

FIR No. 390/18
PS : Hari Nagar
U/s 302/201/120-B/34 IPC &
25/54/59 Arms Act
State Vs. Mohd. Shahzad Sheikh

14.08.2020

Arguments on bail application heard through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State through videoconferencing.

Shri Amit Kumar Kaushal, Ld. counsel for applicant/accused through videoconferencing.

Arguments heard from Ld. counsel for applicant.

Ld. Additional Public Prosecutor has submitted that the applicant is seeking bail on the basis of legal evidence and the case file is not with him. He seeks adjournment to argue the matter physically before the court.

At request of Ld. Addl. PP, matter is adjourned for **19.08.2020**.

Meanwhile, Ahlmad is directed to isolate original judicial record pertaining to this case for prevention of Covid-19.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
14.08.2020

19/8/2020

At Ld. Addl. PP for State

Ld. Addl. PP submits that Police files of record is not available with him.

Hence, I.O. is directed to appear in person with complete police files

Hence put up on 20/8/2020 per arguments

ASJ
19/8/2020

FIR No. 175/2020
PS : Hari Nagar
U/s 20 & 21 NDPS Act
State Vs. Pradeep Kumar


19.08.2020

Present: Shri Parvesh Kumar Ranga, Ld. Addl. Public Prosecutor for State.
Shri Sachin Kumar, Ld. counsel for the applicant/accused.

This is an application requesting for extension of interim bail of applicant/accused Pradeep Kumar.

In view of order of Hon'ble High Court of Delhi, in *Civil Writ Petition No. 3037/2020*, interim bail of applicant is extended till **01.09.2020** on the same terms and conditions. The application stands disposed of accordingly.

Copy of this order be sent to counsel for applicant, to IO/SHO, Ld. Additional Public Prosecutor and the Jail Superintendent on their email IDs if provided and found to be correct through proper channels.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 623/19
PS: Rajouri Garden
U/s 21/25/61/85 NDPS Act
State Vs. Ajay Chatra

27.06.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Ravinder, proxy for Mr. Pranay Abhishek, counsel for applicant/surety.

On request of proxy counsel, application is adjourned to **19.08.2020**.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/27.06.2020

19/8/2020
For to Addl. PP for State
For surety for applicant
put up on 14/9/2020 to Detention

ASJ
19/8/2020

FIR No. 18/2014
PS : Special Cell
U/s 21/22/29/61/85 NDPS Act
R/W Sec. 419/468/471/474 IPC
State Vs. Indal Kumar Singh

19.08.2020


Matter taken up through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri G.S Singh, Ld. counsel for the applicant/accused through videoconferencing.

Ld. counsel submits that he wishes to withdraw this application as another application of similar nature is also pending for same accused.

Heard. Permission granted.

Ld. counsel is directed to send his written submissions on official email ID of the court. In view of the submissions made, the present bail application stands disposed of as withdrawn.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

FIR No. 768/20
PS : Ranhola
U/s 33 Delhi Excise Act
State Vs. Santosh

19.08.2020


Matter taken up through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri S.P Sharma, Ld. counsel for the applicant/accused through videoconferencing.

Ld. counsel submits that he wishes to withdraw this application.

Heard. Permission granted.

Ld. counsel is directed to send his written submissions on official email ID of the court. In view of the submissions made, the present bail application stands disposed of as withdrawn.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 552/19
PS: Hari Nagar
U/s 457/380/34 IPC
State Vs. Tabrez Mohd.**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Reply filed.

Matter is fixed for arguments on the application through video conferencing. Reader of the court has submitted that video conferencing is not possible as e-mail ID and contact number is not mentioned in the application. In the interest of justice, no adverse order is passed.

Put up for arguments on **21.08.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020**

FIR No. 193/2020
PS : Anand Parbat
U/s 308 IPC
State Vs. Laxman

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Munish Chhoker, Ld. counsel for applicant/accused.

