and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
27.07.2020

Jaswinder Singh Vs. HDFC Bank Ltd. & Ors..

CC No. 16186/2018

PS : I. P. Estate

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

27.07.2020

Present: Sh. N.K Pandey Ld. Counsel for complainant (through VCC over Cisco Webex)

Case taken up for hearing through VCC over Cisco Webex at 12:30 PM.

Matter was fixed for clarifications/orders on application u/s 156(3) Cr.PC.

No clarifications are needed.

This order shall dispose off application u/s 156(3) Cr.P.C. moved on behalf of the applicant. It is alleged on behalf of applicant that in March, 2016, applicant had applied for a loan before ICICI Bank, for purchasing a new vehicle and same was rejected due to the name of applicant being reflected in CIBIL. Then, the applicant came to know that another loan is pending against him vide loan account number 32496815 pertaining to HDFC Bank, ITO Branch, New Delhi. In said loan account, the name of applicant was reflected as a guarantor of one Chaudhary Roshan and the outstanding amount of loan was Rs.12 lacs. It is alleged that the applicant never stood as guarantor to such loan and the bank by conniving with said Chaudhary Roshan has falsely shown applicant as a guarantor. It is also alleged that when the applicant contacted Chaudhary Roshan, he was informed that the name of applicant was shown as a guarantor by the bank officials. It is further alleged that the applicant has also approached the concerned branch of HDFC Bank on 30.03.2016 and 25.04.2016 with a request for supplying copy of his loan application form, but same has not been supplied by the bank without any excuse. It is alleged that the applicant has also made a complaint in writing at PS Vivek Vihar on 26.04.2016 which was transferred to PS I.P.Estate on the ground of jurisdiction. It is also alleged that no action has been taken on the complaint made by the applicant even to DCP concerned. It is further alleged that the bank officials have filed a false case before DRT by using the alleged forged and fabricated documents pertaining to loan, against the applicant. With these allegations, prayer is made for registration of case FIR for offences u/s 420/467/468/471/120B IPC, against proposed accused persons.

In ATR filed by Inquiry Officer SI Naveen Kumar, it is stated that during the course of inquiry, the certified copies of the documents pertaining to loan account of Chaudhary Roshan


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were obtained from the HDFC Bank, ITO Branch, from which it perceived that said loan was granted vide loan account no. 32496815 and applicant stood as guarantor to such loan facility. It is also stated that the present complaint is filed by applicant so as to evade his outstanding loan liability. It is reported that no criminal offence was found to be committed by the proposed accused persons.

Ld. counsel for applicant submits that the registration of case FIR is necessary in the present case as the writing and signatures on the alleged loan application form and other documents are required to be verified by the police. Besides, the relevant loan documents are also required to be obtained from the concerned bank, which is beyond the reach and control of applicant.

Prior to delving into the merits of contentions advanced on behalf of applicant, let us briefly discuss the law pertaining to provisions of section 156(3) Cr.P.C.

In case titled as **Skipper beverages Pvt. Ltd. Vs. State 2001 (92) DLT 217**, after taking the note of Judgment of Hon'ble Apex Court in **Suresh Chand Jain Vs. State of M.P. 2001 (1) SC 129**, the Hon'ble High Court of Delhi dealt with this question. The relevant paragraphs of that Judgments are produced herein below-

*Para 7 "it is true that Section 156(3) of the Code empowers a Magistrate to direct the police to register a case and initiate investigations but this power has to be exercised judiciously on proper ground and not in mechanical manner. In those cases, where the allegation are not very serious and complainant himself is in possession of evidence to prove his allegation their should be no need to pass order under Section 156(3) of the Code. The discretion ought to be exercised after proper application of mind and only in those cases where the Magistrate is of the view that the nature of the allegation is such that the complainant himself may not be in a position to collect and produced evidence before the Court and the interest of justice demand that police should step in and help the complainant. The police assistance can be taken by a Magistrate u/s 202 (1) of the Code after taking cognizance and proceedings with the complaint under chapter XV of the Code as held by Hon'ble Apex Court in 2001 (1) SC 129 titled as **Suresh Chand Jain Vs. State of M.P. & Ors.**"*

