

**BAIL APPLICATION**

**FIR No. : 170/2015  
PS: I.P. Estate  
STATE v. Danish  
U/S: 392,394,397,307,3 IPC**

**10.06.2020.**

**Present:** Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. Harsh Hardy, Ld. Counsel for applicant/accused through VC.

Time sought by IO to file medical documents.

Put up for further report by IO on next date.

It is stated by advocate that urgent relief is sought in this case. As such, be put up on 12.06.2020 itself.

**Put up for reply, if any , arguments and appropriate orders on 12.06.2020.**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020**

**BAIL APPLICATION**

FIR No. : 251/2019  
PS: Sarai Rohilla  
STATE v. Dinesh @ Dhanna  
U/S: 341,307,34 IPC &  
25,27,54,59 of A.Act

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC.

None for accused.

Reply filed by IO.

Put up for appearance, arguments and appropriate  
orders on 17.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 356/2015  
PS: Rajinder Nagar  
STATE v. LALLU RAM & ANR.  
U/S: 302 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. Michael Peter, Ld. counsel for applicant/accused.

This is a single application for two accused/ applicants.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply filed by the IO as well as by jail supdt concerned. **Further, a copy of certificate of good conduct is filed by Jail Superintend concerned .** Same are taken on record.

3 Arguments heard.

4. It is stated that accused is in JC since for more than

State v. Lallu Ram & anr., FIR no. 356/15, u.s. 302 IPC

: 2 :

**two years** ( which fact is now even verified by IO in his report).

5. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offences alleged against accused is under Section 302/34 IPC.**

6. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned ,including subject to verification of his current permanent address.** After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly.

**6.1. In the facts and circumstances of present case and the reply filed by the IO/SHO following additional conditions are imposed on present accused for such interim bail :**

- i) applicant shall not flee from the justice;
- ii) applicant shall not tamper with the evidence;
- iii) applicant shall not threaten or contact in any manner to the prosecution witnesses ,
- iv) applicant shall not leave country without permission;

State v. Lallu Ram & anr., FIR no. 356/15, u.s. 302 IPC

: 3 :

v) applicant shall convey any change of address immediately to the IO and the court;

vi) applicant shall also provide his / her mobile number to the IO;

vii) applicant shall mark his / her attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his / her location with the SHO concerned;

viii) applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he / she is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. to 5 p.m.

ix) Applicant shall keep his / her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.

7. It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in *Suo Moto W.P.(C) No. 01/2020* as well as relevant directions issued by Hon'ble High Court of Delhi in *W.P. (C ) No. 2945/2020* in case titled as '*Shobha Gupta and Ors. v. Union of India & Ors.*' and thereafter from time to time as mentioned above.

8. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 149/2017  
PS: Sarai Rohilla  
STATE v. Saubhagya @ Rahul  
U/S: 302,397,394,411,120-B IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. S.K. Tiwari, Ld. counsel for applicant/accused.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply filed by the IO as well as by jail supdt concerned . **Further, a copy of certificate of good conduct is filed by jail supdt concerned .** Same are taken on record.

3 Arguments heard.

4. It is stated that accused is in JC since for more than **two years** ( which fact is now even verified by IO in his report).

5. Further, a report is filed by IO/SHO concerned. As per such report, there is no previous conviction or involvement record of such accused. **Further, it is stated that offences alleged against accused is ,inter alla , under Section 302/34 IPC.**

6. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC since more than **two years** at present.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned ,including subject to verification of his current permanent address. After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly.

**6.1. In the facts and circumstances of present case and the reply filed by the IO/SHO following additional conditions are imposed on present accused for such interim bail :**

- i) applicant shall not flee from the justice;
- ii) applicant shall not tamper with the evidence;
- iii) applicant shall not threaten or contact in any manner to the prosecution witnesses ,
- iv) applicant shall not leave country without permission;
- v) applicant shall convey any change of address immediately to the IO and the court;
- vi) applicant shall also provide his / her mobile number to the IO;

: 3 :

vii) applicant shall mark his / her attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his / her location with the SHO concerned;

viii) applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he / she is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. to 5 p.m.

ix) Applicant shall keep his / her such mobile number 'Switched On' at all the time , particularly between 8 am to 8 pm everyday.

7. It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C ) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.

8. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020



**INTERIM BAIL APPLICATION**

**FIR No. :491/2015  
PS: Subzi Mandi  
State v. Rakesh @ Sunny  
U/S: 307,34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC.  
Mr. Naveen Gaur, Ld. Counsel for Accused.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Today, an urgent bail application filed by learned counsel for accused on the ground that condition of father of the accused is deteriorating further due to kidney problem and he requires urgent surgery. It is further pointed out that on the same ground, such accused was granted interim bail yesterday only by this court only in another FIR no. 303/2014, under Section 302,307, 120B IPC. It is further stated that co-accused is also granted interim bail by Hon'ble high Court vide order

: 2 :

dated 13.05.2020. As such, at his request, matter is put up at 2 pm as it is stated by learned counsel that he will contact the IO and will serve him and will seek reply from him. **Accordingly, be put up for 2 pm.**

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/THC**  
**10.06.2020**

**At 2 pm.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
**Mr. Naveen Gaur, Ld. Counsel for Accused.**

1. A reply dated 10.06.2020 is placed on record through naib court.
2. It is inter-alia argued that the father of the accused is not well. Younger brother of the accused is living separately. As such, there is no body to look after his father. He was earlier granted interim bail and he duly surrendered after availing the same. He is in JC since 2014. That the condition of his father is deteriorating and is serious now. Mother of the applicant is also seriously ill. Co-accused have already been granted interim bail vide order dated 13.05.2020 by Hon'ble High Court.
3. On the other hand, interim bail application is opposed. It is stated that offence is heinous in nature and not covered in the guidelines issued by Hon'ble High Court of Delhi as mentioned above.
4. It is also the directions by Hon'ble High court that in any case bail application, including interim bail application, are to be decided on merit in any case. In present case, in report dated

03/06/2020 filed by the police/IO in connected FIR No. 303/2014, PS Subzi Mandi where it is stated that all treatments and diagnosis reports have been issued by private hospital and diagnosis centre. It is further stated that accused alongwith his other associates had committed the heinous offence in this case. The accused is a habitual offender, who is also previously involved in more than 45 cases in various IPCs and other acts. There is every likelihood that the accused may indulge himself again in similar nature of crime.