Reply has not yet received. Issue Show Cause Notice to the concerned IO and notice to concerned SHO for filing of proper reply to this application, returnable for **22.08.2020**.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 238/19
PS: Kirti Nagar
U/s 356/379/411/34 IPC
State Vs. Ansar Qureshi**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Reply filed.

Matter is fixed for arguments on the application through video conferencing. Reader of the court has submitted that video conferencing is not possible as e-mail ID is not mentioned in the application and the mobile is switched off. In the interest of justice, no adverse order is passed.

Put up for arguments on **21.08.2020**.

**(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020**

FIR No. 175/20
PS : Anand Parbat
U/s 294/506/34 IPC
State Vs. Shyam Sunder Aggarwal


19.08.2020

This application was moved for hearing through videoconferencing but counsel has appeared physically in the court.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Ankur Aggarwal, Ld. counsel for applicant/complainant.

In view of the submissions made, issue notice to IO to appear alongwith reply, latest investigation report and statements recorded by him alongwith physical appearance and presence of all the accused persons who are affected by this application.

Re-list the matter on **22.08.2020**.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

IN THE COURT OF DR. ARCHANA SHIRIA
SESSIONS JUDGE OF WEST TB HAZARI COURT, DELHI

FIR No. 45/2020, P.S. Nihal Vihar
U/s 308/34 IPC & 25/27/59 Arms Act

FIR No. 45/2020
PS : Nihal Vihar
U/s 308/34 IPC &
25/27/59 Arms Act
State Vs. Mithlesh

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Bharat Bhushan, Ld. counsel for applicant/accused.

Reply not received.

Issue notice to IO to appear alongwith report on **21.08.2020**.

IO is directed to email one copy of his reply to Ld. counsel for applicant
(adv.bharatbhushan210@gmail.com).

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

At request, adjourned for hearing on bail application on
19.08.2020.

(Dr. Archana Shiria)
Addl. Sessions Judge (NDPS)
Tb Hazari Court - Delhi 19.08.2020

FIR No. 787/20
PS : Nihal Vihar
U/s 376/506 IPC
State Vs. Shahrukh

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Prosecutrix with Ld. counsel Ms. Anindita Dass.

Reply has not yet been received. Issue Show Cause Notice to IO to explain as to why reply not sent despite directions. Meanwhile, issue notice to concerned SHO for filing of proper reply in terms of contentions mentioned in the application, returnable for **22.08.2020**.

IO is directed to ensure that one copy of his reply be sent to the counsel for prosecutrix/complainant and counsel for applicant (sinhamp410@gmail.com) on their email IDs at-least 24 hours in advance before arguments.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

FIR No. 176/2020
PS : Anand Parbat
U/s 326-A/506/34 IPC
State Vs. Kajal @ Priyanka

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.

Shri Anil Kumar, Ld. counsel for applicant/accused.

IO ASI Praveen alongwith complainant/prosecutrix Ms. 'P' stated to be aged about 20 years.

Today, the complainant/prosecutrix herself has stated that she wants to get the matter compounded with the accused and therefore, wants that the applicant/accused may be granted bail in order to expedite the compounding of the case. The prosecutrix has been duly identified by the IO vide his separate statement. Photocopy of Aadhaar Card of prosecutrix is also taken on record.

In view of the statement of the prosecutrix, the application is allowed subject to the following terms & conditions :

1. That applicant shall furnish a bail bond in the sum of Rs. 20,000/- with one surety of like amount to the satisfaction of the concerned MM;
2. That the applicant shall not try to intimidate, threaten or harm the prosecution witnesses if no compromise has arrived at;
3. That the applicant shall attend the court on each and every date of hearing and shall not seek undue or unnecessary exemption;

The application stands disposed of accordingly.

Copy of this order be given to all concerned through proper channels.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020


FIR No. 109/15
PS : Crime Branch
U/s 21/29 of NDPS Act &
Sec. 14 of The Foreigners Act, 1946
State Vs. Agbahia Ikenna

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Bhanu Kaushik & Shri Hasim Alam, Ld. counsels for the
applicant/accused.

Ld. counsel requests for an adjournment for 15 days to argue the matter
at length as he wants to argue physically.