Para 10 "Section 156(3) of the Code aims at curtailing and controlling the arbitrariness on the part of police authorities in the matter of registration of FIRs and taking up investigations, even in those cases where the same is warranted. The section empower the Magistrate to issue directions in this regard but this provision should not be permitted to be misused by the complainants to get the police cases registered even in those cases which are not very serious in nature and the Magistrate can himself hold an inquiry under chapter XV and proceed against the

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accused, if required. Therefore, the Magistrate must apply his mind before passing an order under section 156(3) of the code and must not pass these orders mechanically on the mere asking by the complainant. These powers ought to be exercised primarily in those cases where the allegations are quite serious or evidence is beyond the reach of complainant or custodial interrogation appears to be necessary for some recovery of the article or discovery of fact”.

In view of the discussion made above, as it emerges that the case of applicant revolves around the allegations qua fabrication of loan account documents bearing his forged signatures, whereby he has been shown as guarantor to the loan transaction availed by proposed accused no.3 Chaudhary Roshan. From the ATR filed by the IO, it perceives that upon verification of the documents pertaining to alleged loan account, the name of applicant has been reflected as a guarantor in the same. The applicant has not placed on record any cogent material to prima facie substantiate is allegations qua alleged fabrication of loan account documents. Admittedly, a case filed at the behest of the proposed accused bank before the DRT for recovery of loan amount from applicant, is also pending adjudication. The evidences in the present case are not beyond the control and reach of the applicant and the relevant records of the bank pertaining to alleged loan account can be requisitioned by him during the course of evidence. The police investigation in the present case does not appear necessary nor any custodial interrogation of proposed accused person seems to be imperative. In the light of discussion made above, there exists no ground for ordering the registration of FIR u/s 156(3) Cr.P.C.

Hence, the present application stands dismissed.

Application stands disposed of.

However, taking cognizance of the complaint filed by the applicant u/s 200 Cr.PC., applicant/complainant is hereby given opportunity to lead PSE.

Accordingly, list for PSE on **01.10.2020**.

Scanned Copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting it to counsel for applicant, electronically and also for uploading on CIS.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

27.07.2020

Gurmeet Kaur Vs. Ajeet Singh

CC No. 2163/19

PS : I. P. Estate

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

27.07.2020

Present: Sh. Manjeet Singh, Ld. Counsel for applicant (through VCC over Cisco Webex)


Case taken up for hearing through VCC over Cisco Webex at 2:04 PM.

Matter was fixed for clarifications/orders on application u/s 156(3) Cr.PC.

Certain additional submissions heard.

This order shall dispose off application u/s 156(3) moved by the applicant. It is alleged by applicant that on 08.01.2018, in the time of morning, the proposed accused no.1 started illegal construction over the roof of ground floor by removing the old tiles, without paying heed to the damage caused due to the construction work. When the complainant raised objections, the proposed accused no.1, entered into a quarrel and used abusive language. Thereafter, both the proposed accused persons entered into the portion of the complainant's house and manhandled with her. Allegedly, the accused persons tore off the clothes of the complainant and pushed her. The matter was then telephonically reported to the police. The proposed accused persons, however, continued in hurling threats to do away with the life of the complainant. Further, the complainant had also filed a complaint before police on 09.01.2019, but in vain. With these allegations, the complainant has sought registration of case FIR against the proposed accused persons for the offences under Sections 354/354A/354B/354C/354D/506/452/323/34 IPC.

In ATR filed by SI Naveen Kumar, it has been stated that upon inquiry, it was found that the complainant and the proposed accused persons are residing on the ground floor and first floor of the same property and she is also the sister-in-law of the proposed accused persons. Further, a civil litigation vide CS No. 08/16, is also pending between the parties in the Court of Sh. Ankit Singhla, Ld. Civil Judge, THC, Delhi. It is also stated that the property disputes between the parties, are going on since last couple of years and the


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complainant earlier had no objection over the construction of house till the first floor, however, the disputes arose after the construction of the first floor. The IO has also stated that no CCTV Camera were installed at the place of occurrence.