It is further submitted in the reply that applicant has applied for interim bail on the ground of his father namely Mr. Jaswant Singh who is suffering from kidney problem since long and his mother Mrs. Lata is seriously ill and suffering from heavy bleeding. During inquiry, all medical documents related to his father and mother's treatment and diagnosis reports have been certified through concern Hospital and concern Diagnosis centre, which are found correct and genuine. Applicant / accused's father and mother is residing at H.No. A-275/16, Near Navada Metro Station, Gulab Bagh, Uttam Nagar, Delhi. In this regard local inquiry has been conducted and statements have been recorded. Accused is having one brother and one sister, both are married and not residing with accused's parents. In the background of such facts and circumstances and in the interest of justice, present interim bail of applicant/accused is allowed.

5. It may be noted, that when different aspects are interconnected, then a holistic approach need to be taken. Since interim bail is granted in this case, thus after the expiry of the period of such bail the accused had to surrender back in concerned

jail. It may also be note that earlier court was ordering, in appropriate cases, physical attendance of such accused before SHO physical, e.g. once a week. Further, in today's corona times ,court should not and thus do not direct the physical attendance in police station, including having regard to nature of corona infection, social distancing norms as well as due to the inconvenience which may be faced by accused due to lockdown .

Further problems being faced on account of lockdown due to the same is also urged by the accused/applicant side. Therefore, apart from other well settled grounds, such above mentioned conditions are deemed to be fit in overall facts and circumstances of the present case, as it is not desired otherwise to direct accused to mark physical attendance in the police station or no attendance at all. Thus as a viable alternative to such condition to physical attendance need to be ordered. Further, when the accused need to surrender back to jail, it will assist in screening against corona infection.

It may further be noted that consent of the accused is taken through his learned counsel. It is stated that accused is ready to abide by any condition put by the court .

6. In this background, to get sufficient information, in order to to reduce and detect spread of Corona infection, when the accused surrender back to jail, as also for better ensure that he do not flee from justice, and further that social distancing is maintained during present pandemic period, accused is admitted to interim bail subject to following conditions:

(a) furnishing personal bond and surety bond in the sum of Rs. 20,000/-to the satisfaction of Court.

(b) Interim bail is allowed for **45** days. After completion of the

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interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly;

- (c) Applicant shall not flee from the justice;
- (d) Applicant shall not tamper with the evidence;
- (e) Applicant shall not threaten or contact in any manner to the prosecution witnesses;
- (f) Applicant shall not leave country without permission;
- (g) Applicant shall convey any change of address immediately to the IO and the court;
- (h) Applicant shall also provide her mobile number to the IO;
- (i) Applicant shall mark his attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his location with the SHO concerned;
- (j) Applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. To 5 p.m.
- (k) Applicant shall keep his such mobile number 'Switched On' at all the time and particularly between 8 am to 8 pm everyday.
- (l) Applicant shall install '**Aarogya Setu**' App on his mobile phone and will keep IGPS as well as Bluetooth ON all the time during the period of such interim bail.

7. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by*

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*Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C ) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above. With these directions, the present application stands disposed of.*

8. Application stands disposed off accordingly.

9. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

10. **Before parting, it may be noted that in this case reply filed by SI Dhan Singh which is duly forwarded by SHO Subzi Mandi. But it is further noted that today, there are some other bail matters listed before this court including FIR no. 491/2015, 264/2015, 303/2014 PS Subzi Mandi, where also same police official SI Dhan Singh is IO and he has sought time in such other matter for filing reply which were filed earlier. But in the present matter he has filed reply within hours instead of days. Same appears to be a pick and choose policy on the part of such IO. As such, a copy of this order be sent to Ld. DCP, North district as well as to SHO concerned for their information through naib court concerned.**

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

**FIR No.354/16**

**PS.: ODRS**

**State v. Abdul Jhabbar**

**U/s: 394,397 IPC**

**10.06.2020**

Present: Sh. Manoj Garg, Ld. Addl. PP for the State.  
Ld. Counsel for accused/applicant through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Arguments heard.

3. It is stated in the application that there is a outbreak of pandemic due to Corona Virus and jails are over-crowded. Although his case do not fall in the criteria but on merit, it can be seen that there is no previous involvement of the present accused. Further, his conduct is satisfactory. That originally such bail is moved through Jail Superintendent concerned. It is further argued that trial is likely to take some time.

4. On the other hand, interim bail application is opposed. It is stated that offence is heinous in nature and not covered in the guidelines issued by Hon'ble High Court of Delhi as mentioned

FIR No.354/16,PS.: ODRS,State v. Abdul Jhabbar,U/s: 394,397 IPC

above.

5. It is also the directions by Hon'ble High court that in any case bail application, including interim bail application, are to be decided on merit in any case. In present case, there is no previous conviction record reported regarding the present accused nor any other involvement. That he is in JC since **October, 2016** and trial is likely to take some more time due to present pandemic condition. As such, he is granted interim bail subject to conditions mentioned hereinafter.

6. It may be noted, that when different aspects are interconnected, then a holistic approach need to be taken. Since interim bail is granted in this case, thus after the expiry of the period of such bail the accused had to surrender back in concerned jail. It may also be note that earlier court was ordering, in appropriate cases, physical attendance of such accused before SHO physical, e.g. once a week. Further, in today's corona times ,court should not and thus do not direct the physical attendance in police station, including having regard to nature of corona infection, social distancing norms as well as due to the inconvenience which may be faced by accused due to lockdown .