Re-list the matter for **03.09.2020**.


(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 59/20
PS: Kirti Nagar
U/s 308/304/323/506/147/148/149/34 IPC
State Vs. Santosh Kumar

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Triloki Pandit, counsel for the applicant/accused.
Inspector Surya Prakash also present.

By this order, I shall decide the present application for grant of interim bail to accused/applicant Santosh Kumar. Facts as stated in the application are as follows:-

It is submitted that wife of applicant namely Lata expired on 06.08.2020 in her native village/parental home District Bulandshahar, U.P. It is submitted that Teharvi/last rites of the deceased wife has to be performed by applicant and therefore he requested for interim bail.

Ld. APP for the State has strongly opposed the application on the ground that even as per the submissions of the applicant, the wife of the applicant unfortunately expired on 06.08.2020. Even as per that date, the Teharvi was supposed to happen today and since applicant is lodged in JC, the application has become infructuous. Moreover, it is submitted by the IO who is present in the court today that as per telephonic conversation held with sister of the deceased, just now all the last rites and ceremonies including Teharvi have been performed on 10.08.2020 because applicant was lodged in JC and no application requesting grant of bail or otherwise was moved by the applicant at the time or immediately after the death of deceased namely Lata. IO has further submitted that even as per telephonic

conversation held with Ms. Tulsi sister of deceased Lata, no Teharvi is to be performed anywhere regarding death of Lata and no further ritual is to be performed. Ld. APP submits that it appears that applicant is trying to obtain interim bail on false grounds and applicant is accused of offence under Section 304 IPC amongst other serious offences. Ld. APP has further submitted that keeping in view the submissions of IO which negate the submissions of applicant, it appears that applicant is trying to obtain bail on grounds that are not genuine for reasons best known to him and therefore, present application should not be allowed.

I have heard arguments from both the sides. It is correct that IO has submitted that as per telephonic conversation held with Ms. Tulsi, sister of deceased, no Teharvi or any other last rites are left to be performed as Teharvi has already been done on 10.08.2020 therefore, why this application has been moved and that too at such a belated stage remains mystery and cannot be looked at good light. It is clear that applicant is trying to obtain bail under these circumstances and may not be intending to return back for trial. The submissions of applicant even as per his own application appear to be false in view of reply of the IO. Therefore, in the present circumstances, no bail can be granted because of the reasons mentioned and in view of reply of IO. Hence, the application for grant of interim bail is rejected.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020

FIR No. 329/2020
PS : Mundka
U/s 33/38/58 Delhi Excise Act
State Vs. Moti Lal Vishwakarma

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Anil Kumar Mishra, Ld. counsel for applicant/accused.

By this order, I shall decide the present application requesting for grant of anticipatory bail filed on behalf of applicant Moti Lal Vishwakarma. Facts as stated in the bail application are as follows :

It is submitted that applicant is senior citizen and has retired from MTNL. That applicant is doing side business of e-rickshaw driver and e-rickshaw was purchased by him from Ms. Rinki. That applicant is innocent and belongs to respectable family. That applicant was coming from Subzi Market and a person asked to the applicant to allow him to sit as he was going to some other place. That the applicant allowed him to sit being the rickshaw puller and earn his livelihood and applicant has no knowledge about the articles put in the rickshaw. That the applicant is being harassed by the police unnecessarily and he has neither any criminal history nor previous convict. That the applicant is resident of Delhi and undertakes to join the investigation as & when called by the IO/SHO and not to abscond or tamper with the prosecution evidence if granted anticipatory bail. That the applicant has apprehension of his arrest by police. That applicant is senior citizen and it will not be beneficial for him to put him behind the bars in this Covid-19 situation. It is, therefore, requested that the applicant be granted anticipatory bail.

Learned Addl. Public Prosecutor has opposed the bail application in view of reply filed by the IO. It is submitted that the applicant/accused did not join the investigation till date. It is further submitted that the offence committed by the applicant is heinous and serious in nature.

