

State Vs. Gurpreet Singh etc.
FIR No. 171/18
PS Kashmere Gate

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Both accused Gurpreet Singh and Dilip Kumar Jha in person with
Ld. Counsel Sh. A.K. Jha.

Sh. Parvinder, complainant in person.

IO is absent despite being served with the notice.

Perusal of previous order sheets reflect that IO has not been appearing before the Court since the last few dates of hearing. Accordingly, let notice be issued to IO through DCP concerned to remain present on the next date of hearing.

Put up for conducting plea-bargaining proceedings on **30.01.2021 at 02.30 pm.**


(SHIVLI TALWAR)
Plea Bargaining Judge/THC/Delhi/19.01.2021

State Vs Tejas Yashwant Parmar
State V/s Vinayak Vikas Jadhav
FIR No. 249/16
P.S. Sadar Bazar
U/s 419/420/120B/34 IPC

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

These are two separate applications U/s 437 Cr.P.C. for grant of bail have been moved on behalf of applicants/accused persons namely, Tejas Yashwant Parmar s/o Sh. Yashwant Parmar & Vinayak Vikas Jadhav s/o Sh. Vikas Jadhav.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Amit Tomar, Ld. Counsel for applicant/accused Tejas.

Mr. Manoj Kumar Yadav, ld. Counsel for applicant/accused Vinayak.

Separate replies of both applications already filed electronically.

Copies thereof already supplied to the Ld. Counsels for both applicants/ accused persons electronically.

Vide this common order, both bail applications are being disposed off together as they arise out of the same FIR.

Arguments on both bail applications heard. Replies perused.

It is submitted by Ld. Counsels for applicants/accused persons that applicants/accused persons are innocent and have been falsely implicated in the present case. It is further submitted that applicants/accused persons are themselves victims at the hands of other persons who used them in the commission of alleged crime without their knowledge. It is further submitted that IO has taken no step to trace out the main conspirators in the present matter namely, Raja and Asad. It is further submitted that the past antecedents of the applicants/accused persons are clean and they are not previously convicted in any criminal case. It is further submitted that the applicant/accused Tejas Yashwant Parmar is in J/C since 16.10.2020 & applicant/accused Vinayak Vikas Jadhav is in J/C since 25.10.2020 and both these applicants/accused persons



are young persons and are sold bread earners of their respective families. It is further submitted that charge-sheet has already been filed and investigation qua applicants/ accused persons is already complete and they are no more required for any custodial interrogation. Ld. Counsel for applicants/ accused persons submit that both these applicants/ accused persons are ready to furnish sound sureties before the Court. Therefore, it has been prayed that the applicants/ accused persons be released on bail.

In the replies, it is stated that when applicant/accused Tejas Yashwant Parmar was arrested, he disclosed the name and address of applicant/accused Vinayak Vikas Jadhav during interrogation. During interrogation, applicant/accused Vinayak Vikas Jadhav disclosed that in year 2016, he apprised applicant/accused Tejas Yashwant Parmar that some person is having black money and he wants to convert the same into white money. He will transfer the amount in bank and the account holder has to hand over his debit card and pin number and he will receive 5 % of the amount transferred in his account for his services. Accordingly, on 11.07.2016, he took the debit card, pin number and blank cheque of applicant/accused Tejas Parmar. Thereafter, Rs. 1 lac was transferred in the account of applicant/accused Tejas Parmar. Applicant/accused Vinayak Vikas Jadhav alongwith his associates Raja and Asad withdrew the amount of Rs. 97,000/- from the account of applicant/accused Tejas with the help of debit card. Rs. 3,000/- were kept in the account of applicant/accused Tejas and Rs. 2000/- were given in cash to applicant/accused Tejas for his services. Applicant/ accused Vinayak Vikas Jadhav further disclosed that he does not know the whereabouts of co-accused persons Raja and Asad. It is further stated that applicant/accused Vinayak Vikas Jadhav was found previously involved in another case bearing FIR No. 98/16, U/S 417/419/420/468/471 IPC and 66 C/66 D IT Act, PS Cyber Crime, Hyderabad, in which he also cheated the complainant with similar modus operandi. The case is pending trial. It is further stated that the bank account of Tejas Parmar was



checked minutely and it was found that on 12.07.2020 (next day of offence), Rs. 5,90,000/- has also been transferred in his account by one company of Gurugram. It is further stated that applicant/accused Tejas Parmar is also wanted in case FIR No. 358/16 u/s 419/420 IPC & 66 IT Act, PS Sushant Lok, Gurugram. It is further stated that applicant/accused Vinayak Vikas Jadhav alongwith applicant/accused Tejas cheated the complainant to the tune of Rs. 1 lac. It is further stated that both applicants/accused persons do not have a permanent address in Delhi and they may abscond, if released on bail. It is further stated that applicant/accused Vinayak Vikas Jadhav had already jumped bail in case FIR No. 98/16 and NBWs were issued against him on 23.09.2020.

