

**CNR No. DLCT01-000299-2015**  
**SC No. 71/2021**  
**FIR No.264/2015**  
**PS Subzi Mandi**  
**U/s 302/393/397 IPC**  
**State Vs. Ajay**

07/08/2021

**File taken up today on the application u/s. 439 Cr.P.C. of accused Ajay for grant of interim bail for the period of 90 days as per HPC guidelines.**

**( Proceedings Convened through Video Conferencing )**

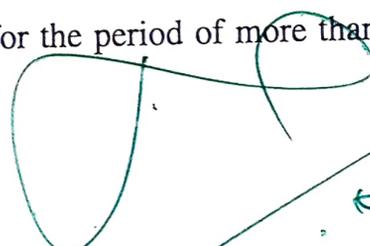
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sh. Yatendra Kumar, Ld. LAC for the accused Ajay (through V.C.).

**Assistant Ahlmad is on leave today.**

By way of present order, this Court shall disposed of interim bail application of the accused Ajay for the period of 90 days.

Arguments have already been heard on the aforesaid interim bail application of accused Ajay. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that in terms of directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No. (C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021, the accused be released on interim bail for the period of 90 days. It was further submitted that accused was released on interim bail as per HPC guidelines vide order dated 25/06/2020 and accused had timely surrendered before the concerned jail Superintendent after the expiry of interim bail period and case of the accused falls in the criteria of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021. It was further submitted that case of the accused falls in the criteria no. (xii) of minutes of HPC guidelines dated 11/05/2021. It was further submitted that the accused is in J/C in the present case for the period of more than five years. It was

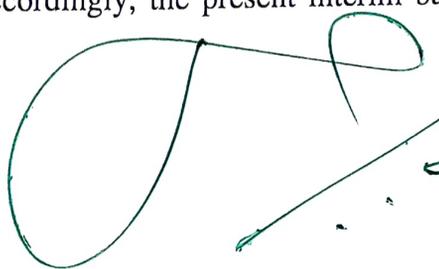
  
07/08/21

further submitted that the accused shall be abide by all terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present interim bail application of the accused be dismissed.

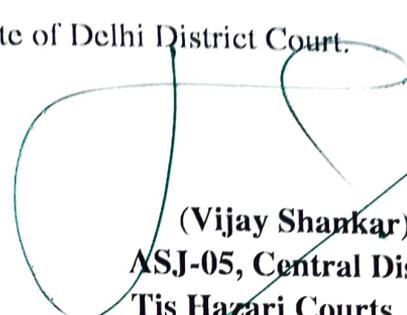
In the present case, reply/report of the present interim bail application was called from SHO/IO and concerned Jail Superintendent and same were filed.

In the present case, charge for the offences u/s 302/393/397 IPC has already been framed against the accused. The present application of the accused Ajay is the interim bail application as per HPC guidelines. On perusal of the record, it is revealed that in the present case, the interim bail application of the accused Ajay as per HPC guidelines has already been dismissed vide order dated 29/05/2021 passed by Sh. Sanjay Sharma-II, Ld. Vacation Judge/ASJ, Central District, Tis Hazari Courts, Delhi. The factum regarding dismissal of the previous interim bail application as per HPC guidelines, has not been mentioned in the present interim bail application. No reasonable explanation has been adduced on record for the same. Grounds as mentioned in the present interim bail application of the accused Ajay were already available with the accused at the time of deciding the previous interim bail application of the accused as per HPC guidelines. It is well settled law that successive bail applications can be filed on change of facts or circumstances of the case. Where the grounds taken in successive bail applications already agitated and rejected by the Court, the same cannot be ordinarily allowed to be re-agitated. If the subsequent bail application is filed on the same grounds as taken in the previous bail application, the subsequent bail application would be deemed to be seeking review of earlier order, which is not permissible under the criminal law. There is no change in the facts and circumstances of the present case. Keeping in view the facts and circumstances of the case, gravity of offence, nature of serious allegations levelled against the accused and overall jail conduct of the accused, this Court is of the considered opinion that no ground for interim bail of accused is made out. Accordingly, the present interim bail application of accused Ajay is dismissed.