I have heard arguments from both the sides. Investigation is going on. Applicant submits that he is innocent and had sold the vehicle to a third party. If applicant is found to be involved, investigation may uncover the truth. If he is guilty, applicant can be punished at the conclusion of trial.

After hearing arguments from both the sides, applicant/accused Moti Lal Vishwakarma is granted anticipatory bail in this case and it is hereby ordered that in the event of his arrest by the IO of this case, he shall be released on his furnishing a bail bond in the sum of Rs. 25,000/- with one surety of like amount subject to the satisfaction of the IO/SHO concerned and subject to the further condition that applicant shall join the investigation as & when called by the IO/SHO concerned.

The application stands disposed of accordingly.

Copy of this order be given to all concerned through proper channels.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 342/20
PS: Mundka
U/s 308/34 IPC
State Vs. Rajesh @ Raja**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.
Mr. Praveen Vashistha, counsel for the applicant/accused.

By this order, I shall decide the present bail application moved on behalf of accused/applicant Rajesh S/o Taju Ram. Facts as stated in the application are as follows:-

It is submitted that applicant was arrested on 03.07.2020 in a Kalandara u/s 107/151 Cr.P.C and thereafter remained in JC for one day. On the same day, applicant was again arrested in the present FIR. There is a delay of two days in lodging the FIR. It is submitted that the applicant has been falsely implicated in the present case and he has not caused any injury to the victim. It is submitted that applicant has not been named in FIR nor any allegations have been leveled against him in the FIR. It is submitted that co-accused namely Sunil Kumar has already been granted bail vide order dated 06.08.2020. That the applicant is only bread winner of his family and is not a previous convict. It is submitted that applicant is permanent resident of Delhi and there is no chance of his absconding or tampering with prosecution evidence, if bail is granted. It is submitted that applicant is ready to abide by all the terms and conditions and that the first bail application was dismissed on 08.07.2020.

Ld. APP for the State has opposed the bail application in view of the reply submitted by the IO. It is submitted that in total, there were three injured persons. It is submitted that there is a strong possibility that if applicant is granted bail, he may try to influence, threaten, intimidate or even harm the prosecution witnesses.

The applicant is accused of offence under Section 308 IPC but even as per the report of IO submitted as on date, injuries of co-complainants appear to be simple and not grievous. Nature of injury of injured Rajesh could not be obtained as the injured did not attend the ENT OPD even though he was advised by doctor of SGM Hospital, Mangolpuri, Delhi. Previous involvement of accused was found to be Nil.

I have heard arguments from both the sides.


Applicant is not a previous convict nor he is involved in any other criminal case as per report of IO. During the course of arguments, Ld. Counsel has also submitted that if the applicant is granted bail, he shall try his level best to compound the matter so as to amicably settle this case with all the complainants. It is submitted that applicant is only bread winner of his family and has already spent one and half month in judicial custody. Co-accused Sunil Kumar is stated to have been granted bail, therefore, on the grounds of parity, seeing that the applicant is not a previous convict and is not involved in any other offence and applicant has shown desire to compound the matter with the complainant, if possible, the applicant is granted bail subject to following terms and conditions:-

1. That the applicant shall furnish bail bond in the sum of Rs.50,000/- with one surety of like amount to the satisfaction of concerned MM/Duty MM.

2. That the applicant shall not tamper, threaten, intimidate or harm the prosecution witnesses of this case.

3. That the applicant shall not jump bail and attend court on each and every date of hearing and shall co-operate in further investigation, if so required by the IO.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.


(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 23/11
PS: Rajouri Garden
U/s 323/307/308 IPC & 25 Arms Act
State Vs. Sandeep Gaba**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. M.S Oberoi, counsel for the applicant.

