Bail Application No.1964/21 FIR No.106/21 P.S. Maurice Nagar U/s 376 IPC State Vs. Rajpal Yadav

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Rajpal Yadav under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Jai Singh Yadav, Ld. Counsel for accused/applicant through VC.

Reply of the application be called from IO/SHO for NDOH.

List for arguments on the application on 29.07.2021.

Bail Application No.1962/21 FIR No.0543/21 P.S. Burari U/s 308/341/506/34 IPC State Vs. Pankaj Kumar

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Pankaj Kumar under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Kashmir Singh, Ld. Counsel for accused/applicant through VC.

Reply of the application be called from IO/SHO for NDOH.

List for arguments on the application on 28.07.2021.

Bail Application No.1961/21 FIR No.142/2021 P.S. Burari U/s 498A/377/34 IPC State Vs. Ashish Kumar Gupta (bail of Veer Singh)

24.07.2021

VC.

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Veer Singh under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Ranjan Kumar, Ld. Counsel for applicant through

Reply of the application be called from IO/SHO for NDOH.

Re-list for arguments on 02.08.2021.

Bail Application No.1959/21 FIR No.87/2021 P.S. Maurice Nagar U/s 379/356/411/34 IPC State Vs. Manish @ Kalu

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

Fresh application moved for accused Manish @ Kalu under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Prashant Kumar, Ld. Counsel for applicant through

VC.

NDOH.

Reply of the application be called from IO/SHO for

Re-list for arguments on 02.08.2021.

Bail Application No.1902/21 FIR No.71/2021 P.S. Wazirabad U/s 376/506 IPC State Vs. Amit Dedha

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application under Section 438 Cr.P.C., moved for accused Amit Dedha for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh.Sanjay Choudhary, Ld. Counsel for

accused/applicant through VC.

Sh. Sanjay Srivastva, Ld. Counsel for complainant.

Both parties seek some time to approach Hon'ble High Court of Delhi for quashing the present FIR. In view of request of parties, list for arguments on 03.08.2021.

Bail Application No.1886/21 FIR No.18/21 P.S. Bara Hindu Rao U/s 395/412/34 IPC State Vs. Sohan @ Sheru

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application under Section 439 Cr.P.C., for grant of regular bail moved for accused Sohan @ Sheru.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Deepak Kumar Malik, Ld. Counsel for applicant through VC.

At the very outset, Ld. Additional PP for the State has submitted that vide order dated 26.06.2021, Sh. Vijay Shankar, Ld. ASJ-5(Central), previous bail application of the accused was dismissed specifically observing that charge was yet to be framed and and prosecution witnesses were yet to be examined. Therefore, Ld. Additional PP submitted that this Court should not entertain the present application.

Contd...2

Bail Application No.1886/21 FIR No.18/21 P.S. Bara Hindu Rao U/s 395/412/34 IPC State Vs. Sohan @ Sheru

-2-

Per Contra, Ld. Counsel for applicant/accused submitted that this Court has requisite jurisdiction to entertain the present application. At this stage, Ld. Counsel seeks adjournment stating that he would be filing some relevant judgments in this regard. Accordingly, re-list for further arguments on 02.08.2021.

Bail Application No.1885/21 FIR No.220/2020 P.S. Subzi Mandi U/s 380/454 IPC State Vs. Manish

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad through Video Conferencing Mode.

This is an application under Section 439 Cr.P.C., for grant of bail moved on behalf of accused Manish.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh.S.P.Sharma, Ld. Counsel for applicant/accused through VC.

Part arguments heard on the application.

During arguments, Ld. Counsel for applicant submits that he wants to file some relevant judgments. At request, list for filing judgments/further arguments on 28.07.2021.

CC No. 324574/16 BSES YPL Vs. Rano & Ors. P.S. Paharganj U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel Sh. Anil Sharma through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 327430/16 BSES YPL Vs. Bajrang & Anr. P.S. Chandni Mahal U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 328418/16 BSES YPL Vs. Mr. Saeed P.S. Jama Masjid U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Sh. Anil Sharma, Ld. Counsel through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 610/17 BSES YPL Vs. Suresh P.S. Kashmere Gate U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 611/17 BSES YPL Vs. Sazia P.S. Darya Ganj U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 612/17 BSES YPL Vs. Gulafsa P.S. Paharganj U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 613/17 BSES YPL Vs. Rahul P.S. Chandni Mahal U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 286/18 BSES YPL Vs. Firoz U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 867/18 BSES YPL Vs. Kanchan PS Sadar Bazar U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 869/18 BSES YPL Vs. Lal Bahadur PS Sadar Bazar U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 870/18 BSES YPL Vs. Md. Yamin PS Chandni Mahal U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 871/18 BSES YPL Vs. Sabir & Anr. PS Chandni Chowk U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 662/19 TPDDL Vs. Md. Abrar PS Subzi Mandi U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Ms. Anjali Sahay, Ld. Counsel for complainant through

VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 664/19 TPDDL Vs. Rinku Gupta PS Subzi Mandi U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Ms. Anjali Sahay, Ld. Counsel for complainant through

VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 666/19 BYPL Vs. Raees PS Kamla Market U/s 135 E. Act

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel Sh. Anil Sharma through VC.