  
07/08/21

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action. Copy of order be also sent to DLSA, Central District, Delhi. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

Order be uploaded on the website of Delhi District Court.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
07/08/2021(A)

**FIR No.463/2020**  
**PS Sarai Rohilla**  
**U/s 307/323/325/147/148/149/34 IPC**  
**State Vs. Mansoor @ Sannata**

07/08/2021

**File taken up today on the bail application u/s. 439 Cr.PC of accused Mansoor @ Sannata for grant of interim bail as per H.P.C. guidelines.**

**( Proceedings Convened through Video Conferencing)**

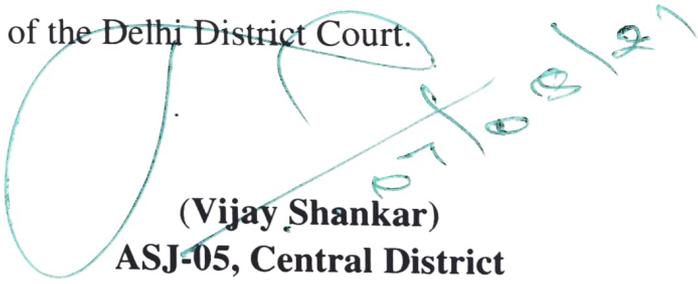
Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
None has joined the proceedings through V.C. on behalf of the accused Mansoor @ Sannata.

**Assistant Ahlmad is on leave today.**

Order is not ready and no time left.

Put up for clarifications, if any/ orders on 10/08/2021.

Order be uploaded on the website of the Delhi District Court.

  
**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**07/08/2021(G)**

**FIR No.293/2020**  
**PS Prasad Nagar**  
**U/s 452/307/34 IPC**  
**State Vs. Vinod @ Bada & Ors.**

07/08/2021

**File taken up today on the application of releasing of scooty bearing registration No.DL-2SR-2602 of the applicant Ankush Dubey on superdari.**

**( Proceedings Convened through Video Conferencing)**

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
None has joined the proceedings through V.C. on behalf of the applicant.

**Assistant Ahlmad is on leave today.**

In the interest of justice, I am not passing any adverse order on account of non-appearance on behalf of the applicant.

Issue notice to the IO to appear and SHO/ IO is directed to file reply of the applicant and also verify the ownership documents of the aforesaid scooty and file appropriate report on the next date of hearing.

The aforesaid application of the applicant be put up for consideration on 16/08/2021.

Order be uploaded on the website of the Delhi District Court.

**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**07/08/2021(G)**

**FIR No.391/2014**  
**PS Kashmere Gate**  
**U/s 394/395/34 IPC**  
**State Vs. Nehal Hassan @ Sanjay & Anr.**

07/08/2021

**File taken up today on furnishing of bail bond of accused Subhash.**

**( Proceedings Convened through Video Conferencing)**

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Surety Ms. Soni is present with Ld. Counsel Sh. B.S. Bansal (through V.C.).

**Assistant Ahlmad is on leave today.**

Bail order dated 19/07/2021 of accused Subhash passed by the Hon'ble High Court of Delhi is already received.

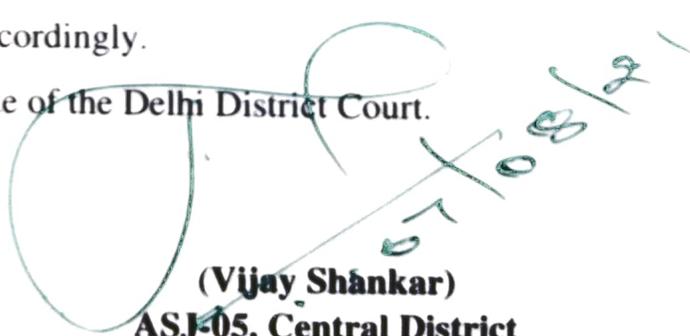
Verification report of surety Ms. Soni is received. Personal Bond/ Surety Bond is accepted.