Further problems being faced on account of lockdown due to the same is also urged by the accused/applicant side. Therefore, apart from other well settled grounds, such above mentioned conditions are deemed to be fit in overall facts and circumstances of the present case, as it is not desired otherwise to direct accused to mark physical attendance in the police station or no attendance at all. Thus as a viable alternative to such condition to physical attendance need to be ordered. Further, when the accused need to surrender back to jail, it will assist in screening against corona infection.



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It may further be noted that consent of the accused is taken through his learned counsel. It is stated that accused is ready to abide by any condition put by the court .

7. In this background, to get sufficient information, in order to to reduce and detect spread of Corona infection, when the accused surrender back to jail, as also for better ensure that he do not flee from justice, and further that social distancing is maintained during present pandemic period, accused is admitted to interim bail subject to following conditions:

l) furnishing personal bond and surety bond in the sum of Rs. 20,000/-to the satisfaction of Court.

(a) Interim bail is allowed for 45 days . After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly;

(b) Applicant shall not flee from the justice;

(c) Applicant shall not tamper with the evidence;

(d) Applicant shall not threaten or contact in any manner to the prosecution witnesses;

(e) Applicant shall not leave country without permission;

(f) Applicant shall convey any change of address immediately to the IO and the court;

(g) Applicant shall also provide her mobile number to the IO;

(h) Applicant shall mark his attendance before concerned IO ,and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his location with the SHO

FIR No.354/16,PS.: ODRS,State v. Abdul Jhabbar,U/s: 394,397 IPC

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concerned;

(i) Applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. To 5 p.m.

(j) Applicant shall keep his such mobile number 'Switched On' at all the time and particularly between 8 am to 8 pm everyday.

(k) Applicant shall install 'Aarogya Setu' App on his mobile phone and will keep IGPS as well as Bluetooth ON all the time during the period of such interim bail.

8. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C ) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above. With these directions, the present application stands disposed of.*

9. Application stands disposed off accordingly.

(Naveen Kumar Kashyap)  
ASJ-04(Central)Delhi  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. :133/2017**  
**PS: Sarai Rohilla RAILWAY STATION**  
**State vs. Hardeep Singh @Ranjit**  
**U/S: 392/397/411/34 IPC AND 137 , 146 IR Act**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. Deepak Ghai, Ld. Counsel for accused/ applicant.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Reply already filed by the IO.

3. Arguments heard.

4. It is argued that accused allegedly committed offence u.s 392, 397 IPC etc. That all such offences are punishable upto 10 years. As such on merit as well as based on criteria of Hon'ble High Court dated 7-4-2020, he be granted interim bail .

5. Further, trial of this case is pending before this court only. As per record, offences involved are **392/397/34 IPC.and 137 /146 IR Act .**

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6. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, accused is in JC for more than one year , which is one of the condition in criteria mentioned in order dated 07-04-2020. As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond ***in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.***

7. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C ) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

8. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 20/2015  
PS: Kamla Market  
STATE v. Adil@Shahzada  
U/S: 302,396,412,34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. Asgar Khan, Ld. counsel for applicant/accused through VC.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Further details placed on record by learned counsel for accused including certain judgments, case law. It is further stated that there is no other conviction or criminal record against such accused. It is further stated that such accused was granted interim bail on earlier occasions also which is a matter of record, which can be cross checked from the trial record, which is pending in this court itself. It is further stated that case is at advance stage and as such, there is no more likelihood of threatening the witness

etc. It is further stated that mother of the accused is not well and suffering from gall bladder stone problem and advised surgery by the doctor.

3. On the other hand, it is stated by the IO and learned Addl. PP for the state that interim bail application is opposed. It is stated that offence is heinous in nature and not covered in the guidelines issued by Hon'ble High Court of Delhi as mentioned above.

4. I have heard both the sides and have gone through the record.

5. It is also the directions by Hon'ble High court that in any case bail application, including interim bail application, are to be decided on merit in any case. In present case, it is matter of record that such accused was granted interim bail for 3-4 times and he duly surrendered after availing the same. Further, his case is covered by the criteria laid down by the Hon'ble High Court vide order dated 18.05.2020, but there is some adverse report regarding his conduct inside the jail. Further, in any case the ailment of the mother is not denied in the reply filed by IO. As such, in the overall facts and circumstances and prevailing pandemic situation, and the fact that he was granted interim bail earlier also, present accused is granted **interim bail subject to certain terms and conditions as mentioned hereinafter.**

6. It may be noted, that when different aspects are interconnected, then a holistic approach need to be taken. Since interim bail is granted in this case, thus after the expiry of the period of such bail the accused had to surrender back in concerned jail. It may also be note that earlier court was ordering, in appropriate cases, physical attendence of such accused before SHO physical, e.g. once a week. Further, in today's corona times

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,court should not and thus do not direct the physical attendance in police station, including having regard to nature of corona infection, social distancing norms as well as due to the inconvenience which may be faced by accused due to lockdown .

Further problems being faced on account of lockdown due to the same is also urged by the accused/applicant side. Therefore, apart from other well settled grounds, such above mentioned conditions are deemed to be fit in overall facts and circumstances of the present case, as it is not desired otherwise to direct accused to mark physical attendance in the police station or no attendance at all. Thus as a viable alternative to such condition to physical attendance need to be ordered. Further, when the accused need to surrender back to jail, it will assist in screening against corona infection.

It may further be noted that consent of the accused is taken through his learned counsel. It is stated that accused is ready to abide by any condition put by the court .

7. In this background, to get sufficient information, in order to to reduce and detect spread of Corona infection, when the accused surrender back to jail, as also for better ensure that he do not flee from justice, and further that social distancing is maintained during present pandemic period, accused is admitted to interim bail subject to following conditions:

a) furnishing **personal bond and surety bond** in the sum of Rs. 20,000/-to the satisfaction of Court.