Matter is fixed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 1011/19 BSES YPL Vs. Ashma P.S. Chandni Mahal U/s 135 E. Act.

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel Sh. Praduman Rai through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 1012/19 BSES YPL Vs. Sonu P.S. Paharganj U/s 135 E. Act.

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel Sh. Praduman Rai through VC.

Re-list for purpose fixed on 27.10.2021.

CC No. 1458/19 BSES YPL Vs. Mohseen & Ors. P.S. Daryaganj U/s 135 E. Act.

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

CC No. 1459/19 BSES YPL Vs. Mohd. Saleem Qureshi U/s 135 E. Act.

24.07.2021

Vide order No.439-470/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi, all the cases are being taken up through VC. Matter taken up through VC i.e., http://delhidistrictcourts.webex.com /meet/spljudgelectricity02. tishazari.

Present: Sh. Jitender Shankar, AR of the complainant company with Ld. Counsel through VC.

Matter is listed for PSE.

Re-list for purpose fixed on 27.10.2021.

IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/ SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC

Bail Application No. 1883/21 FIR No. 211/21 U/s 308/323/341/34 IPC P.S. Timarpur State Vs. Narender Singh @ Nandu

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Narender Singh @ Nandu for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Rahul Sharma, Ld. Counsel for applicant through VC.

IO/SI Yogender is present through VC.

Report of IO received.

Ld. Counsel for applicant submits that accused and the complainant have entered into a compromise, copy whereof has been filed alongwith the anticipatory bail application. Ld. Counsel has further placed reliance of order of the Ld. MM dated 09.07.2021 where coaccused Sunder Lohia was granted bail.

Contd.....

At this juncture, Ld. Addl. PP for the State submits that when the matter would have been heard by the Ld. MM, in all probability, section 308 IPC was not invoked at that time.

Be that as it may, IO is directed to verify the factum of settlement and to ensure that complainant and injured join the proceedings on NDOH.

Put up on 28.07.2021 for consideration.

Order be uploaded on the website.

IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/ SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC

Bail Application No. 1884/21 FIR No. 211/21 U/s 308/323/341/34 IPC P.S. Timarpur State Vs. Raju

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Raju for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Rahul Sharma, Ld. Counsel for applicant through VC.

IO/SI Yogender is present through VC.

Report of IO received.

Ld. Counsel for applicant submits that accused and the complainant have entered into a compromise, copy whereof has been filed alongwith the anticipatory bail application. Ld. Counsel has further placed reliance of order of the Ld. MM dated 09.07.2021 where coaccused Sunder Lohia was granted bail.

Contd.....

At this juncture, Ld. Addl. PP for the State submits that when the matter would have been heard by the Ld. MM, in all probability, section 308 IPC was not invoked at that time.

Be that as it may, IO is directed to verify the factum of settlement and to ensure that complainant and injured join the proceedings on NDOH.

Put up on 28.07.2021 for consideration.

Order be uploaded on the website.

IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/ SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC

Bail Application No. 1882/21 FIR No. 172/21 U/s 186/353/332/307 IPC P.S. Gulabi Bagh State Vs. Mohit

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Mohit for grant of interim bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. A.N. Thakur, Ld. Counsel for applicant through VC.

Report of IO received.

ORDER ON INTERIM BAIL APPLICATION

- 1. Vide this order, this Court shall adjudicate upon the interim bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
- 2. Ld. Counsel for applicant /accused contended that applicant has been falsely implicated in the present case. Further, it was contended that applicant is suffering from epilepsies for a long

- time, thus applicant ought to be granted interim bail.
- 3. *Per contra*, Ld Addl. PP for the State vehemently opposed the bail application as per law. It was submitted that applicant has given beatings to a police official ASI Onkar Singh. He further submitted that applicant is the BC of the area and family of the applicant has no control over the applicant. He further submitted that applicant is already involved in 8 cases. It was submitted that result of MLC is still awaited.
- 4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged by the complainant that complainant who is police official was on emergency duty from 8PM to 8 AM when one girl namely Deepali came to the PS and complained about his uncle namely Mohit for drinking and quarreling. He reached at the spot where he found that applicant in drunken condition was quarreling with his wife and when he tried to pacify the matter, applicant got annoyed and hit on his head, he fell down. Thereafter, Ct. Kamlesh took him to NKS Hospital where first aid treatment was given to complainant ASI Onkar Singh and after that he was referred to R.M.L. Hospital.
- 5. Adverting to the rival contentions of both sides, a perusal of the record and SCRB report reveals that applicant has already involved in 8 other cases. Further, grave allegations of beating the complainant under the influence of liquor has been levelled

against the applicant. Further, as per the report of the IO, applicant is BC of the area. It is also trite that Tihar Jail is equipped to cater to the medical requirement of the applicant herein. In case there are issues on this core, the applicant is at liberty to move the concerned Court for issuing directions qua giving of adequate medical treatment inside the prison.