FDR of the surety is stated to be attached with the Bail Bond. Same be retained on record and same be not returned to the surety without permission of the Court.

Surety is directed to complete all the requisite formalities within a week from the date of physical resumption of the Court.

Release warrants be prepared accordingly.

Order be uploaded on the website of the Delhi District Court.

  
**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**07/08/2021(G)**

CNR No. DLCT01-002650-2014  
SC No. 163/2021  
FIR No. 27/2014  
PS Jama Masjid  
U/s 364-A/368/395/397/412 IPC & 25 Arms Act  
State Vs. Mohd. Shameem & Ors.

07/08/2021

**File taken up today on application u/s 439 Cr.P.C of accused Shahzada Irfan @ Lala for grant of interim bail for the period of 90 days as per HPC guidelines. (Proceedings Convened through Video Conferencing)**

Present: Sh Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).

IO/SI R. K. Sharma is present (through V.C.)

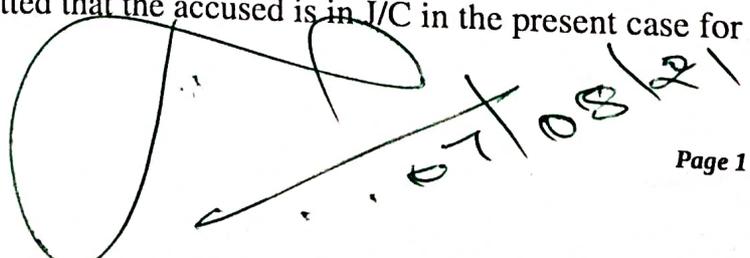
Sh. Arun Sharma, Ld. Counsel for the accused Shahzada Irfan @ Lala (through V.C.).

**Assistant Ahlmad is on leave today.**

By way of present order, this Court shall disposed of interim bail application of the accused Shahzada Irfan @ Lala.

Arguments have already been heard on the aforesaid interim bail application of accused Shahzada Irfan @ Lala. Perused the material available on record.

During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that in terms of directions dated 07/05/2021 given by the Hon'ble Supreme Court of India in Suo Moto Writ Petition No. (C)1/2020 and minutes of H.P.C guidelines dated 04/05/2021 and 11/05/2021, the accused be released on interim bail for the period of 90 days. It was further submitted that in the minutes of HPC guidelines dated 11/05/2021, it was mentioned that UTPs, who were released on interim bail last year under the criteria laid down by HPC Committee and had surrendered timely, shall be released. It was further submitted that accused was released on interim bail as per HPC guidelines vide order dated 20/07/2020 and accused had timely surrendered before the concerned jail Superintendent after the expiry of interim bail period and case of the accused falls in the criteria of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021. It was further submitted that the accused is in I/C in the present case for the



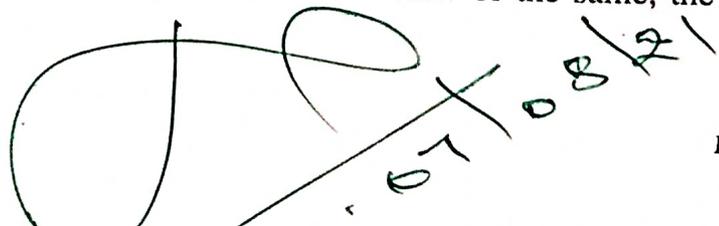
period of more than six years and eight months. It was further submitted that the accused shall be abide by all terms and conditions, if the interim bail is granted to the accused and accused shall surrender after the interim bail period.

