FIR No.104/2010 PS: Tilak Nagar State Vs. Sandeep @ Sonu u/s. 302 IPC

18.06.2020

URGENT MATTER

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Mahesh Patel, Ld. Counsel for accused.

Today case is fixed for final arguments. Ld. Counsel submits that he has applied for certified copy before the lockdown but same has not been provided yet and due to this reason he is unable to address final arguments.

In these circumstances, in this COVID-19 Pandemic, Ld. Counsel is at liberty to obtain uncertified copy of the judicial file including the evidence on paying requisite court fees as per rules for uncertified copies, so that final arguments can be heard.

Ahlmad is directed to provide the said uncertified copies of the judicial record on obtaining requisite court fees.

At this stage, Ld. Counsel also submits that in this case, accused has been granted interim bail for 45 days pursuant to the criteria of High Powered Committee (HPC) of the Hon'ble High Court as is now on bail.

Put up for final arguments on 04.07.2020.

Bail Application No. 1188 FIR No. 492/18 PS: Nangloi State Vs. Kuldeep Dagar U/s 498/406/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty Roster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is the application u/s 438 Cr.P.C seeking anticipatory bail moved on behalf of applicant/accused Kuldeep Dagar.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Complainant in person with Ld. Counsel Sh.

Sanjeev Saroha.

Sh. Sparsh Chaudhary, Ld Counsel for the

applicant/accused Kuldeep Dagar.

Reply to the application filed by the IO.

Though this matter was to be heard through video conferencing, however, Ld. Counsel for both the parties appeared in the court and hence, have been heard physically in the court.

By way of present application, applicant is seeking anticipatory bail on the ground that the applicant has

been falsely implicated in the present case. It is argued that there are not allegations in the FIR except the word zabardasti which in no way of imagination can be termed as rape. It is submitted that earlier applicant was given interim protection vide order dated 19.12.19. The complainant has made false allegations in order to put pressure on the applicant who is employed with Delhi Police and to grab the property of her mother in law in connivance with her husband, her sister and her husband. Applicant is the maternal uncle in law (Mama Sasur) of the complainant. It is also argued that applicant has joined the investigation on the notice u/s 41(1) (a) and hence, accused is not required to be arrested. It is also argued that allegations made by the complainant are motivated as she had earlier filed a complaint under the Domestic Violence Act on 25.07.2018, however, the allegation of rape was not mentioned in the said complaint and she has made the allegations of rape only after her statement u/s 164 Cr.P.C was recorded in June, 2020. It is also argued that complainant still wants to live in her matrimonial home despite the alleged rape committed upon her which makes it clear that the allegations are false and fabricated.

Per contra, Ld. State Counsel has opposed the application on the ground that the allegations against the applicant are serious in nature. The applicant was repeatedly abused and was subjected to abortion twice. She was



confined at her matrimonial home and was not allowed to go out. As regards the argument of complainant still wanting to stay at her matrimonial home, it is submitted that complainant has no other option as her father is bed ridden and she does not want be a burden on him.

I have considered rival arguments. The statement u/s 164 Cr.P.C is a part of the investigation and if the complainant has made specific details regarding committing of rape upon her by the applicant, it cannot be overlooked at this stage.

Considering the facts and circumstances of the case and the serious allegations against the applicant, no ground is made out for grant of anticipatory bail to the applicant/accused. Application is accordingly dismissed.

Copy of this order be given dasti.

FIR No.118/2010 PS: Ranjit Nagar State Vs. Afsar

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Proceedings of this matter has been conducted through Video Conferencing.

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

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

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

Ld. Counsel for applicant/accused seeks the permission of this court to withdraw the present bail application as being not pressed.

Heard. In view of the submissions made by Ld. Counsel for applicant/accused, the present bail application is dismissed as withdrawn.

Copy of this order be given dasti, as prayed.

FIR No.62/2013 PS :Paschim Vihar State Vs. Vipin Kumar Tanti U/s. 302/201/120B/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Proceedings of this matter has been conducted through Video Conferencing.

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

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Pawan Gupta, Ld. Counsel for applicant/accused.

Ld. Counsel for accused submits that he is not aware as to in which court the present case is pending and on this ground he seeks adjournment to apprise this court about the pendency of this case.

Put up this bail application for consideration on 20.06.2020.

FIR No.380/2020

PS: Tilak Nagar

U/s. 302/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

Proceedings of this matter has been conducted through Video Conferencing.

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

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

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

IO file report. Same is taken on record.