(b) Interim bail is allowed for **45 days** . After completion of the interim bail period applicant shall surrender before concerned Jail Superintendent. Necessary intimation be sent to concerned Jail Superintendent accordingly;

(c) Applicant shall not flee from the justice;

- (d) Applicant shall not tamper with the evidence;
- (e) Applicant shall not threaten or contact in any manner to the prosecution witnesses;
- (f) Applicant shall not leave country without permission;
- (g) Applicant shall convey any change of address immediately to the IO and the court;
- (h) Applicant shall also provide her mobile number to the IO;
- (i) Applicant shall mark his attendance before concerned IO and if he is not available then to concerned SHO, every alternative /second day through mobile by sharing his location with the SHO concerned;
- (j) Applicant shall further make a call, preferably by audio plus video mode to concerned IO, and if he is not available then to concerned SHO, once a week, preferably on Monday between 10 a.m. To 5 p.m.
- (k) Applicant shall keep his such mobile number 'Switched On' at all the time and particularly between 8 am to 8 pm everyday.
- (l) Applicant shall install '**Aarogya Setu**' App on his mobile phone and will keep GPS as well as Bluetooth ON all the time during the period of such interim bail.

8. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C ) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.'* and thereafter from time to time as mentioned above. *With these directions, the present application stands disposed of.*



:5:

9. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**INTEIRM BAIL APPLICATION**

FIR No. : 311/17  
PS: Karol Bagh  
STATE v. Furkan @ Rehan Abbasi & Ors.  
U/S: 392,397, 34 IPC

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Sh. Kabir Ahmad, Ld. Counsel for accused/  
applicant.

1. *Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.*

2. Arguments heard.

3. It is stated that accused was granted interim bail vide order dated 27.01.2020 on the ground of surgery of the wife of the accused. Same was granted for one week.

4. But it appears that same was granted for the surgery of accused wife which ground no more exists at present.

: 2 :

But at the same time, it can be seen that accused **allegedly committed offence u.s 392, 397 IPC etc.** That all such offences are punishable upto 10 years. As such on merit as well as based on criteria of Hon'ble HC dated 07.04.2020, he **be granted interim bail**

5 Further, a report is filed by IO/SHO concerned. As per such report, offences involved are Sections 392,397,506,341 IPC.

6. In view of above position, facts and circumstances of present case, reply given by IO and direction by Hon'ble High Court of Delhi, case of the accused is covered under directions as passed by Hon'ble High Court, as mentioned above. Further, **accused is in JC more than one year**, which is otherwise one of the condition in criteria mentioned in order dated 07-04-2020.

As such, in view of the directions by Hon'ble High Court, applicant/accused is admitted to interim bail for a period of 45 days from the date of release on furnishing personal bond **in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent concerned.**

7. *It is further directed that before release of applicant/accused, concerned Jail Superintendent shall ensure strict compliance of all the relevant directions, more particularly the directions contained in order dated 13.04.2020, issued by Hon'ble Apex Court in Suo Moto W.P.(C) No. 01/2020 as well as relevant directions issued by Hon'ble High Court of Delhi in W.P. (C) No. 2945/2020 in case titled as 'Shobha Gupta and Ors. v. Union of India & Ors.' and thereafter from time to time as mentioned above.*

: 3 :

8. The present application stands disposed off accordingly. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)

ASJ-04/Central/THC

10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 77/2019  
PS: I.P. Estate  
STATE v. Mohd. Arif @ Kale  
U/S: 302,307,120B,34 IPC &  
27 Arms Act**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Sh. Ravindra Narayan, Ld. Counsel for accused/  
applicant.

1. Vide this order interim bail application dated 04.06.2020 of accused Md. Arif @ Kale filed through counsel is disposed of .
2. Further, reply filed by IO.
3. It is stated that accused is falsely implicated in the present case and in JC since long. Wife of the accused is diagnosed with a lump in her abdomen and advised operation for the same. Photocopy of the medical document is annexed with the bail application. It is stated that police officials have failed to establish link of the present accused in the present offence. That disclosure statement of co-accused is at variance with others. That main bail application is likely to take some time for hearing. As such, he be granted interim bail as he has to attend his ailing widow mother , minor children and wife and hence this second interim bail application is filed. It is further disposed that this interim application was rejected as withdrawn vide order dated 13.05.2020 and again one interim bail application was dismissed vide order dated 28.05.2020. but it is

: 2 :

further argued that co-accused was granted bail on similar ground vide order dated 29.04.2020.

4. in reply filed by IO as also argued by learned Addl. PP, although medical condition of the wife is not denied but it is stated that offence is serious nature with a minimum punishment of life imprisonment. That conduct of the accused is far from satisfactory. That he is involved in four other criminal cases. That his interim bail was rejected even by Hon'ble High Court recently on 28.05.2020.

5. I have heard both the sides and gone through the record.

6. Although, the wife of the accused appears to be not well, but in view of the nature of the offence and his involvement in other matters and more importantly as his interim bail application is already rejected by Hon'ble High Court vide reasoned order dated 28.05.2020 i.e. recently only. **This court is not inclined to grant interim bail to the accused at this stage.**

7. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 25/2020  
PS: Bara Hindu Rao  
STATE v. Salman  
U/S: 435,436,506, 34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Rashid Hashmi, Ld. Counsel for accused/  
applicant.

1. Vide this order, the regular bail application dated 02.06.2020 filed by the accused Salman is disposed off.
2. It is stated in such application that he was arrested by the police on 09.03.2020. That he is in JC for about three months. That he is no more required for the purpose of investigation. That no purpose would be served to keep him in JC. That there is no other allegations/criminal case against him. That jails in Delhi are over-crowded and as such he be granted bail.
3. On the other hand, in reply filed by ASI Sunder Lal as also argued by learned Addl. PP for the state that offence is serious in nature including Section 436 IPC which is punishable upto life imprisonment. That he intentionally set on fire the vehicle of the victim. That there are public witnesses to such incident. That his parents do not have control over him. As such, his presence may not be secured for trial if he be released on bail. That chargesheet is already filed and put up for consideration for 17.06.2020.
4. I have heard both the sides and gone through the record. Having regard to the nature of the offence, which is  
FIR No. : 25/2020, PS: Bara Hindu Rao, STATE v. Salman, U/S: 435,436,506, 34 IPC

: 2 :

punishable upto life imprisonment and the fact that his presence may not be secured for trial if he is released on bail, this court is not inclined to grant him bail at this stage. **With these observations, present bail application is dismissed.**

5. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020



: 1 :

**BAIL APPLICATION**

FIR No. : 35/2019  
PS: Darya Ganj  
STATE v. Wasim @ Akeel  
U/S: 394,411, 34 IPC

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Ayub Khan, Ld. Counsel for accused/  
applicant.

