

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

Bail Application No. 2432/21

FIR No. 642/21

U/s 323/336/341/506 IPC

P.S. Burari

State Vs. Parmanand @ Karan

17.09.2021

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.

Present application u/s 439 Cr.P.C. has been moved on behalf of applicant Parmanand @ Karan for grant of regular bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Sh. Pawan Kripa Shanker Pandey, Ld. Counsel for applicant.

Let report of IO be called for 22.09.2021.

Order be uploaded on the website of the District Court.

**(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021**

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

Bail Application No. 2433/21

FIR No. 33/21

U/s 394/34 IPC

P.S. Burari

State Vs. Karan

17.09.2021

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.

Present application u/s 439 Cr.P.C. has been moved on behalf of applicant Karan for grant of regular bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Sh. Jagmohan Sharma, Ld. Counsel for applicant.

Let report of IO be called for 20.09.2021.

Order be uploaded on the website of the District Court.

**(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021**

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

CNR No. DLCT01-007281-2020

FIR No. 57/20

U/s 420/467/468/34 IPC

P.S. Civil Lines

State Vs. Renu Kalra

17.09.2021

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.

Present application u/s 438 Cr.P.C. has been moved on behalf of applicant Renu Kalra for grant of anticipatory bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Ms. Prakirti Joshi, proxy counsel for Sh. Amit Vohra, Ld. Counsel for the applicant.

Sh. Digvijay Singh and Sh. Vivek Singh, Ld. Counsel for complainant.

Sh. Ashutosh Gupta, Ld. Counsel for subsequent purchaser Niharika Jain and Harsh Gupta.

IO/Inspector Rupesh Khatri also present. He files the SCRB report.

Ld. Counsel for complainant have filed a chronology of events. Copy of the same has been supplied to Ld. Counsel for applicant.

Contd.....

Proxy counsel for applicant has sought adjournment stating that main counsel has gone to get a sale deed registered at Gurgaon.

Put up with connected cases on 22.09.2021.

Interim order to continue till the NDOH.

Order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

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

FIR No. 57/20
U/s 420/467/468/471/34 IPC
P.S. Civil Lines
State Vs. Ridhi Kumar

17.09.2021

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.

Present application u/s 438 Cr.P.C. has been moved on behalf of applicant Ridhi Kumar for grant of anticipatory bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Sh. Vaibhav and Sh. Sunil Baloni, proxy counsel for Sh. N. Hari Haran, Ld. Counsel for the applicant.

Sh. Digvijay Singh and Sh. Vivek Singh, Ld. Counsel for complainant.

IO/Inspector Rupesh Khatri also present. He files SCRB report.

Proxy counsel for applicant has sought adjournment stating that main counsel could not come to the Court as he has to appear before the Hon'ble High Court at Nainital.

Put up for arguments on 22.09.2021.

Interim order to continue till the NDOH.

Order be uploaded on the website of the District Court.

**(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021**

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

M CrI. No. 399/21
FIR No. 98/21
U/s 307/120B/34 IPC
P.S. Burari
State Vs. Amit Mehra

17.09.2021

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.

Present application has been moved on behalf of applicant Amit Mehra for releasing him on personal bond.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.

Sh. Yatinder Kumar, Ld. LAC for applicant.

At this juncture, Ld. LAC for applicant seeks permission to withdraw the present application stating that bail bond has already been furnished in the concerned court.

Accordingly, the present application stands dismissed as withdrawn.

Order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2400/21
FIR No. 409/2021
P.S. Wazirabad
U/s 498A/406/34 IPC
State Vs. Sandeep Mishra

17.09.2021

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.

This is an application moved for accused/applicant Sandeep Mishra under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh.R.K.Gaur, Ld. Counsel for applicant.

Reply of IO received.

Ld. Counsel for applicant submitted that he seeks liberty to withdraw and file fresh application. Accordingly, at request of Ld. Counsel for applicant, present application is dismissed as withdrawn.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2229/21
FIR No. 566/18
P.S. Burari
U/s 420/120B/34 IPC
State Vs. Amit Tyagi

17.09.2021

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.

This is an application moved for accused/applicant Amit Tyagi under Section 439 Cr.P.C., for grant of bail.

Present: None for State.
Sh. Hansraj Singh, Ld. Counsel for applicant.

Request for exemption from personal appearance has been received from SI Satender Singh, PS Burari stating that he is busy before the Hon'ble High Court of Delhi in the matter of Habeas Corpus in WP (CRL) No.15021 (Bishambar Shukla Vs. State). Exemption is granted for today only.