By this order, I shall decide the present bail application requesting for cancellation of proceedings under Section 82/83 Cr.P.C initiated against the applicant Sandeep Gaba. Facts as stated in the application are as follows:-

That the applicant was earlier declared a proclaimed offender in this case. That applicant was regularly appearing in this case but after December 2016 he could not appear as he was out of town for three years because of threats being given to him by one person Mr. Ram Singh. The said Ram Singh is a big finance tycoon and running a finance business. That the applicant was falsely implicated in a case FIR No. 1011/15 u/s 384/506/511 IPC PS Rajouri Garden. That the applicant was also declared BC of his area. The applicant ran away from his locality because of fear of said Ram Singh. Applicant was left with no means to survive and his wife and four children including three daughters and one son are dependent upon him. Accused is already on bail in this case and matter is already at the stage of remaining prosecution evidence. No purpose will be served by not cancelling the proceedings u/s 82/83 Cr.P.C as the applicant is ready to appear and face trial. Applicant undertakes to appear on each and every date of hearing.

Ld. APP for the State has strongly opposed the present bail application in view of reply filed by SI Rajendra Dhaka. It is submitted that the ground mentioned by the applicant for not appearing before this court is neither tenable nor

believable. It is submitted that the applicant alongwith his accomplices attacked the complainant without any valid justification. Chargesheet was filed on 07.08.2012. Next date of hearing is 19.09.2020. Even earlier the applicant was declared proclaimed offender without any valid justification or proof or reason. Applicant is a habitual criminal and is having 13 previous involvements and is presently absconding in two other cases also. List of previous involvements and proclaimed offender orders are enclosed alongwith reply. Applicant is not having any respect for law and does not deserve any leniency for allowing this application.

I have heard arguments and also perused the past record of the applicant. Even as per the sheet, there are 11 cases against the applicant, all are criminal in nature. Even earlier, applicant was declared proclaimed offender. It appears that applicant is taking the process of the court very lightly and does not deserve any leniency from this court. Therefore, keeping in view the record and arguments addressed, the present application is dismissed. Applicant is directed to surrender before the court in which the applicant is proclaimed offender or in which warrants have been issued against him and he is facing trial.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi 19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 456/19
PS: Rajouri Garden
U/s 20/21/29 NDPS Act
State Vs. Parvej Alam**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Kshitij Kumar, counsel for the applicant/accused.

By this order, I shall decide the present bail application moved on behalf of accused/applicant Mohd. Parvej Alam. Facts as stated in the application are as follows:-

This is the second bail application. It is stated that the applicant is having a family and is supporting his family by driving E-ricksaw. That applicant is suffering from diabetes. There is a danger to his life because of Covid-19 virus. That applicant has been falsely implicated by planting 10 kg of Ganja. There is no public witness to the alleged raid and seizure nor any notice was given to any witness. It is therefore prayed that the applicant may be granted bail as applicant is a poor person, has a family to support, has been falsely implicated in the present case and because due procedure established by law has not been followed in the case of the applicant. Applicant is ready to abide by all the terms and conditions, if bail is granted.

Ld. APP for the State has strongly opposed the bail application on the ground that 10 kg of Ganja was recovered from the possession of the applicant and therefore he should not be granted bail. It is submitted that also 5 grams of smack was recovered from the possession of co-accused Kasim. That applicant was previously involved in case FIR No. 75/19 u/s 20 NDPS Act of PS Mohan Garden.

I have heard arguments from both the sides. After hearing arguments, court is of the opinion that applicant has already spent almost one year in judicial custody. The quantity recovered from the applicant was intermediate in nature. Applicant has a family to provide for. It is the claim of the applicant that he is innocent and has been falsely implicated and that the due procedure established by law has not been followed in his case. Therefore, keeping in view the family condition of the applicant and the fact that applicant has spent almost 11 months in jail already and the trial is likely to take a long time, the applicant is granted bail subject to the following terms and conditions:-

1. That the applicant shall furnish bail bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the court.
2. That the applicant shall attend the court on each and every date and shall not jump bail.
3. That the applicant shall ensure presence of his counsel on each and every date so as not to delay the trial.
4. That the applicant shall not tamper with case of the prosecution or threaten or intimidate any of the prosecution witnesses.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020

FIR No. 600/2020
PS : Ranhola
U/s 308/323/341 IPC
State Vs. Rahul

19.08.2020

Arguments on bail application heard through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri A.K Mishra, Ld. counsel for the applicant/accused through videoconferencing.