- 6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails and the role attributed to the accused herein, this Court is of the opinion that the accused ought not to be granted interim bail at this juncture. Accordingly, the present interim bail application is hereby dismissed.
- 7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
- 8. Copy of the order be uploaded on the website of the District Court.

IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/ SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC

Bail Application No. 1944/21 FIR No. 164/21 U/s 323/354/506 IPC P.S. Roop Nagar State Vs. Rajesh Sharma

24.07.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Rajesh Sharma for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Pulkit Yadav, Ld. Counsel for applicant through VC.

IO/SI Ranjit Singh is present through VC.

Report of IO received.

ORDER ON ANTICIPATORY BAIL APPLICATION

- 1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the applicant. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
- 2. Ld. Counsel for applicant /accused submitted that the present case is a counter blast to the case FIR No. 39/21, U/s 354/506/34 IPC filed by the wife of the applicant against the relatives of the complainant. It is further submitted that pursuant to quarrel which took place between the families of the applicant

and complainant, a Kalandara was filed vide DD No. 63A dated 18.12.2020, P.S. Roop Nagar, U/s 107/150 Cr.P.C. It was submitted that applicant is not previously involved in the commission of any offence. Further, it was submitted the applicant is a reputed tutor of the area and father of three children. It was also submitted that applicant is preparing for LLB examinations which are commencing from 26.07.2021 to 07.08.2021. Lastly, it was submitted that pursuant to service of notice u/s 41A Cr.P.C. to the applicant, he has joined the investigation each and every time.

- 3. *Per contra*, Ld Addl. PP for the State alongwith the IO, vehemently opposed the anticipatory bail application. It has been submitted that specific allegations have been levelled against the applicant and others. Torn clothes of the victim have been recovered, and victim has corroborated her stance in her statement u/s 164 Cr.P.C. recorded before the Ld. MM.
- 4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged by the complainant that she had come to house of her Father-in-law and Mother-in-law on 18 April 2021 at about 10.30 PM, when she went to toilet, then her neighbour Rajesh Sharma entered forcefully in her bathroom and grabbed her with wrong intention and started assaulting her and also tore her worn suit from neck and waist and started scratching her on breast and waist and when she tried to save herself from him, he started beating with his fist on her face, breast and stomach and threatened her with abusing that to vacate the house otherwise he shall make her life hell and not let her live with respect and when she yelled for save herself, Rajesh Sharma gagged her mouth with his hand and threatened her to vacate her house without objection and if she try to disclose anything to anyone or try to

complaint to Police, he shall kill her and her family. She rescued herself anyhow from the clutches of Rajesh Sharma and came out from bathroom and disclosed about incident to her mother in law and father in law and to her husband and said that Rajesh Sharma assaulted her and beat her and also broke her bangle, which caused injury and bleeding. During the course of investigation complainant was medically examined at Aggarwal Dharmarth Hospital vide MLC No. 154/21 dated 19/04/21, on which doctor mentioned that patient brought in casualty for medical examination, history of physical assault before 4-5 hours at Gali No.3 Chandrawal. During further investigation victim was produced before the Ld. MM, Tis Hazari Courts and her statement u/s 164 Cr.P.C. was recorded, wherein she also corroborated her alleged version of complaint.

- 5. A perusal of the record reveals that incident took place on 18.04.2021 and the FIR was registered promptly. Grave allegations have been levelled against the applicant herein. The version of the complainant has also been corroborated by her statement recorded u/s 164 Cr.P.C. before the Ld. MM. There is also a history of litigation between the family of the applicant and the family of the complainant. During the course of arguments, the IO had expressed an apprehension that the applicant can misuse liberty, if he has granted bail. This Court is inclined to concur with the submission of the IO, especially in view of the history of litigation between the parties.
- 6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails and the role attributed to the accused herein, this Court is of the opinion that the accused ought not to be granted anticipatory bail at this juncture.

Accordingly, the present anticipatory bail application is hereby dismissed.

- 7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the anticipatory bail application stands disposed off.
- 8. Copy of the order be uploaded on the website of the District Court.