List for arguments on 20.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2345/2021
FIR No. 0683/2021
P.S. Wazirabad
U/s 308/323/147/148/149 IPC
State Vs. Israr

17.09.2021

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.

This is an application moved for accused/applicant Israr under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh. Harender Kumar, Ld. Counsel for applicant.

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

List on 20.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2346/21
FIR No. 642/21
P.S Burari
U/s 323/336/341/34 IPC & 27 Arms Act
State Vs. Aslam

17.09.2021

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.

This is an application moved for accused/applicant Aslam under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh. Mohit Rajput, Ld. Counsel for applicant.

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

List on 22.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2434/2021
FIR No. 98/21
P.S. Burari
U/s 307/34 IPC, 120-B/411 IPC
State Vs. Naveid Khan

17.09.2021

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.

This is an application moved for accused/applicant Naveid Khan under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh. Rustam Kuraishi, Ld. Counsel for applicant.

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

List on 20.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

Bail Application No.2391/21
FIR No. 231/2021
P.S. Gulabi Bagh
U/s 186/353/332/34 IPC
State Vs. Rohit Kumar

17.09.2021

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.

This is an application moved for accused/applicant Rohit Kumar under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for State.
Sh. Ramesh Kumar, Ld. Counsel for applicant.
IO SI Rahul Malik in person.

Reply of IO received.

At request of Ld. Counsel for applicant, list for arguments on
22.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

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

BAIL APPLICATION NO. 2389/21
FIR NO. 156/21
PS Subzi Mandi
U/s 354-B/323/354/509/451/34 IPC
State Vs Akash

17.07.2021

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 PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Wazirabad and Crime Branch of Central Police District through Video Conferencing Mode.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the State through VC.
Sh. S.C. Joshi, Ld. Counsel for applicant / accused
through VC.
IO/WSI Rachna in person.
Reply of IO received. TCR also received.

ORDER ON ANTICIPATORY BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused Akash. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.

2. Ld. Counsel for applicant /accused submitted that applicant has been falsely implicated in the present case. He further submitted that applicant / accused has no criminal antecedents. He further submitted that charge-sheet in the present case has already been filed. Ld. Counsel for applicant further submitted that the FIR was registered on 08.04.2021, despite passage of period of eleven months, no fresh allegations have been leveled against the accused herein. It has also been contended that injuries caused to the complainant are simple in nature and thus the accused ought to be granted anticipatory bail.

3. *Per contra*, Ld Addl. PP for the State, assisted by IO, opposed the application as per law.

4. Before advertng to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: The prosecutrix alleged that on 22.05.2020 the alleged person Akash alongwith other persons entered in her house and misbehaved and tore her daughter's T-shirt. The alleged persons also tore books and other items used as study material, and thus the present FIR came to be registered.

5. At this juncture, it would be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheikh Vs. State of Gujrat, 2016 1 SCC 152*** :-

“The principles for grant of anticipatory bail can be summarised as follows:-

(x) The following factors and parameters needs to be taken into consideration while dealing with anticipatory bail.

(a) The nature and gravity of the accusation and the exact role of the accused must be property comprehended before arrest is made.

(b) The antecedents of the applicant including the fact as to w rained hether the accused has previously undergone imprisonment on conviction by a Court in respect of any cognizable offence;

(c) The possibility of the applicant to flee from justice

(d) The possibility of the accused’s likelihood to repeat similar or other offences:

(e) Where the accusation have been made only with the object of injuring or humiliating the applicant by arresting him or her;

(f) Impact of grant of anticipatory bail particularly in cases of large magnitude affecting a very large number of people;

(g) The courts must evaluate the entire available material against the accused very carefully. The court must also clearly comprehend the exact role of the accused in the case. The cases in which the accused is implicated with the help of Sections 34 and 149 of the penal Code, 1860 the court should consider with even greater care and caution, because over implication in the cases is a matter of common knowledge and concern”

(h) While considering the prayer for grant of anticipatory bail, a balance has to be struck between two factors, namely, no prejudice should be caused to free, fair and full investigation, and there should be prevention of harassment, humiliation and unjustified detention of the accused;

(i) The court should consider reasonable apprehension of tampering of the witness or apprehension of threat to the complainant;

(j) Frivolity in prosecution should always be considered and

it is only the element of genuineness that shall have to be considered in the matter of grant of bail and in the even of there being some doubt as to the genuineness of the prosecution in the normal course of events, the accused is entitled to an order of bail.

6. In the present case, charge-sheet has ready been filed without arrest of the accused, and that accused Akash had already joined the investigation. It has also been averred during the arguments that FIR has been registered belatedly after about 11 months of the complaint.

