

Misc Application FIR No. 132/04  
P.S. Sadar Bazar

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

*None has joined through Video conferencing.*

Present : None for the applicant.

Be put up for purpose already fixed on 07.12.2020.

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**(SHIVLI TALWAR)**

MM-06(C)/THC/Delhi/26.11.2020

26.11.2020

Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.

Joined through Video conferencing.

**The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Aman @ Chhotu s/o Sh. Suresh.**

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Anil Kumar, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused despite the accused being remanded to police custody for one day. It is further submitted that an altercation had taken place between the complainant and the applicant/accused and the complainant got the applicant/accused implicated in the present false case in collusion with the local police. It is submitted that the past antecedents of the applicant/accused are clean and he is not previous convict. It is further submitted that the applicant/accused is in J/C since 25.09.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused had stolen the mobile phone of the complainant alongwith co-accused, Raman @ Sanju and another and he had given the mobile phone to the third co-accused who took it and ran away. The present applicant/accused and co-accused Raman @ Sanju were caught with the help of public and the third co-accused ran away and has still not been traced. The police is trying to search the mobile phone from the call detail records. Accused has been previously involved in many criminal cases.

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Charge-sheet has already been filed on record. It is submitted that the accused may commit similar offences again, if released on bail.

Ld. APP for the State has opposed the bail application on the ground that the case property has not yet been recovered and custody of accused is required to trace the third co-accused who ran away with the stolen mobile phone. It is submitted that the applicant/accused has previous involvement in many criminal cases and he may commit similar offences, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that the applicant/accused is in J/C since 25.09.2020, charge-sheet has already been filed in the present matter and accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 15,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
  - 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
  - 3. That the accused person(s) shall not commit similar offence and;**
  - 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**
- Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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(SHIVLI TALWAR)  
Delhi/26.11.2020

State V/s Akil Khan  
FIR No. 513/20  
P.S. Civil Lines  
U/s 323/452/506/509/511/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Akil Khan s/o Sh. Aziz Khan.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Dhananjay Kumar Jha, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused is working as delivery boy in Amazon Company online delivery. It is submitted that on 11.11.2020, the applicant/accused had gone to deliver the parcel to the son of complainant, Hridayesh Pal Singh and asked him to come to the telecom shop on the main road to collect the parcel, otherwise, the parcel will be sent back to the company. Thereafter, the son of the complainant pushed away the applicant/accused and without collecting the parcel made a telephone call to the police. It is stated that entire incident took place outside the house of the complainant, therefore, the offence U/s. 452 IPC is not made out. It is submitted that the eldest son of the complainant beat the applicant/accused with danda. It is further submitted a compromise was arrived at between the complainant and accused persons on 12.11.2020 in the police station and the FIR was registered against the accused as an after thought on 20.11.2020. It is further submitted that the accused has clean antecedents and is not previously involved in any other case. It is further submitted that the father of accused is admitted in hospital and is in a critical situation. Therefore, it has been prayed that the applicant/accused be released on bail.

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Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused has not been previously involved in any other case, however, it is stated that the accused may commit similar type of offences again, if released on bail.

Ld. APP for the State has opposed the bail application on the ground that the accused may commit similar offences, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that past antecedents of the accused are clean and the accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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Date: 26.11.2020  
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State V/s Rizwan  
FIR No. 513/20  
P.S. Civil Lines  
U/s 323/452/506/509/511/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Rizwan s/o Sh. Ayyub.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Dhananjay Kumar Jha, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused was called by co-accused, Akil Khan on 11.11.2020 for his safety when an altercation took place between co-accused Akil and son of the complainant. It is stated that entire incident took place outside the house of the complainant, therefore, the offence u/s 452 IPC is not made out. It is submitted that the eldest son of the complainant beat the applicant/accused with danda. It is further submitted a compromise was arrived at between the complainant and accused persons on 12.11.2020 in the police station and the FIR was registered against the applicant/accused as an after thought on 20.11.2020. It is further submitted that the accused has clean antecedents and is not previously involved in any other case. It is further submitted that the accused has no role in the present case. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused has not been previously involved in any other case, however, it is stated that the accused may commit similar type of offences again, if released on bail.

Ld. APP for the State has opposed the bail application on the ground that the

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accused may commit similar offences, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that past antecedents of the accused are clean and the accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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Date: 26.11.2020  
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State V/s Gaurav @ Nonu  
FIR No. 222/20  
P.S. Sadar Bazar  
U/S 454/380/411/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***This is the second bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Gaurav @ Nonu s/o Sh. Raj Kumar.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Mohd. Ilyas, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant was picked up by the police officials near his house and he was not present at the time of incident and he has been arrested only in pursuance of a disclosure statement. It is further submitted that co-accused Rahul has been granted regular bail in the present FIR by this Court vide order dated 23.11.2020. It is further submitted that the accused is in J/C since 20.10.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused was arrested in the present FIR on the basis of disclosure statement of his co-accused, Vicky @ Punjabi and he was remanded to police custody for one day during

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FIR No. 222/20 PS Sadar Bazar

which case property (one iron rod [gatter]) was recovered from his possession. It is stated that the accused played an active role in the commission of the offence and he is previously involved in criminal cases. It is stated that the allegation against the applicant/accused is specific and grave in nature.