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that allegations against the accused are serious in nature and present interim bail application of the accused be dismissed. It was further submitted that in the present case, interim bail was granted to the accused vide order dated 20/07/2020 but not on the basis of HPC guidelines and in view of the same, present interim bail application of the accused is not covered in any of the criteria of HPC guidelines dated 04/05/2021 and 11/05/2021. It was further submitted that the allegations against the accused are of the offences u/s 364-A/368/395/397/412 IPC & 25 Arms Act. It was further submitted that accused is habitual offender and he is previously involved in number of cases and he has already been convicted in FIR No. 444/2005 PS Chandni Mahal and FIR No. 120/2011, PS Subzi Mandi. It was further submitted that in view of the above, the present interim bail application of the accused is not maintainable and same be dismissed.

In the present case, reply/report of the present interim bail application was called from SHO/IO and concerned Jail Superintendent and same were filed.

Vide order dated 20/07/2020 passed by the Hon'ble High Court of Delhi, interim bail was granted to the accused Shahzada Irfan @ Lala. On perusal of the aforesaid order, it is clear that the interim bail was not granted to the accused on the basis of HPC guidelines. Hence, the accused cannot claim the interim bail on the ground that UTPs, who were released on interim bail last year under the criteria laid down by HPC Committee and had surrendered timely, shall be released.

In the present case, charge for the offences u/s 364-A/368/395/397/412 IPC & 25 Arms Act has already been framed against the accused persons. Section 364-A IPC prescribed maximum punishment for death or life imprisonment. Sections 395 and 412 IPC prescribed maximum punishment for life imprisonment. In view of the same, the case of

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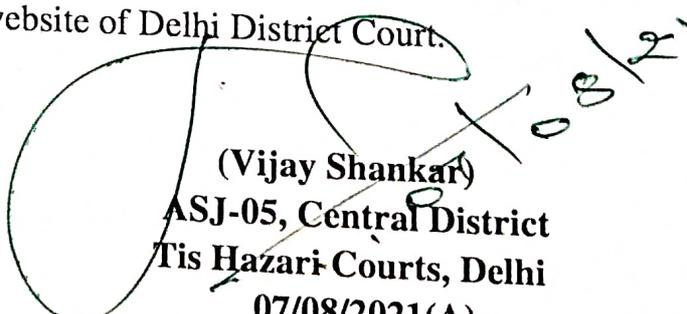
the accused does not fall in any of criteria of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021.

In view of observations/directions passed by Hon'ble High Court of Delhi vide order dated 07/07/2020 in bail application No. 1441/2020, the present interim bail application of the accused as per HPC guidelines is not maintainable.

Accused is stated to be habitual offender and he is stated to be previously involved in number of cases and he has already been convicted in FIR No. 444/2005 PS Chandni Mahal and FIR No. 120/2011, PS Subzi Mandi. As per report of Jail Superintendent, Jail No. 1, Tihar, New Delhi, the overall jail conduct of the accused is "unsatisfactory".

In view of the above, the case of the accused does not fall in criteria of minutes of HPC guidelines dated 04/05/2021 and 11/05/2021. In view of the criteria/recommendations of minutes of H.P.C. recommendations dated 04/05/2021 and 11/05/2021, the present interim bail application of the accused is not maintainable. Keeping in view the directions dated 07/05/2021 passed by the Hon'ble Supreme Court of India and H.P.C. guidelines dated 04/05/2021 and 11/05/2021, facts and circumstances of the case, gravity of offence, nature of serious allegations levelled against the accused and jail conduct of the accused, this Court is of the considered opinion that no ground for interim bail of accused is made out. Accordingly, the present interim bail application of accused Shahzada Irfan @ Lala is dismissed.

A copy of this order be sent to the concerned Jail Superintendent through e-mail for information and necessary action. Copy of order be also sent to DLSA, Central District, Delhi. Counsel for the accused is at liberty to collect the copy of present order through electronic mode. Order be uploaded on the website of Delhi District Court.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
07/08/2021(A)

**SC No.16/2021**

**FIR No.415/2015**

**PS Kotwali**

**U/s 395/397/365/201/412/120-B IPC & 25/54/59 Arms Act  
State Vs. Sunil & Ors.**

07/08/2021

**File taken up today on an application u/s. 439 Cr.P.C. of the accused Sanjeev for extension of interim bail for a period of three weeks.**

**( Proceedings Convened through Video Conferencing)**

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).