1. Observations given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Moto W.P.(C) No. 1/2020 dated 23.03.2020 and Revised Advisory Protocol dated 30.03.2020 have been issued by Ld. District & Sessions Judge (HQ) read with other directions received from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority, present application is taken up.

2. Reply filed by the IO. Same is taken on record.

3. Arguments heard. It is stated that child of the accused is not well who is about 8 years old. That such child has got injured in his head and is under treatment at GTB hospital. It is further stated that he is in JC since 12.02.2019.

4. But in reply it is stated that a number of cases, about 14 detail is annexed alongwith the reply are alleged

FIR no. 35/19, PS Darya Ganj State v. Wasim @ Akeel

: 2 :

against the present accused. That he is a habitual criminal. That he even told his and his father's name incorrectly. Further, medical record regarding his child could not be verified.

5. I have heard both the sides and gone through the record. In any case having regard to the conduct of the accused, nature of offence which include Section 394 IPC and his involvement in number of other case, this court is not inclined to grant interim bail to this accused as other family member can take care of child. **With these observations, present application stands dismissed.**

6. Copy of this order be sent to IO/SHO concerned.

7. Learned counsel for the accused is at liberty to collect the order dasti or through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

**FIR No. : 209/2017  
PS: Karol Bagh  
STATE v. Madan  
U/S: 380,392,394,34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC  
Mr. Deepak Chauhan Ld. Counsel for accused/ applicant through VC.

Further reply/report filed by IO including copy of order of the co-accused Neeraj and Harbans passed by Ld. ASJ-03, Central District.

As such, at request of Ld. Addl. PP, matter be put up before concerned court itself for further arguments/appropriate orders on the present regular bail application for **11.06.2020** .

**(Naveen Kumar Kashyap)**  
**ASJ-04/Central/THC**  
**10.06.2020**

: 1 :

1: **BAIL APPLICATION**

**FIR No. : 590/2016**  
**PS: Burari**  
**STATE v. Bunty**  
**U/S: 363,376,506 IPC &**  
**section 4 & 6 of POCSO Act**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. A.V. Shukla, Ld. Counsel for accused/  
applicant.

1. Fresh bail application filed. Heard.
2. Hon'ble HC of Delhi in order dated 5th June, 2020 in CRL.M.C. 1474/2020 & CRL.M.As. 6330/2020, 6705/2020 titled "MISS G (MINOR) versus STATE OF NCT OF DELHI & ANR., directed as follows:

".....23. Accordingly, in order to ensure effective implementation of the 2018 amendment to the Cr. PC., and further to the practice directions, as also the orders passed by the Id. Division Bench of this Court in Reena Jha Vs. UOI (supra) the following directions are issued:

a) Whenever an accused who is charged under Sections 376(3), 376- AB, 376 - DA or 376 DB of the IPC or the provisions of the POCSO Act, moves an application for regular bail or interim bail, notice shall be issued to the IO as also any counsel on record for the victim/complainant/informant;

b) The IO upon receipt of the bail application and/or the notice of such application, shall immediately issue notice to the victim/complainant/informant in prescribed format as per 'Annexure A' of the Practice Directions. The Practice Directions dated 24th September, 2019 along with 'Annexure A' are appended to this order for ready reference.

c) The service of notice shall be certified by the SHO of the local police station by signing Annexure A at the prescribed place.

FIR No. : 590/2016, PS: Burari, STATE v. Bunty, U/S: 363,376,506 IPC & section 4 & 6 of POCSO Act

: 2 :

d) The duly completed Annexure A shall be filed along with the reply/ status report filed by the IO in respect of the bail application and shall be presented to the Court.

e) If the IO cannot trace the complainant/victim/informant, the reasons for the same shall be mentioned in the status report. Further, if there is any specific reason for non-appearance of the complainant/victim/informant, the same shall be recorded and placed before the Court.

f) In case the complainant/victim/informant has not been traced, the IO shall try to ascertain the whereabouts of the complainant/victim/informant and place the same before the Court.

g) The Court, before proceeding to hear the bail application would ascertain the service of notice, and if no notice has been served, either through the IO or the counsel on record, as a secondary safeguard, issue summons to the complainant/victim/informant.

h) Once the victim/complainant/informant appears before the Court, and if needed, adequate representation shall be ensured for the victim/complainant/informant either through own counsel or through a legal service authority counsel.

i) All the relevant documents required for the victim/complainant/informant to effectively represent the case for opposing the bail shall be provided.

j) In every bail order, service of notice or reasons for non-service or non-hearing of the complainant/victim/informant shall be specifically recorded before proceeding to pass orders.

k) If the complainant/victim/informant does not appear despite service of notice, bail can be considered by the Court, in accordance with law.

l) In case interim bail is sought for an emergency such as death in family or a medical emergency, and awaiting notice to the complainant/victim/informant appears non-feasible, in a rare case, reasons for the same shall first be recorded in the order....."

3. As such, issue notice to the IO as well as the victim through IO in terms of above directions of the Hon'ble High Court. Further, a copy of this order be sent to IO for his ready

: 3 :

reference. Further, the victim is at liberty to appear in court in person or through electronic mode. IO/SHO concerned is directed to provide all necessary assistance in this regard.

Put up for reply, argument and appropriate orders on 17.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

1. INTEIRM BAIL APPLICATION

FIR No. : 312/2016  
PS: Prasad Nagar  
STATE v. Manish Kumar  
U/S: 376 IPC &  
section 4 & 6 of POCSO Act

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Anand Verdhan Maitreya, LAC for applicant/  
accused.