Ld. APP for the State has opposed the bail application on the ground that the case property has been recovered from the possession of the accused. It is submitted that the accused has previous involvement in many criminal cases and he may commit similar offences again, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that recovery has already been effected, co-accused has already been granted bail and accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused Gaurav @ Nonu is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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MM-06(C)/THC/Delhi/26.11.2020

State V/s Shaif Khan  
FIR No. 513/20  
P.S. Civil Lines  
U/s 323/452/506/509/511/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Shaif Khan s/o Sh. Nizam Ahmad.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Dhananjay Kumar Jha, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused was called by co-accused, Akil Khan on 11.11.2020 for his safety when an altercation took place between co-accused Akil and son of the complainant. It is stated that entire incident took place outside the house of the complainant, therefore, the offence u/s 452 IPC is not made out. It is submitted that the eldest son of the complainant beat the applicant/accused with danda. It is further submitted a compromise was arrived at between the complainant and accused persons on 12.11.2020 in the police station and the FIR was registered against the applicant/accused as an after thought on 20.11.2020. It is further submitted that the accused has clean antecedents and is not previously involved in any other case. It is further submitted that the accused has no role in the present case. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused has not been previously involved in any other case, however, it is stated that the accused may commit similar type of offences again, if released on bail.

Ld. APP for the State has opposed the bail application on the ground that the

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FIR No. 513/20 PS Civil Lines

accused may commit similar offences, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that past antecedents of the accused are clean and the accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

1. That the accused person(s) shall join investigation as and when called.
2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.
3. That the accused person(s) shall not commit similar offence and;
4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Id. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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Date: 2020.11.26

(SHIVLI TALWAR)

MM-06(CA/THC/Delhi/26.11.2020)

State V/s Salman @ Danish  
FIR NO. 344/20  
P.S. Civil Lines  
U/s 356/379/411/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

*Joined through Video conferencing.*

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Abhishhek Kumar Singh, Ld. LAC for accused has also joined the meeting through Cisco Webex.

The present application has been filed on behalf of accused by Ld. LAC electronically for releasing the accused on personal bond.

Reply to the present application has been filed electronically by IO in which he seeks some more time to verify the address of accused. Perused.

Let fresh notice be issued to IO concerned to verify the address of accused and file the report on **04.12.2020.**

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State V/s Rohan  
FIR NO. 320/20  
P.S. Civil Lines  
U/s 392/394/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

*Joined through Video conferencing.*

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Nitin Gupta, Ld. Counsel for accused has also joined the meeting through Cisco Webex.

An application seeking supply of copy of charge-sheet alongwith documents has been moved on behalf of applicant/accused electronically by his Ld. Counsel.

Heard. Perused the record. Since the charge-sheet is fixed for consideration and cognizance is yet to be taken, let the present application be put up for date already fixed i.e. on **03.12.2020.**

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26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Ved Prakash s/o Late Mangal Swaroop.***

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Shiv Kumar Gautam, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

Ld. Counsel for applicant/accused has sought release of accused on bail on the ground that applicant/accused is innocent and falsely implicated in the present case. It is argued that out of all the offences under which the applicant/accused has been booked, only Section 353 IPC is a non-bailable offence and there is no direct or specific allegation with regard to offence u/s 353 IPC appearing against the applicant/accused in the entire FIR. It is argued that the present FIR has been registered to deter the applicant from protecting the interest of fellow shopkeepers as the applicant is the elected President of Market Welfare Association of Pahari Dhiraj Vyapar Sangh. It is argued that the allegations contained in the FIR are totally false and baseless and FIR in question has been registered by the police to cover up their own misdeeds as the local police had allowed certain persons to run their business on public pavement and the shopkeepers were against the said illegal act. It is further argued that the complainant namely, W/SI Renu was already having grudge against the applicant/accused as FIR no. 200/20 u/s 457/380 IPC was registered at the same PS on the complaint of the applicant/accused and she did not take any action whatsoever against the culprits despite the fact that CD showing photos of thieves were also provided to her. It is further argued that since police remand of the applicant/accused has not been obtained, it shows that the applicant/accused is no more required for custodial interrogation. It is further argued that there is nothing to be recovered at the instance of the accused. It is further argued that the applicant/accused has clean antecedents and belongs to a respectable family having deep roots in the society. The