SI Satish Kumar is present (through V.C.).

Sh. Vibhu Tyagi, Ld. Counsel for the accused Sanjeev (through V.C.).

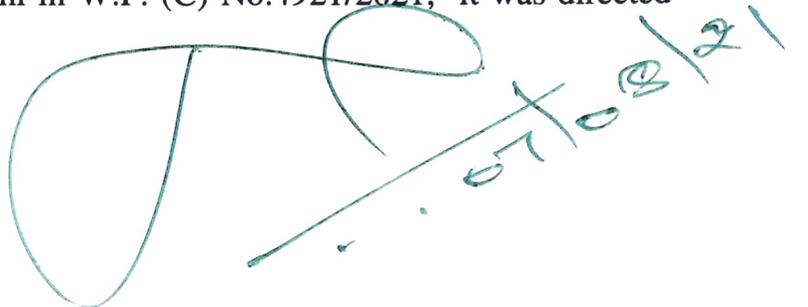
**Assistant Ahlmad is on leave today.**

Reply to the aforesaid application of the accused Sanjeev is stated to be filed by SI Satish Kumar.

By way of present order, this Court shall disposed of aforesaid application u/s. 439 Cr.P.C. of the accused Sanjeev for extension of interim bail for a period of three weeks.

Arguments heard on the aforesaid application u/s. 439 Cr.P.C. of the accused Sanjeev for extension of interim bail. Perused the material available on record.

During the course of arguments on the aforesaid application, it was submitted by counsel for the accused that vide order dated 13/07/2021, interim bail for the period of 15 days was granted to the accused Sanjeev. It was further submitted that interim bail of the accused Sanjeev for the period of three weeks be extended to look after his wife and new born son. It was further submitted that vide order dated 09/07/2021 passed by the Hon'ble High Court of Delhi in W.P. (C) No.4921/2021, it was directed

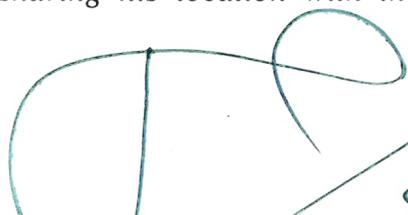


07/08/21

that benefit of interim orders/ bail orders passed after 20/04/2021 shall be extended till 16/07/2021 and vide order dated 27/07/2021, interim order was continued till 13/08/2021. It was further submitted that the accused Sanjeev could not mark his attendance to the IO as he is an illiterate person. It was further submitted that the accused shall be abide by all terms and conditions, if the interim bail of the accused is extended and accused shall surrender after the expiry of extended interim bail period.

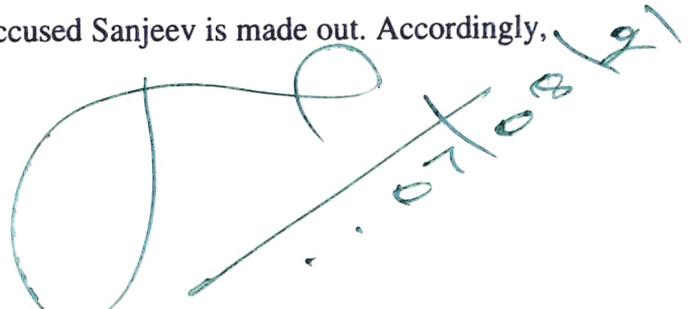
During the course of arguments on the aforesaid application, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature. It was further submitted that vide order dated 13/07/2021 passed by this Court, interim bail for the period of 15 days was granted to the accused Sanjeev subject to the terms and conditions as mentioned in the aforesaid interim bail order. It was further submitted that as per reply of the IO, the accused has not complied the terms and conditions of the aforesaid interim bail order and in view of the same, he is not entitled for the extension of interim bail. It was further submitted that since the accused has violated the terms and conditions of the aforesaid interim bail order, he cannot take the benefit of aforesaid orders passed by the Hon'ble High Court of Delhi. It was further submitted that in view of the same, the present application of the accused is not maintainable and same be dismissed.