This is a bail application for CCL by father of juvenile boy under Juvenile Justice (Care and Protection of Children) Act, 2015.

Ld. Counsel for applicant/accused seeks adjournment on the ground that today he is not prepared.

Let bail application be put up for arguments on 19.06.2020.

FIR No.127/20

PS: Punjabi Bagh

State Vs. Ashok Kumar and Poonam

u/s. 498A/406/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 438 Cr.PC moved on behalf of applicant/accused seeking anticipatory bail.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

None for applicant/accused.

Even IO is also absent.

Record perused.

Vide order dated 18.03.2020 interim protection was granted to applicant till next date of hearing I.e. 17.04.2020. Thereafter, this application was put up on three consecutive dates for appearance of parties and IO but of no avail.

In these circumstances, let IO be called to apprise the court regarding the investigation of this case for 26.06.2020.

FIR No.129/2020

PS: Nangloi

u/s. 457/380 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 438 Cr.PC moved on behalf of applicant/accused seeking bail.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Mohit Batra, Ld. Counsel for applicant/accused.

IO/HC Amit Rohilla in person.

IO filed reply. This is an application for anticipatory bail u/s. 438 Cr.PC prayed that applicant/accused is called by the police officials of PS Nangloi and FIR was told to the accused in which case he was officially interrogated.

IO has filed reply. Same is taken on record. In his reply IO has categorically stated that accused is wanted in case FIR 129/20 u/s. 457/380 IPC PS Nangloi and investigation is on and in the said case accused was called to make certain inquiries.

Contd.../-

At this stage, Ld. Counsel for applicant/accused wishes to withdraw the present bail application and will file the fresh application as and when need so as today he has noted down the particulars from present case from the reply.

In view of the submissions made by Ld. Counsel for applicant/accused, the present bail application is dismissed as withdrawn.

Bail application no. 886. FIR No.1036/2006 PS: Rajouri Garden State Vs. Sonu U/s. 326/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 439 Cr.PC moved on behalf of applicant/accused seeking regular bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Akhil Tarun Goel, Ld. Counsel for applicant/accused.

Reply of the bail application not filed by IO. Let notice be issued to the concerned SHO to file reply either himself or through IO positively on next date.

Put up for reply and hearing arguments on the bail application on 20.06.2020.

Bail Appl. No. 1209/20 FIR No. 698/19 PS: Rajouri Garden State Vs. Shahid U/s 392/394/397/34 IPC

18.06.2020

THROUGH VIDEO CONFERENCING

The undersigned is performing duty pursuant to the computer generated circular/duty Roster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 439 Cr.P.C. for grant of interim bail of 45 days moved on behalf of accused/applicant Shahid.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh. M.A. Inayati, Ld Counsel for the

applicant/accused through video conferencing.

I have heard argument of Ld. Counsel for applicant through video conferencing as well as heard Ld. State Counsel who is present in the court and perused the reply of the IO.

It is argued on behalf of applicant/accused that he is in J.C since 24.12.2019. It is argued that the marriage of the applicant is fixed for 22.06.2020 and for this purpose,

he may be enlarged on interim bail of 45 days. The original marriage card has been attached with the bail application.

Per contra, the application has been opposed by Ld. State Counsel on the ground of gravity of offence. It is argued that applicant is a habitual offender and therefore, by way of moving present application, applicant is trying to come out of jail.

I have considered rival submissions.

I have also perused the report of the IO on the application. The report of the IO confirms the fact that applicant is getting married on 22.06.2020. Though the argument of Ld. State Counsel has force that applicant is a habitual offender but at the same time, the applicant has a legal right to enter into marriage. Therefore, applicant is granted interim bail of 21 days which shall be counted from the date of his release, subject to furnishing of personal bond in the sum of Rs. 30,000/- with two sureties in the like amount to the satisfaction of the concerned court/duty MM. Application stands disposed off. After the expiry of 21 days, the applicant shall surrender before the Jail Superintendent.

Dasti copy be given to Ld. Counsel for applicant.

FIR No.12633/19 PS: Punjabi Bagh State Vs. Abdul U/s. 392/397/411/34 IPC

18.06.2020

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Sunil Tomar, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant/accused seeks the permission of this court to withdraw the present bail application as being not pressed.

Heard. In view of the submissions made by Ld. Counsel for applicant/accused, the present bail application is dismissed as withdrawn.

Copy of this order be given dasti, as prayed,

FIR No.157/2019

PS: Punjabi Bagh

State Vs. Awdesh Singh and another

U/s. 328/379/411/34 IPC

18.06.2020

Proceedings of this matter has been conducted through Video Conferencing.