1. Fresh bail application filed. Heard.

2. Hon'ble HC of Delhi in order dated 5th June, 2020  
in CRL.M.C. 1474/2020 & CRL.M.As. 6330/2020, 6705/2020  
titled "MISS G (MINOR) versus STATE OF NCT OF DELHI &  
ANR., directed as follows:

".....23. Accordingly, in order to ensure effective  
implementation of the 2018 amendment to the Cr. PC., and  
further to the practice directions, as also the orders passed by  
the Id. Division Bench of this Court in Reena Jha Vs. UOI (supra)  
the following directions are issued:

a) Whenever an accused who is charged under Sections 376(3),  
376- AB, 376 - DA or 376 DB of the IPC or the provisions of the  
POCSO Act, moves an application for regular bail or interim bail,  
notice shall be issued to the IO as also any counsel on record for  
the victim/complainant/informant;

b) The IO upon receipt of the bail application and/or the notice of  
such application, shall immediately issue notice to the  
victim/complainant/informant in prescribed format as per  
'Annexure A' of the Practice Directions. The Practice Directions  
dated 24th September, 2019 along with 'Annexure A' are  
appended to this order for ready reference.

c) The service of notice shall be certified by the SHO of the local  
police station by signing Annexure A at the prescribed place.

: 2 :

d) The duly completed Annexure A shall be filed along with the reply/ status report filed by the IO in respect of the bail application and shall be presented to the Court.

e) If the IO cannot trace the complainant/victim/informant, the reasons for the same shall be mentioned in the status report. Further, if there is any specific reason for non-appearance of the complainant/victim/informant, the same shall be recorded and placed before the Court.

f) In case the complainant/victim/informant has not been traced, the IO shall try to ascertain the whereabouts of the complainant/victim/informant and place the same before the Court.

g) The Court, before proceeding to hear the bail application would ascertain the service of notice, and if no notice has been served, either through the IO or the counsel on record, as a secondary safeguard, issue summons to the complainant/victim/informant.

h) Once the victim/complainant/informant appears before the Court, and if needed, adequate representation shall be ensured for the victim/complainant/informant either through own counsel or through a legal service authority counsel.

i) All the relevant documents required for the victim/complainant/informant to effectively represent the case for opposing the bail shall be provided.

j) In every bail order, service of notice or reasons for non-service or non-hearing of the complainant/victim/informant shall be specifically recorded before proceeding to pass orders.

k) If the complainant/victim/informant does not appear despite service of notice, bail can be considered by the Court, in accordance with law.

l) In case interim bail is sought for an emergency such as death in family or a medical emergency, and awaiting notice to the complainant/victim/informant appears non-feasible, in a rare case, reasons for the same shall first be recorded in the order.....”

3. As such, issue notice to the IO as well as the victim through IO in terms of above directions of the Hon'ble High Court. Further, a copy of this order be sent to IO for his ready



: 3 :

reference. Further, the victim is at liberty to appear in court in person or through electronic mode. IO/SHO concerned is directed to provide all necessary assistance in this regard.

Put up for reply, argument and appropriate orders on 17.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 590/2016**

**PS: Burari**

**STATE v. Ravi**

**U/S: 363,376,506 IPC &  
section 4 & 6 of POCSO Act**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. A.V. Shukla, Ld. Counsel for accused/  
applicant.

1. Fresh bail application filed. Heard.
2. Hon'ble HC of Delhi in order dated 5th June, 2020 in CRL.M.C. 1474/2020 & CRL.M.As. 6330/2020, 6705/2020 titled "MISS G (MINOR) versus STATE OF NCT OF DELHI & ANR., directed as follows:


".....23. Accordingly, in order to ensure effective implementation of the 2018 amendment to the Cr. PC., and further to the practice directions, as also the orders passed by the Id. Division Bench of this Court in Reena Jha Vs. UOI (supra) the following directions are issued:

a) Whenever an accused who is charged under Sections 376(3), 376- AB, 376 - DA or 376 DB of the IPC or the provisions of the POCSO Act, moves an application for regular bail or interim bail, notice shall be issued to the IO as also any counsel on record for the victim/complainant/informant;

b) The IO upon receipt of the bail application and/or the notice of such application, shall immediately issue notice to the victim/complainant/informant in prescribed format as per 'Annexure A' of the Practice Directions. The Practice Directions dated 24th September, 2019 along with 'Annexure A' are appended to this order for ready reference.

c) The service of notice shall be certified by the SHO of the local police station by signing Annexure A at the prescribed place.

- d) The duly completed Annexure A shall be filed along with the reply/ status report filed by the IO in respect of the bail application and shall be presented to the Court.
- e) If the IO cannot trace the complainant/victim/informant, the reasons for the same shall be mentioned in the status report. Further, if there is any specific reason for non-appearance of the complainant/victim/informant, the same shall be recorded and placed before the Court.
- f) In case the complainant/victim/informant has not been traced, the IO shall try to ascertain the whereabouts of the complainant/victim/informant and place the same before the Court.
- g) The Court, before proceeding to hear the bail application would ascertain the service of notice, and if no notice has been served, either through the IO or the counsel on record, as a secondary safeguard, issue summons to the complainant/victim/informant.
- h) Once the victim/complainant/informant appears before the Court, and if needed, adequate representation shall be ensured for the victim/complainant/informant either through own counsel or through a legal service authority counsel.
- i) All the relevant documents required for the victim/complainant/informant to effectively represent the case for opposing the bail shall be provided.
- j) In every bail order, service of notice or reasons for non-service or non-hearing of the complainant/victim/informant shall be specifically recorded before proceeding to pass orders.
- k) If the complainant/victim/informant does not appear despite service of notice, bail can be considered by the Court, in accordance with law.
- l) In case interim bail is sought for an emergency such as death in family or a medical emergency, and awaiting notice to the complainant/victim/informant appears non-feasible, in a rare case, reasons for the same shall first be recorded in the order....."