By this order, I shall decide the bail application filed on behalf of applicant Rahul. Facts as stated in the bail application are as follows :

This is the second bail application for grant of bail to applicant Rahul. It is submitted that applicant has been falsely implicated in this case. It is submitted that police is involved with the complainant to falsely implicate the applicant. That the first bail application was dismissed by the court because of non-filing of charge-sheet. Investigation has been completed and charge-sheet has been filed by the IO for trial. Applicant is not required for further custodial interrogation. Complainant has been discharged from the hospital. Applicant is in judicial custody since 27.05.2020.

Learned Addl. Public Prosecutor has strongly opposed the bail application in view of reply filed by the IO. It is submitted that two times the bail applications of this applicant have already been dismissed as withdrawn and on 11.08.2020, the application of the accused was dismissed on merits. There is no change of circumstances since 11.08.2020.

IO has opposed the bail application further on the ground that the offence is serious in nature and applicant/accused does not have his own house and he may jump the bail.

I have heard arguments from both the sides.

The court is inclined to agree with the submissions of Learned Addl. Public Prosecutor. The bail application of applicant/accused has already been dismissed on 11.08.2020. Again bail application has been moved after two days. There is no change in the circumstances since dismissal of last bail application, dismissed seven days ago. Therefore, the present bail application is also dismissed keeping in view the submissions of Ld. Addl. PP, gravity of offence and allegations against the applicant. The application stands disposed of accordingly.

Copy of this order be given to all concerned through proper channels.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI

FIR No. 350/2020

PS: Kirti Nagar

U/s 279/337 IPC & 186/353/332/307 IPC

State Vs. Govind Jha @ Ajay Jha

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Counsel for the applicant/accused.

By this order, I shall decide the present application requesting for grant of bail to applicant Sanjeev. Facts as stated in the application are as follows:-

It is submitted that applicant has been falsely implicated in the present case and is in JC since 03.08.2020. It is submitted that prosecution story is false and initially the FIR was registered under Section 279/337 IPC. That time offence was bailable but thereafter because of influence of traffic police, IO also added Sections 186/353/332/307 IPC which are non-bailable offence. It is submitted that all investigation of this case have been completed and no fruitful purpose would be served by keeping the accused. That applicant is 38 years of age and sole bread earner of his family consisting of his wife, one child and old age parents. That mother of applicant is suffering from paralysis and his father is a patient of hyper tension. Applicant is the only person to look after them. There is no apprehension of the applicant absconding or tampering with prosecution evidence as all the witnesses are police officers. Applicant is not involved in any other criminal case and this is the first case in which he has been implicated. Applicant undertakes to abide by all the conditions.

Ld. APP for the State has opposed the bail in view of reply submitted by the IO alongwith supplementary reply. It is submitted that applicant deliberately hit the police officers on duty while routine checking. It is submitted that the statement of HC Parmal has been recorded as per which the applicant deliberately hit Constable on duty. It is submitted that after discussions with senior officials, Section 186/353/332/307 IPC were added.

I have heard arguments from both the sides. IO has not refuted the fact that initially FIR was registered under Section 279/328 IPC only which are bailable in nature. The alleged incident took place on 02.08.2020. Why statement of HC Parmal has been recorded at such a late stage remained unexplained by the IO. Accused has already spent more than 15 days in judicial custody. All the witnesses are police officers and there is no chance of tampering with prosecution case or threatening the prosecution witnesses by applicant. Applicant is having a family and old age parents to look after. If the applicant is found guilty on the conclusion of the trial, he shall be appropriately sentenced and proper punishment shall be given but at this stage, keeping in view the circumstances that the applicant is sole bread earner of his family and has already spent more than 15 days in judicial custody, the fact that Section 186/353/333/307 IPC have been added subsequently within the same police station, the applicant should be granted bail at this stage. Therefore, the applicant is granted bail but subject to the following terms:-

1. That the applicant shall furnish bail bond in the sum of Rs.30,000/- with one surety of like amount to the satisfaction of concerned MM/Duty MM/CMM.
2. That the applicant shall not try to tamper with the case of prosecution.
3. That the applicant shall not jump bail and attend court on each and every date of hearing and shall co-operate in investigation as and when directed by the IO.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020

FIR No. 290/20
PS : Nihal Vihar
U/s 392/452/269/188/34 IPC &
25/54/59 Arms Act
State Vs. Sagar

19.08.2020

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Shri Vikas Bhatia, Ld. counsel for the applicant/accused through
videoconferencing.