File taken up on interim bail application of above named accused u/s. 439 Cr.PC on the criteria of High Powered Committee (HPC) of the Hon'ble High Court.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Vineet Malhotra, Ld. Counsel for applicant/accused

Awdesh Singh.

IO/ASI Ghanshyam in person.

IO filed reply regarding previous involvement of accused. Same is taken on record.

Ld. Counsel for applicant/accused prayed for calling conduct report from the concerned jail, which is one of the conditions of granting interim relief to the accused.

Ld. Counsel also submits that he will file the bail order of case FIR no. 8977/19 in which accused is previously involved as per report of IO.

Contd.../-

Let conduct report be called from Superintendent Jail for 24.06.2020.

Put up this bail application for 24.06.2020 with file.

Bail application no. 1059

FIR No.397/20

PS: Patel Nagar

State Vs. Mayur Hindfurao Salunkhe

U/s. 420 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

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

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Abdul Rahiman, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that accused has been granted interim bail for 45 days on the application of Jail Authorities in view of the criteria of High Powered Committee (HPC) of the Hon'ble High Court and further submits that in this case challan has not been filed yet. Hence, he do not wish to press this bail application at this moment and requests for longer date somewhere in the month of July, 2020.

Contd.../-

In view of the submissions of Ld. Counsel for applicant/accused, the present bail application is put up for consideration on 07.07.2020.

Bail Appl. No. 1141/20 FIR No. 358/20 PS: Tilak Nagar State Vs. Jaspal Singh U/s 307/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty Roster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s 439 Cr.P.C. for grant of regular bail moved on behalf of accused/applicant Jaspal Singh.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State. Sh. Yashpal Jolly, Ld Counsel for the applicant/accused.

I have heard arguments from both the sides and perused the reply.

It is argued on behalf of applicant/accused that he is in J.C since 09.05.2020. It is argued that the applicant has been falsely implicated in the present caes. It is also argued that co-accused Harpreet Singh and Amarjeet Singh, who are the main accused, have already been granted bail vide orders dated 10.06.2020 and 22.05.2020 respectively. Therefore, on the ground of parity, applicant may also be enlarged on bail. He is ready to abide by any condition

imposed by this court.

Per contra, the application has been opposed by Ld. State Counsel on the ground of gravity of offence.

I have considered rival submissions.

Considering the facts and circumstances of the case and on the ground of parity, applicant is granted bail subject to furnishing of personal bond in the sum of Rs. 40,000/- with one surety in the like amount to the satisfaction of the concerned court/duty MM. Application stands disposed off.

Dasti copy be given to Ld. Counsel for applicant.

FIR No. 269/2019 PS: Rajouri Garden State Vs. Himanshu @ Bilad etc. U/s 302/394/411/34 IPC

18.06.2020

This is the application u/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Karan @ Bhatija in view of the directions of High Powered Committee dated 18.05.2020 of Hon'ble High Court of Delhi.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Abdul Aziz, Ld Counsel for the applicant/accused.

Reply to the application received.

I have heard arguments on the interim bail application from both the sides and perused the record.

By way of present application, applicant is seeking interim bail of 45 days in view of the guidelines of High Powered Committee of Hon'ble High Court of Delhi dated 18.05.2020 as the case of the applicant falls under the category enlisted in the HPC.

Applicant is facing charges u/s 302 IPC besides other charges and is in custody since 24.10.2019. i.e less than two years and as such, the case of the applicant does

not fall within the categories enlisted for granted interim bail in terms of HPC dated 18.05.2020 and hence, can not be considered. At this stage, Ld. Counsel has argued the matter on merits. It is argued that applicant was arrested on the disclosure statement of co-accused. It is further argued that the mother of applicant is suffering from various ailments and there is no one to look after her and on humanitarian grounds, it is prayed that applicant may be granted interim bail.

Per contra, bail application has been opposed by Ld. State Counsel on the ground that the allegations against the applicant are very serious in nature. As regards the medical ground of mother of applicant is concerned, the documents pertain to August, 2019 and hence, are not relevant at all for the purposes of granting interim bail.

I have considered rival submissions.

Considering the facts and circumstances of the case, the gravity of offences, no ground is made out for grant of interim bail to the applicant on merit. Even on medical ground of mother of applicant, no ground is made out for grant of interim bail as the medical documents pertain to last year and hence, cannot be considered. Therefore, application is dismissed.

Dasti copy be given.