7. It is thus apparent that no purpose would be served incarcerating the accused. Accordingly, the accused Akash is admitted on bail on furnishing bail bond and surety bond of Rs 20,000/- with one surety of like amount to the satisfaction of concerned Court, subject to the following conditions:

- i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
- ii. He shall not hamper the trial or investigation in any manner.
- iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.
- iv. He shall attend trial without default.

8. 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. TCR be returned back to the Court concerned alongwith the copy of order.

9. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

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

Bail Application No. 2397/21

FIR No. 231/2021

U/s 186/353/332/34 IPC

P.S. Gulabi Bagh

State Vs. Mukul

17.09.2021

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 Mukul for grant of anticipatory bail.

Present: None for the State.

Sh. Nishant Sharma, Ld. Counsel for applicant.

IO/SI Rahul Malik present.

Ct. Hari Om injured also present.

Smt. Sita, mother of the applicant present.

Reply of IO received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the anticipatory 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 submitted that co-accused Sanjay has already been granted bail on 04.09.2021. Thus, on the grounds of

parity accused herein also out to be granted anticipatory bail. It was further submitted that there is no evidence against the present applicant/accused. Further, it was submitted applicant/accused has clean antecedents, and no recovery are to be effected from the accused and he is ready and willing to join the investigation.

3. *Per contra*, IO, vehemently opposed the anticipatory bail application as per law. It was submitted that injuries have been caused to public servants in the discharge of their duties for enforcing Covid-19 guidelines.
4. Submissions heard and record perused.
5. A perusal of record reveals that complainant/Ct. Hari Om has suffered injuries including scratches on his hands. Further, during the course of arguments it was pointed out by the IO and injured Ct. Hari Om that boxes and kicks were given in his stomach by the accused and his accomplices. Further, at the instance of Ld. Counsel for accused MLCs of the wife and mother of accused Mukul and accused Rohit were requisitioned, and also the 100 number calls by them. However, a perusal of the MLC do not reveal any external injuries belying the assertion of Ld. Counsel for accused that Sita and Amisha were mercilessly beaten. Further a perusal of 100 number call reveals that no allegations of beating have been mentioned in the DD entry. Serious allegations have been levelled against the accused of causing injuries to a public servant in the discharge of their duty while enforcing Covid-19 guidelines which are for the interest of public themselves.

6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein and the fact that injuries caused to public servants in discharge of their duties while enforcing Covid-19 guidelines which are for the interest of public themselves, 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 bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021

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

Bail Application No. 2402/2021
FIR No. 515/21
U/s 186/353/506/34 IPC
P.S. Subzi Mandi
State Vs. Nanhe Koli

17.09.2021

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 Nanhe Koli for grant of anticipatory bail.

Present: Sh. Rajat Kalra, Ld. Addl. PP for the State.
Sh. R.P. Tyagi, Ld. Counsel for applicant.
Reply of IO received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the anticipatory 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 submitted that all the sections except section 353 IPC are bailable. It was submitted that all the bills pertaining to arrears of electricity have been paid by the

accused. It was further submitted that electricity company officials came early morning at unearthly hour and barged in the house of the accused. Thus, anticipatory bail ought to be granted.

3. *Per contra*, Ld. Addl. PP for the State, vehemently opposed the anticipatory bail application as per law.
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 on 08.09.2021 at around 6:15 AM when he went to check the electricity theft in Kabir Basti they saw that electricity was being stolen from electricity poles in house no. 126, Kabir Basti through direct hook. When they got the consumer's (applicant herein) house opened, they found that applicant was stealing electricity by laying a wire on the second floor, they inspected the house through their staff including two lady officials. When they were checking the meter installed in the ground floor of that house, the residents of the house alongwith the people living around them attacked their team and also threatened them to go away with dire consequences. During the scuffle one lady police official namely ASI Jyotsna got hurt. Thus, the present FIR came to be registered.
5. A perusal of record reveals that female police personnel namely ASI Jyotsna has suffered injuries. In the MLC placed on record, doctor has reported that blunt weapon has been used in causing

the injuries. It is trite that electricity theft is ordinarily committed from sunrise to sunset as there are less chances for detecting this theft. In the present case it seems that electricity company officials were vigilant and diligent enough to make a raid and apparently caught the accused in the act. Serious allegations of obstruction and causing hurt to police officers in the discharge of their duties, have been levelled.

6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein and the fact that injuries have been caused to public servants in discharge of their duties, 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 bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/17.09.2021