Ld. Substitute APP for the State has opposed the bail applications on the ground that the allegations against the applicants/ accused persons are grave and serious in nature. It is submitted that applicants/accused persons were actively involved in the commission of crime and have committed online fraud by cheating the company in which the complainant Amar Nath was working as Account Manager by hacking its e-mail account. It is further submitted that both the applicants/accused persons were absconding and could be arrested after a period of more than four years with great deal of efforts by the local police and they do not have a permanent address in Delhi and thus, they may abscond, if released on bail. It is further submitted that the applicants/accused persons are habitual offenders and they may commit similar offences again, if released on bail. It is further submitted that further custody of applicants/accused persons is required to trace out co-accused persons Raja and Asad. Hence, it is prayed that applicants/accused persons should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Both the applicants/accused persons have been in custody since approximately three months. Investigation is complete and charge-sheet has already been filed in the present matter. Further custodial interrogation of both



the applicants/ accused persons is no more required. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the applicants/accused persons behind bars. Hence, both applicants/accused persons are admitted to bail subject to furnishing of personal bond in the sum of Rs. 30,000/- each with two sureties of like amount each, to the satisfaction of Ld. 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 applications are disposed off. Copy of this order be given dasti to Ld. Counsel for applicants/accused persons. 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.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/19.01.2021

State Vs. Nishu
e-FIR No. 323/20
PS Sadar Bazar
U/s 379/411/34 IPC

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

File taken up today on the application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nishu s/o Sh. Shyam Lal.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Vikas Agrawal, Ld. LAC for applicant/accused.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically.

Ahlmad of this Court has apprised this Court that the present matter has been compounded and applicant/accused has already been acquitted in the present matter and file has been consigned to Record Room.

At this stage, Ld. LAC for applicant/accused wants to withdraw the present application.

Heard. Request stands allowed. At request of Ld. LAC for applicant/accused, the present application stands dismissed as withdrawn.

Copy of this order be given dasti to Ld. LAC for applicant/accused. 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.


(SHIVLI TALWAR)

19.01.2021

Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up physically today.

This is an application for releasing of vehicle bearing No. DL-3S-EA-5415 on superdari filed by applicant/ registered owner.

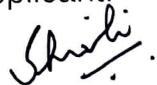
Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Akshit, Ld. Counsel for applicant.

Reply filed by the IO. Same is take on record. As per the reply of IO, the above said vehicle has been recovered by police officials of PS Kotwali, Roorki, Uttrakhand, however, it is stated that due to the prevailing COVID pandemic and heavy arrangement, IO could not get the vehicle to Malkhana of PS Sadar Bazar and he shall intimate the applicant when he brings the vehicle to Malkhana of PS Sadar Bazar.

Accordingly, the present application stands dismissed. Applicant is at liberty to move fresh application once the IO brings the vehicle to Malkhana of PS Sadar Bazar.

Copy of this order be given dasti to Ld. Counsel for applicant. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/19.01.2021

State Vs. Darshan @ Devender
PS Civil Lines

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. S.P. Sharma, Ld. Counsel for the applicant.
IO ASI Gulzar Hussain is absent.

Request for exemption from personal appearance has been filed on behalf of IO submitting that due to eye operation, he could not appear today before the Court and therefore, seeks an adjournment.

Let notice be issued to IO to appear in person before the Court on the NDOH.

Accordingly, put up for further proceedings on **01.02.2021 at 12.30 pm (virtual hearing day).**

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/19.01.2021

State Vs. Abdul Nafees
FIR No. 135/16
PS Sadar Bazar
Case No. 11764/17

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None.

Put up for purpose fixed on 24.02.2021.