3. As such, issue notice to the IO as well as the victim through IO in terms of above directions of the Hon'ble High Court. Further, a copy of this order be sent to IO for his ready

: 3 :

reference. Further, the victim is at liberty to appear in court in person or through electronic mode. IO/SHO concerned is directed to provide all necessary assistance in this regard.

Put up for reply, argument and appropriate orders on 17.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 117/2016**  
**PS: Sarai Rohilla**  
**STATE v. Ajeet Singh Verma**  
**U/S: 302,34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Mr. Nishant Rana, Ld. Counsel for Accused through VC.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020 ,Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly , present application is taken up.*

2. Report not filed by IO.

3. Submissions heard through electronic mode.

4. In view of direction by Hon'ble High Court, IO/SHO to file :

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC), a report that present accused is **not involved**, in any other case;

iii) Date, since when accused is in JC in present case:

: 2 :

iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

v) Details i.e. date of order, outcome(whether interim bail allowed or dismissed) and name of such learned court, of the last interim bail application,if any, moved by the present accused.

5. As such, issue notice of present application to the IO/ SHO .

6. Further (in view of direction by Hon'ble HC ), **Jail Superintendent concerned** to file:

- (i) Copy of **custody warrant** of present accused;
- (ii) A **certificate regarding good conduct**, if any, of the accused during his custody period so far.

7. As such, issue notice to the IO/SHO as well as Jail Superintendent accordingly.

8 Further, in view of directions passed, copy of this order be sent to SHO/IO concerned **through Nodal Officer Insp. Vijay Vats, Mobile No. 9810127561**. The concerned IO/SHO to file its reply through Nodal officers, preferably in electronic form/email ,as per the directions already issued.

9. **Counsel for accused is advised to collect the order online through electronic mode.**

10. Put up for report, arguments and further appropriate orders on 17.06.2020 through VC.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

**FIR No. : 124/2015**  
**PS: Sarai Rohilla**  
**STATE v. Salman @ Pintu**  
**U/S: 302 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Mr. Maulshree Pathak, Ld. Counsel for Accused through VC.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020, Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly, present application is taken up.*

2. Report not filed by IO.

3. Submissions heard through electronic mode.

4. In view of direction by Hon'ble High Court, **IO/SHO** to file :

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further, (in view of direction by Hon'ble HC), a report that present accused is **not involved**, in any other case;

(iii) Date, since when accused is in JC in present case:

: 2 :

iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

v) Details i.e. date of order, outcome(whether interim bail allowed or dismissed) and name of such learned court, of the last interim bail application,if any, moved by the present accused.

5. As such, issue notice of present application to the IO/ SHO .

6. Further (in view of direction by Hon'ble HC ), **Jail Superintendent concerned** to file:

(i) Copy of **custody warrant** of present accused;

(ii) A **certificate regarding good conduct**, if any, of the accused during his custody period so far.

7. As such, issue notice to the IO/SHO as well as Jail Superintendent accordingly.

8 Further, in view of directions passed, copy of this order be sent to SHO/IO concerned **through Nodal Officer Insp. Vijay Vats, Mobile No. 9810127561**. The concerned IO/ SHO to file its reply through Nodal officers, preferably in electronic form/email ,as per the directions already issued.

9. **Counsel for accused is advised to collect the order online through electronic mode.**

10. Put up for report, arguments and further appropriate orders on 17.06.2020 through VC.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020



**BAIL APPLICATION**

**FIR No. : 30/2018  
PS: Kamla Market  
STATE v. Sachin Huda  
U/S: 302,365,34 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Learned Counsel for accused through VC.

It is stated that accused has already been released from JC and counsel for applicants wants to withdraw the present application.

Heard.

In view of submissions of learned counsel, present application is disposed off as withdrawn.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

**FIR No. : 436/2018  
PS: Karol Bagh  
STATE v. Pankesh Kumar & Ors.  
U/S: 395,397,120-B,34 IPC**

**10.06.2020.**

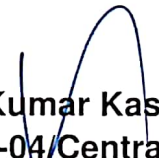
Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Ms. Neha Kapoor, Ld. Counsel for accused/ applicant through VC.

Part arguments heard.

During course of arguments, it is stated that this is 4<sup>th</sup> bail application but copy of previous orders of three bail applications are not placed on record.

Further, the trial court <sup>reco. U</sup> is not before this court. As such, learned counsel for accused is at liberty to file the same through electronic mode or otherwise. Further, IO is also directed to file copy of previous orders on bail application of the present accused.

**Put up on 17.06.2020.**

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

FIR No. : 420/2018  
PS: Karol Bagh  
STATE v. Pankesh Kumar & Ors.  
U/S: 395,397,120-B,34 IPC

**10.06.2020.**

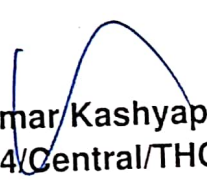
Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Ms. Neha Kapoor, Ld. Counsel for accused/ applicant through VC.

Part arguments heard.

During course of arguments, it is stated that this is 4<sup>th</sup> bail application but copy of previous orders of three bail applications are not placed on record.

Further, the trial court <sup>is not</sup> is not before this court. As such, learned counsel for accused is at liberty to file the same through electronic mode or otherwise. Further, IO is also directed to file copy of previous orders on bail application of the present accused.

**Put up on 17.06.2020.**

  
(Naveen Kumar Kashyap)  
ASJ-04 Central/THC  
10.06.2020

**BAIL APPLICATION**

FIR No. : 166/2010  
PS: Sarai Rohilla  
STATE v. Rajeev Upadhyaya  
U/S:363,370,372,376(2) IPC and  
Section 6 of POCSO Act

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. K.D. Pandey, counsel for applicant.  
Wct. Anusuiya alongwith victim in person.

As the present case inter-alia, offences are u/s 376  
IPC and POCSO Act , therefore, in any case, such matter are  
excluded from the preview of relaxed criteria by Hon'ble High  
Court. As such, put up for arguments on merit in the present  
interim bail application.