Heard. Record perused.

Prior to delving into the merits of the contentions raised on behalf of applicant, it is pertinent to discuss the law pertaining to the section 156(3) Cr.P.C.

In case titled as **Skipper beverages Pvt. Ltd. Vs. State 2001 (92) DLT 217**, after taking the note of Judgment of Hon'ble Apex Court in **Suresh Chand Jain Vs. State of M.P. 2001 (1) SC 129**, the Hon'ble High Court of Delhi dealt with this question. The relevant paragraphs of that Judgments are produced herein below-

*Para 7 "it is true that Section 156(3) of the Code empowers a Magistrate to direct the police to register a case and initiate investigations but this power has to be exercised judiciously on proper ground and not in mechanical manner. In those cases, where the allegation are not very serious and complainant himself is in possession of evidence to prove his allegation their should be no need to pass order under Section 156(3) of the Code. The discretion ought to be exercised after proper application of mind and only in those cases where the Magistrate is of the view that the nature of the allegation is such that the complainant himself may not be in a position to collect and produced evidence before the Court and the interest of justice demand that police should step in and help the complainant. The police assistance can be taken by a Magistrate u/s 202 (1) of the Code after taking cognizance and proceedings with the complaint under chapter XV of the Code as held by Hon'ble Apex Court in 2001 (1) SC 129 titled as **Suresh Chand Jain Vs. State of M.P. & Ors.**"*

Para 10 "Section 156(3) of the Code aims at curtailing and controlling the arbitrariness on the part of police authorities in the matter of registration of FIRs and taking up investigations, even in those cases where the same is warranted. The section empower the Magistrate to issue directions in this regard but this provision should not be permitted to be misused by the complainants to get the police cases registered even in those cases which are not very serious in nature and the Magistrate can himself hold an inquiry under chapter XV and proceed against the accused, if required. Therefore, the Magistrate must apply his mind before passing an order under section 156(3) of the code and must not pass these orders mechanically on the mere asking by the complainant. These powers ought to be exercised primarily in those cases where the allegations are quite serious or evidence is beyond the reach

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of complainant or custodial interrogation appears to be necessary for some recovery of the article or discovery of fact”.

In view of the position of law discussed above, this Court is of the view that in the present case, neither any scientific investigation is required to be conducted nor the evidence is beyond the reach of the complainant. Further, the custodial interrogation of the proposed accused persons, also does not appear to be necessary. Besides, a Civil litigation between the parties with respect to the property in dispute, is also pending before the learned Civil Court.

In the light of these factors, the directions qua registration of FIR u/s 156(3) Cr.P.C. does not appear to be warranted. Hence, present application is dismissed.

Hence, the present application stands dismissed.

Application stands disposed of.

However, taking cognizance of the complaint filed by the applicant u/s 200 Cr.PC., applicant/complainant is hereby given opportunity to lead PSE.

Accordingly, list for PSE on **01.10.2020**.

Scanned Copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting it to counsel for applicant, electronically and also for uploading on CIS.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.

(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
27.07.2020

State Vs. Anil Kumar

FIR No.146/2020

PS: Rajender Nagar

ऋषभ कपूर
RISHABH KAPOOR
महानगर दण्डाधिकारी-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

27.07.2020

Present: Sh. Vakil Ahmed Ld. APP for State (through VCC over Cisco Webex)

Sh. Manjeet Mathur Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/ASI Daryao Singh (through VCC over Cisco Webex)


Matter is heard through VCC over CISCO Webex Application at 11:44 AM.

The present urgent application was filed on behalf of the applicant on email id of this court on 25.07.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

Scanned copy of reply of under the signatures of IO/ASI Daryao Singh, is received through email id of the court. Copy of same is already supplied to counsel of applicant/accused, through email.

This order shall dispose off the application for grant of regular bail u/s 437 Cr.PC, moved on behalf of **applicant/accused Anil Kumar.**

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that the applicant/accused has no involvement in the present case. It is further averred that accused has two minor children to look after and he is the sole bread earner of his family. It is further averred that the first bail application of the applicant/accused has been dismissed by this court on 07.07.2020. With these averments, prayer is made for grant of bail



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to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements. It is also contended that the present successive bail application of accused is not maintainable without establishing any changed circumstances in the case.