(SHIVLI TALWAR)

Plea Bargaining Judge/THC/Delhi/19.01.2021

State Vs Ashok @ Ashu
FIR No. 342/20
P.S. Sadar Bazar
U/s 379/411/34 IPC

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

This is second bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Ashok @ Ashu s/o Rakesh Kumar.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Mohd. Ilyas, Ld. Counsel for applicant/accused.

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 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 previous convict. It is further submitted that the applicant/accused is in J/C since 02.12.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is suffering from Chechak (mata) on the whole body in Tihar Jail. It is further submitted that applicant/accused is a young boy who is labourer and sole bread earner of his family. It is further submitted that applicant/ accused has no role to play in the present offence and has been falsely implicated in the present case by the police officials. Therefore, it has been prayed that the applicant/ accused be released on bail.

Reply to the present application has been filed by IO. Copy of the same has been supplied to Ld. Counsel for applicant. Perusal of reply of IO reveals that on the basis of CCTV footage, applicant/ accused alongwith co-accused Rohit @ Shani and one CCL were apprehended in the present case on 02.12.2020 and a part of stolen amount i.e. Rs. 1500/- out of the total stolen amount of Rs. 20,600/- was recovered from the possession of applicant/accused. It is further stated that the applicant/accused has previously been involved in other theft cases. It is stated that applicant/ accused may abscond, threaten/ intimidate the witnesses and tamper with

Shani

has been falsely implicated

evidence, if released on bail.

Ld. Substitute APP for the State has opposed the bail application on the ground that applicant/accused was apprehended on the basis of CCTV footage. It is further submitted that the applicant/accused has previously been involved in three other cases of similar nature. Hence, it is prayed that applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Applicant/accused is languishing in J/C since 02.12.2020. Further custodial interrogation of applicant/accused is no more required. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars. Hence, applicant/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.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/19.01.2021

State Vs. Mukesh @ Chinu
FIR No. 161/20
PS Sadar Bazar
U/s 379/411 IPC

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

This is an application for grant of bail U/s 437 Cr.P.C. moved on behalf of applicant/accused Mukesh @ Chinu s/o sh. Ram Kishan.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Vikas Agrawal, Ld. LAC for applicant/accused.

It is submitted by Ld. LAC 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 and the alleged recovery has been planted by the police. It is further submitted that the applicant/accused is in J/C since 23.08.2020 and investigation qua him is already complete and charge-sheet has already been filed in the present matter and further custodial interrogation of the applicant/accused is no more required. It is further submitted that the applicant/accused belongs to a very poor family, he is a manual worker by profession and and is the sole bread earner of his family. It is further submitted that applicant/accused is a permanent resident of Delhi. 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 complainant correctly identified the applicant/accused during TIP proceedings. It is further stated that Rs. 6000/- out of the total stolen amount of Rs. 10,000/- was recovered from his possession. It is further stated that applicant/accused is involved in many other criminal cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that Rs. 6000/- out of the total stolen amount of Rs. 10,000/- was recovered from the possession of the applicant/accused. It is further submitted

Shankar

that complainant correctly identified the applicant/accused during TIP proceedings. It is further submitted that the applicant/accused has previous involvement in two other criminal cases of a similar nature and he may commit similar offences again, if released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Applicant/accused is languishing in J/C since almost five months. Investigation is complete and charge-sheet has already been filed. Thus, applicant/accused is no more required for any custodial interrogation. This Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/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. Copy of this order be given dasti to Id. Counsel for applicant/accused. 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.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/19.01.2021

State Vs. Mohd. Kamil
e-FIR No. 01/21
PS Sadar Bazar
U/s 379/411 IPC

19.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Mohd. Kamil s/o Sh. Jamil Ahmed.

resent : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Saksham Gupta, Id. Counsel for applicant/accused.

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 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/accused is in J/C since 01.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a young boy aged 18 years and 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 case property i.e. stolen mobile phone has been recovered from the possession of applicant/accused and the matter is pending investigation. It is further stated that applicant/accused is previously involved in criminal cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property i.e. stolen mobile phone has been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous involvement in three other cases of a like nature and he may commit similar offences again, if released on bail. Therefore, it is



applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that recovery has already been effected and applicant/accused is no more required for any custodial interrogation, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/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 Ld. 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.

Copy of this order be given dasti to Ld. Counsel for applicant/accused. 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.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/19.01.2021