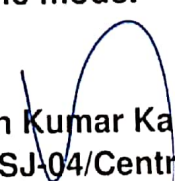
Victim is present in person. She says that she has  
nothing to state. Report not filed by the IO.

Put up for filing of report by IO on next date.

Further, victim is at liberty to come again and make  
further submissions, if so she desires.

**Put up on 17.06.2020.**

**Copy of this order be given dasti to all the  
parties or they can collect through electronic mode.**

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

**FIR No. : 491/2015  
PS: Subzi Mandi  
STATE v. Sunil @ Kesto  
U/S: 307,120-B,34 IPC**

**10.06.2020.**

**Present:** Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Deepak Ghai, Ld. Counsel for accused/  
applicant.

IO sought some time to file reply.

**Put up for reply from IO, arguments and  
appropriate orders for 16.06.2020 .**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020**

**BAIL APPLICATION**

**FIR No. : 40/2020  
PS: Kamla Market  
STATE v. Imran  
U/S: 376,377,328,313 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through VC.  
Sh. Harish Kumar, Ld. Counsel for accused/  
applicant.  
IO SI Mahesh Bhargava in person.

Reply filed by IO.

Having regard to the offence alleged in the present case, let notice be issued to the victim through IO. Victim is at liberty to appear in person or address the court through electronic mode.

IO is directed to provide suitable assistance, if needs so arise to the victim for hearing through electronic mode.

Put up on **16.06.2020.**

A copy of this order be given dasti or they can collect through electronic mode.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

FIR No. : 193/2012  
PS: Saral Rohilla  
STATE v. AMIT NATH SAINI  
U/S: 498A,406,506,34 IPC

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC.  
None for applicant/accused.

Put up for appearance on behalf of  
applicant/accused and further proceedings on 07.07.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

: 1 :

**BAIL APPLICATION**

FIR No. : 495/2018  
PS: Karol Bagh  
STATE v. Rishabh  
U/S: 307,323,324,34, 34 IPC

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. A.A. Qureshi, Ld. Counsel for accused through  
VC.

Put up for reply from IO, arguments and  
appropriate orders for 15.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020



**BAIL APPLICATION**

**FIR No. : 277/2018  
PS: Sarai Rohilla  
STATE v. Shivani  
U/S: 302,364-A,201,120-B, 34 IPC**

**10.06.2020.**

**Present:** Mr. Manoj Garg, Ld. Addl. PP for the State through VC  
Mr. Akhilesh Yadav, Ld. Counsel for accused through VC.

**Put up for reply from IO, arguments (through VC) and appropriate orders for 16.06.2020 .**

**(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020**

**BAIL APPLICATION**

**FIR No. : 264/2015  
PS: Subzi Mandi  
STATE v. Ajay  
U/S: 393,397,302 IPC**

**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Jabbar Hussain, Ld. Counsel for accused/  
applicant.

IO sought some time to file reply.

**Put up for reply from IO, arguments and  
appropriate orders for 16.06.2020 .**

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

**BAIL APPLICATION**

**FIR No. : 303/2014  
PS: Subzi Mandi  
STATE v. Vikrant Sagar  
U/S: 302,307,120-B,34 IPC**

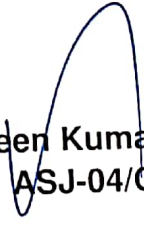
**10.06.2020.**

**Present:** Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Hemant Gulati, Ld. Counsel for accused/  
applicant.

IO sought some time to file reply.

**Put up for reply from IO, arguments and  
appropriate orders for 16.06.2020 .**

**Further, applicant is at liberty to furnish further  
facts about surgery/medical documents in this regard to the  
IO.**

  
**(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020**

**BAIL APPLICATION**

FIR No. : 378/2014

PS: Lahori Gate

STATE v. Roop Singh @ Vicky & Ors.

U/S: 394,395,397,506,342,201,412,34 IPC

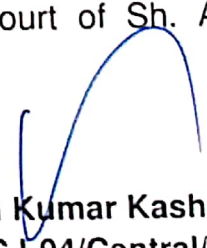
**10.06.2020.**

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Mr. Shammi Sudhaakar, Ld. Counsel for accused/  
applicant.  
IO ASI Mahesh Kumar in person.

It is stated by the advocate that trial of this case is  
pending before the court of Sh. Anuj Aggarwal, Ld. ASJ.

Reply filed by IO.

At request, put up before the court of Sh. Anuj  
Aggarwal, Ld. ASJ on 12.06.2020.

  
(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

1. BAIL APPLICATION

FIR No. : 87/2018  
PS: Gulabi Bagh  
STATE v. Ajay @ Chelwa  
U/S: 308,323,342,34 IPC

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC  
Sh. Vinkle Goyal, Ld. Counsel for accused/  
applicant.

Reply filed by IO.

It is stated that trial is pending before the court of  
Sh. Anuj Aggarwal, Ld. ASJ and it is further claimed that  
evidence of the witness is already over.

At this this stage, at joint request, matter be put up  
before concerned court on 12.06.2020 for further  
arguments/appropriate orders.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020

## BAIL APPLICATION

FIR No. : 43/2017  
PS: Prasad Nagar  
STATE v. Rahul  
U/S: 302,392,394,397,411,34 IPC & 25,37 Arms Act

10.06.2020.

Present: Mr. Manoj Garg, Ld. Addl. PP for the State through  
VC.  
Brother of the accused alongwith counsel Sh.  
Gaurav.

As per report from Jail Superintendent, Jail No. 4,  
no such person is lodged at Jail No.4. It is reaffirmed today that  
he is in Jail no. 4 only.

As such, in view of directions of Hon'ble High Court  
vide dated 18.05.2020, a fresh conduct report be submitted by  
concerned Jail Superintendent.

Issue notice to concerned Jail Superintendent  
accordingly for 16.06.2020.

(Naveen Kumar Kashyap)  
ASJ-04/Central/THC  
10.06.2020