At the very outset, it is pertinent to mention here that the present application is the second bail application moved on behalf of the applicant, seeking his enlargement on bail. It may be added here that the earlier bail application of applicant/accused has already been dismissed by this court on 07.07.2020. The bare perusal order passed in earlier bail application of applicant/accused would reveal that the earlier bail plea was rejected on account of his possibility of dissuading the witnesses and likelihood of his indulgence in offences of like nature in view of his previous bad antecedents. However, in this regard it is pertinent to mention here that even though there is no bar in entertaining successive bail applications, by consideration before the same court. There also lies not time-limit, set for moving the court for bail, after the first or previous bail application, is rejected. But, it should be only when some new facts and circumstances have been developed, after rejection of previous bail application, then only the successive bail application should be considered on merits. ***In Parvinder Singh vs. State of Punjab 2003 12 SCC 528***, the Hon'ble apex court held that though an accused has right to move successive bail applications for grant of bail, but the court entertaining such subsequent application, has a duty to consider the reasons and grounds on which earlier bail applications were rejected. In such cases, the court has a duty to record what are the fresh grounds which persuade it to take a view, different from one taken in earlier application. Similarly, in ***State of Madhya Pradesh versus Kajad AIR 2001 SC 3517***, it was held that it is true that successive bail application are permissible under the changed circumstances, but without the change in circumstances, the second bail application would be deemed, seeking review of earlier judgment, which is not permissible under the criminal law.

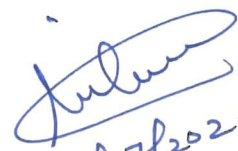
Now, coming to the contentions advanced on behalf of the accused/applicant, qua changed circumstances justifying maintainability of present application. As per the version of the applicant's counsel, since the accused has been undergoing custody for more than two months, hence in view of this changed circumstance, the present bail application can well be entertained by this court. In this regard, it is pertinent to add that the authorities cited above clearly suggests that the successive bail applications are maintainable before the same court only when, circumstance which


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led to the dismissal of earlier application, is shown to have been changed. Mere, branding a circumstance or glossing it with a term '*changed circumstance*', does not, fall under the purview of circumstance, which leads to maintainability of successive bail application, unless the same has direct bearing on the grounds upon which the decision on earlier application was made. If, without establishing the said changed circumstance, the court ventures itself into entertaining the successive bail applications, it virtually tantamounts to review of its own order, which certainly is not contemplated under the scheme of Code of Criminal Procedure. As far as the assertions of the counsel for applicant are concerned, pertinently, the perusal of the order passed in first bail application of applicant/accused is suggestive of the fact that same was dismissed by this court primarily on two counts which are; first, the previous bad antecedents of the applicant, justifying the apprehensions of the prosecution regarding the possibility of commission of offences of like nature by the accused/applicant. Pertinently, on establishing the fact by prosecution that the applicant has dented antecedents, as he having previous involvements in certain other cases involving serious offences and secondly on the count that there existed a likelihood that if admitted on bail, the applicant will dissuade the prosecution witnesses, his earlier bail application was rejected by this court. The fact that, the applicant has previous dented criminal antecedents still subsists and as such nothing cogent has been placed on record on behalf of the accused/applicant vanishing the apprehension of the prosecution or that if admitted on bail, the accused will not indulge himself in offences of similar nature, I am of the view that the present application as moved on behalf of applicant lacks any maintainability.

In the light of my discussion made above, and also placing on reliance on the authorities cited above, since the earlier bail application of the applicant was dismissed on the ground of existence of likelihood of commission of offences of similar nature by the applicant, in case of his release and also upon appreciating possibility of his dissuading the prosecution witnesses, therefore merely on account of fact that accused is in judicial custody since two months, the prayer of the applicant cannot be accepted

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the **accused/applicant Anil Kumar**. Accordingly, the present application deserves dismissal and same is hereby **dismissed**.


27/07/2026.

Scanned copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant/accused and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
27.07.2020