In the present case, reply of the aforesaid application was called from the SHO/ IO and reply of SI Satish Kumar was filed. It is stated in the aforesaid reply of SI Satish Kumar that *"now accused/ applicant seeking three week extension of his interim bail. In this regard, it is submitted that accused/ applicant while on interim bail did not comply with the condition as imposed by this Hon'ble court vide its order dated 13/07/2021. Hon'ble court directed to accused in its order that accused shall mark his attendance before the concerned IO (and if IO is not available then to concerned SHO) on each and every day through mobile by sharing his location with the SHO/ IO.*

  
07/08/21

*Hon'ble court further directed that accused shall further make a call, preferably by audio plus video mode to concerned IO (and if IO is not available then to concerned SHO) on each and every day between 10:00 AM to 5:00 PM. But accused/ applicant failed to comply with the order of this Hon'ble court regarding to contact the IO on each and every day. Accused/ applicant also did not share his location to the undersigned. It is further submitted that accused was released on interim bail in the year 2020 also and his surrender matter is pending before the Hon'ble High Court of Delhi and N.D.O.H. is 09/08/2021. In the view of the abovementioned facts of the case, interim bail application of applicant/ accused Sanjeev is strongly opposed."*

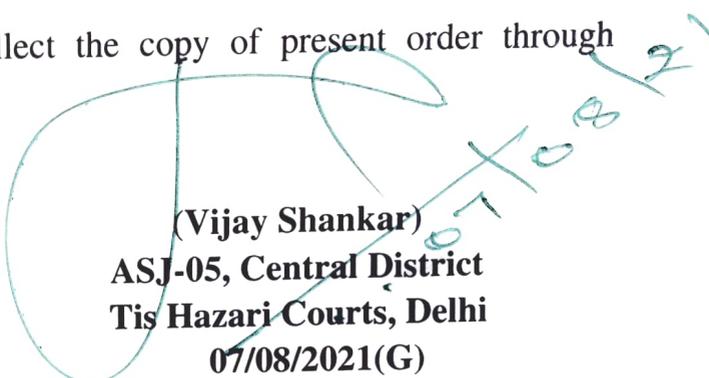
By way of the present application, the accused Sanjeev has prayed for extension of interim bail for the period of three weeks to look after his wife and newly born child. Vide order dated 13/07/2021, interim bail for the period of 15 days was granted to the accused Sanjeev subject to the terms and conditions as mentioned in the aforesaid interim bail order. On perusal of reply of SI Satish Kumar, it is clear that the accused Sanjeev has not complied the terms and conditions of the aforesaid interim bail order as mentioned in the reply. No reasonable explanation has been adduced on record by the accused for not complying the same. Since the accused has violated the terms and conditions of the aforesaid interim bail order, he cannot take the benefit of the aforesaid orders passed by the Hon'ble High Court of Delhi. Even otherwise, the one of the terms and conditions of the aforesaid interim bail order dated 13/07/2021 was that the accused shall not seek further extension of interim bail on any ground. In view of the above, accused is not entitled for further extension of interim bail. Keeping in view the facts and circumstances of the case, gravity of offence, nature of serious allegations levelled against the accused and in view of the fact that the accused has not complied the aforesaid terms and conditions of the interim bail, this Court is of the considered opinion that no ground for extension of interim bail of accused Sanjeev is made out. Accordingly,

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the present application of the accused Sanjeev for extension of interim bail is dismissed. The accused is directed to surrender within the time as directed by this Court vide order dated 13/07/2021.

A copy of this order be sent to the concerned Jail Superintendent through E-mail for information. Order be uploaded on the website of the Delhi District Court. Counsel for the accused is at liberty to collect the copy of present order through electronic mode.

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
07/08/2021(G)