FIR No. 03/2019 PS: Rajouri Garden State Vs. Sunil @ Bhatura @ Vijay U/s 394/397/411/34 IPC

18.06.2020

This is the application u/s 439 Cr.P.C. for grant of interim bail moved on behalf of accused/applicant Sunil @ Bhatura @ Vijay.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State Sh. Sunil Tomar, Ld Counsel for the applicant/accused.

Reply to the application is already on record.

I have heard arguments on the interim bail application from both the sides and perused the reply as well as record.

By way of present application, applicant is seeking interim bail to attend the last rites of his cousin brother Mahender, who expired on 03.06.2020.

Per contra, Ld State Counsel has opposed the bail application on the ground of gravity of offence. It is also argued that the robbed mobile phone was recovered from the possession of applicant.

As regards the ground for seeking interim bail is concerned, it is submitted that the deceased Mahender is the cousin and not the real brother of applicant and hence, it is not the ground for seeking interim bail.

I have considered rival submissions.

Considering the facts and circumstances of the case, the gravity of offences, no ground is made out for grant of interim bail to the applicant on merit. Even on the ground of attending last rites of his deceased cousin brother is concerned, he expired on 03.06.2020 and therefore, already 14 days have passed and as such, no ground is made out for grant of interim bail. Therefore, application is dismissed.

Dasti copy be given.

FIR No.220/2020 PS :Rajouri Garden State Vs. Jamil U/s. 307/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 439 Cr.PC moved on behalf of applicant/accused seeking interim bail.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Vikas Bhardwaj, Ld. Counsel for applicant/accused.

Reply of the bail application not filed by IO. Let notice be issued to the concerned SHO to file reply either himself or through IO positively on next date.

Put up for reply and hearing arguments on the bail application on 22.06.2020.

FIR No.18/20 PS :Patel Nagar State Vs. Raman Kumar U/s. 394/397/34 IPC

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 439 Cr.PC moved on behalf of applicant/accused seeking interim bail.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Abdul Aziz, Ld. Counsel for applicant/accused.

Reply to the bail application filed by IO. Same is taken on

record.

Ld. Counsel for applicant/accused submits that accused is in judicial custody since 19.01.2020 and challan has been filed which is awaited for committal in the court of Ld. ACMM, West, Delhi.

In view of the facts that challan has been filed, let TCR be called for 20.06.2020.

Put up for 20.06.2020.

Bail application no. 846

FIR No.441/2020

PS:Rajouri Garden

State Vs. Sarabjit Singh @ Sarab

U/s. 392/411/34 IPC r/w sec. 25/27/54/59 of Arms Act.

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

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

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Mahesh Patel, Ld. Counsel for applicant/accused.

Reply of the bail application filed. Same is taken on record.

Adjournment sought by Ld. Counsel for applicant/accused on

the ground that he is not feeling well today. Heard. Allowed.

Put up for hearing of arguments on bail application on

19.06.2020.

(POORAN CHAND)

ASJ-02/West/Delhi

18.06.2020

FIR No.144/2020 PS :Moti Nagar State Vs. Jitender Chaudhary U/s. 363/376 IPC & 4 POCSO Act

18.06.2020

The undersigned is performing duty pursuant to the computer generated circular/duty roaster dated 14.06.2020 of Ld. District & Sessions Judge, West, Tis Hazari Courts, Delhi.

This is an application u/s. 439 Cr.PC moved on behalf of applicant/accused seeking interim bail.

Present:

Sh. Rajat Kalra, Ld. Addl. PP for the state.

Sh. Anil Kumar, Ld. Counsel for applicant/accused.

Ld. Counsel for applicant sought adjournment on the ground that he is not feeling well and prayed for longer date, somewhere in the first week of July, 2020.

At the request of Ld. Counsel for applicant/accused, let this bail application be put up for hearing arguments on 03.07.2020.

FIR No.1375/14 PS:Rajouri Garden State Vs. Pooja @ Rakhi Kapoor U/s. 302/301 IPC

18.06.2020

File taken up on the application of applicant/accused seeking direction to Dy. Superintendent Rashmi, Jail no. 6, Tihar Jail, not to demand money, cause mental torture and harassment for non-payment of money.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the state.

Ahlmad of this court, on the direction of this court, has made a call to Sh. L.S. Saini, Ld. Counsel for applicant/accused, who has requested to call report on the above application.

In view of the prayer, let report be called from Superintendent Jail, Jail no. 6, Tihar Jail for next date.

Put up for hearing of this application on 24.06.2020.