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applicant/accused is a senior citizen aged about 58 years and is a patient of high BP. Ld. Counsel has sought release of the applicant/accused on bail on the ground of parity since the main accused i.e., son of the applicant, Sh. Vicky Kumar has been granted regular bail by the Court of Ld. ASJ, Sh. Vidya Prakash vide order dated 24.11.2020. Therefore, it has been prayed that applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. IO, in his reply, has stated that when W/SI Renu was taking the clothes which were blocking the public way in her custody, the accused alongwith his son, Vicky told her that he will teach her how the police job is done and they will strip her off her uniform and started abusing her. The accused hurled abusive words towards police party and started misbehaving with them and thus, obstructed the police party in discharge of their duties. IO has opposed the bail application on the following grounds:

- a) That the accused was actively involved in the commission of offence.
- b) That the accused, if set free, can deteriorate the ambience of Sadar Bazar market by instigating the illegal encroachers that can make the matter worse keeping in mind the COVID 19 pandemic.
- c) That the accused has been previously involved in various offences and may indulge in same kind of offence again.

Ld. APP for the State has vehemently opposed the bail application on the ground that since the applicant/accused is the President of Pahari Dheeraj Vyapar Sangh, he would be in a position of influence over the market area and thus, may tamper with the witnesses and influence investigation. It is further submitted that the applicant/accused has been previously involved in many cases. It is further submitted that whether ingredients of Section 353 IPC are made out or not is a matter of trial. It is submitted that there are clear and specific allegations against the accused and the applicant/accused alongwith his son/ co-accused has incited the members of public against local police, as a result of which there was breach of law and order situation. It is further argued that the applicant and co-accused has obstructed W/SI Renu and other local police staff in discharge of their official duty and used criminal force against them so as to prevent them from discharging their official duty. It is further argued that

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FIR No. 300/20 PS Sadar Bazar

the complainant has corroborated the allegations of FIR even in her statement u/s. 164 Cr.P.C. recorded by Ld. Magistrate. It is further argued that investigation is at an initial stage, and therefore, the bail application may be dismissed.

Heard. Perused. Since police remand of the applicant/accused was never sought by the investigating agency, it shows that his custodial interrogation is not required in this case. All the offences except u/s 353 IPC are bailable in nature. On perusal of contents of FIR, it is found that there is general allegation of "Dhakka Mukki" levelled against all the accused persons without specifying as to which of the accused pushed her in what manner and what was the extent of force, it any, used while committing the alleged offence.

Considering the submissions made and the circumstances that no police remand of the applicant/accused has been sought, no recovery needs to be made from the applicant/accused and co-accused, Vicky has already been granted regular bail in the present FIR, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, applicant/accused Ved Prakash is admitted to bail subject to furnishing of personal bond in the sum of Rs. 15,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

1. That the accused person(s) shall join investigation as and when called.
  2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.
  3. That the accused person(s) shall not commit similar offence and;
  4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.
- Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

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16:34:48 (SHIVLI TALWAR)  
MM-06(C)THC/Delhi/26.11.2020

State V/s Gaurav @ Nonu  
FIR No. 222/20  
P.S. Sadar Bazar  
U/S 454/380/411/34 IPC

26.11.2020

*Vide Office Order No. 1146/36956-37126 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.10.2020, the cases are being taken up through Video Conferencing today.*

**Joined through Video conferencing.**

*This is the second bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Gaurav @ Nonu s/o Sh. Raj Kumar.*

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Mohd. Ilyas, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant was picked up by the police officials near his house and he was not present at the time of incident and he has been arrested only in pursuance of a disclosure statement. It is further submitted that co-accused Rahul has been granted regular bail in the present FIR by this Court vide order dated 23.11.2020. It is further submitted that the accused is in J/C since 20.10.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the accused was arrested in the present FIR on the basis of disclosure statement of his co-accused, Vicky @ Punjabi and he was remanded to police custody for one day during

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**FIR No. 222/20 PS Sadar Bazar**

which case property (one iron rod [gatter]) was recovered from his possession. It is stated that the accused played an active role in the commission of the offence and he is previously involved in criminal cases. It is stated that the allegation against the applicant/accused is specific and grave in nature.

Ld. APP for the State has opposed the bail application on the ground that the case property has been recovered from the possession of the accused. It is submitted that the accused has previous involvement in many criminal cases and he may commit similar offences again, if released on bail.

Heard. Perused. Considering the submissions made and the circumstances that recovery has already been effected, co-accused has already been granted bail and accused is no more required for any custodial interrogation, I am of the considered view that no purpose would be served by keeping the accused behind bars. Hence, accused Gaurav @ Nonu is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

Digitally  
signed by  
SHIVLI  
TALWAR  
SHIVLI  
TALWAR  
Date: 2020.11.26 (SHIVLI TALWAR)  
16:37:35  
MM-06(C)/THC/Delhi/26.11.2020