Reply has not yet been received. Issue notice to Investigating Officer
through DCP concerned to appear in person alongwith reply on NDOH.

Issue Show Cause Notice to SHO through DCP concerned to explain as
to why reply not sent despite directions, returnable for **21.08.2020**.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

At 3:30 PM

At this, Ld. Additional Public Prosecutor has filed an application
regarding submitting report of IO that IO had submitted report after hearing
arguments in the present case. Hence, report could not be placed on record at that
time. At request of Ld. Addl. PP, reply be taken on record and notice to IO &
Show Cause Notice to SHO need not to be issued.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

FIR No. 59/2020
PS : Kirti Nagar
U/s 308/304/323/506/34 IPC
State Vs. Manuwar Hussan @ Mikki

19.08.2020

Matter taken up through videoconferencing.

Present: Shri Parvesh Kumar Ranga, Learned Addl. Public Prosecutor for State.
Mr. Ayub Ahmed Qureshi, Ld. counsel for applicant/accused through videoconferencing.

In view of the submissions made by Ld. counsel for applicant/accused, let TCR be summoned from concerned court for NDOH.

Re-list the matter on **20.08.2020**.

(SUNIL BENIWAL)
ASJ/Spl. Judge (NDPS)
West District/THC/Delhi
19.08.2020

**IN THE COURT OF SH. SUNIL BENIWAL
ASJ/SPECIAL JUDGE (NDPS), WEST
TIS HAZARI COURTS, DELHI**

**FIR No. 114/20
PS: Anand Parbat
U/s 452/308/506/34 IPC
State Vs. Suraj**

19.08.2020

Present: Mr. Parvesh Ranga, Ld. Addl. PP for the State.

Mr. Vikram Phogat, counsel for applicant through videoconferencing.

By this order, I shall decide the present bail application moved on behalf of accused/applicant Suraj. Facts as stated in the application are as follows:-

That the applicant is innocent and has been falsely implicated in this case. No recovery is pending from the applicant. Applicant is ready to abide by all the terms and conditions of bail if the same is granted. Applicant is sole bread earner of his family and due to wide spread pandemic, there is no one to look after his family under these circumstances. It is therefore humbly prayed that applicant may be granted bail till disposal of the case.

Ld. APP for the State has opposed the bail applicant in view of reply filed by the IO. Ld. APP has submitted that the allegations against the applicant are serious and he should not be released on bail. It is submitted that if the applicant is released on bail, there is a possibility that he may try to influence or threaten the prosecution witnesses.

I have heard arguments from both the sides.

Even as per the report of concerned doctor and MLC, the nature of injury opined as simple. Photocopy of MLC is enclosed. Applicant has already spent considerable period in jail. It is submitted that applicant is the only bread

earner of the family and is family his having a very difficult time because of the incarceration of the applicant. Therefore, keeping in view the fact that there does not appear to be any other criminal case against the applicant and the fact that applicant has already spent considerable time in judicial custody and the fact that he is the only person to look after his family, applicant is granted bail subject to following terms and conditions:-

1. That the applicant shall furnish bail bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of concerned MM/Duty MM.
2. That the applicant shall not tamper, threaten, intimidate or harm the prosecution witnesses of this case.
3. That the applicant shall not jump bail and attend court on each and every date of hearing and shall co-operate in further investigation, if so required by the IO.

Copy of this order be sent to counsel for applicant, to the concerned SHO and concerned Jail Superintendent on their e-mail IDs and through proper channel.

(SUNIL BENIWAL)
ASJ/Special Judge (NDPS)
West District, THC
Delhi/19.08.2020