

**FIR No.221/2015**

**PS Karol Bagh**

**U/s 302/395/397/342/412/34/120-B IPC & 25/27 Arms Act**  
**State Vs. Bablu Mathur & Ors.**

10/08/2021

**File taken up today on the application u/s 439 Cr.P.C. of accused Subroto Bera @ Bachhu for grant of regular bail.**

**( Proceedings Convened through Video Conferencing )**

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sh. Dipanshu Chugh, Ld. Counsel for the accused Subroto Bera @ Bachhu (through V.C.).

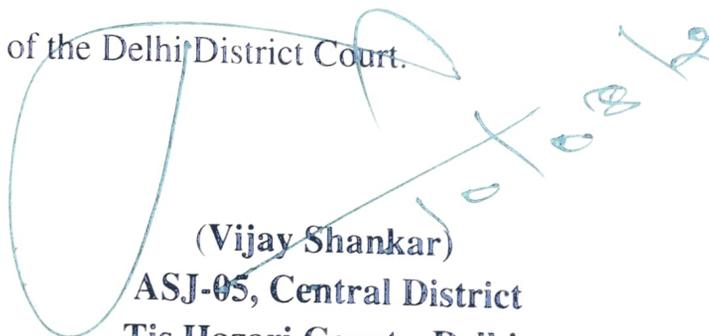
**Assistant Ahlmad is on leave today.**

Issue notice of the present bail application to the State. Addl. P.P. for the State accepts the notice of the aforesaid bail application.

Issue notice to the IO to appear and SHO/ IO is directed to file reply to the aforesaid bail application of the accused including the report regarding previous involvement of the accused and list/ status of all pending cases against the accused on the next date of hearing.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for consideration on 21/08/2021. Date of 21/08/2021 is given at specific request and convenience of counsel for the accused.

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

  
**(Vijay Shankar)**  
**ASJ-05, Central District**  
**Tis Hazari Courts, Delhi**  
**10/08/2021(G)**

FIR No.303/2014  
PS Subzi Mandi  
U/s 302/307/120-B/34 IPC  
State Vs. Surender & Ors.

10/08/2021

File taken up today on the bail application u/s. 439 Cr.P.C. of accused Sunil @ Maya for grant of regular bail.

( Proceedings Convened through Video Conferencing)

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
IO/ Inspector Surender Kumar is present (through V.C.).  
Sh. Naresh Kumar, Ld. Counsel for the accused Sunil @ Maya (through V.C.).

**Assistant Ahlmad is on leave today.**

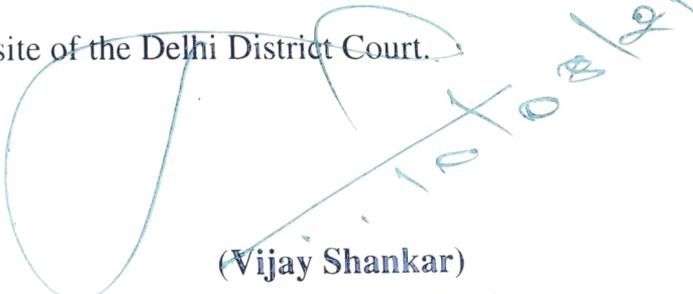
Part arguments heard on the aforesaid regular bail application of accused Sunil @ Maya.

Counsel for the accused seeks further time for clarifications.

At the request of counsel for the accused, the aforesaid bail application of the accused be put up for clarifications/ further arguments on 21/08/2021. Date of 21/08/2021 is given at specific request and convenience of counsel for the accused.

IO is bound down for the next date of hearing i.e. 21/08/2021.

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

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
10/08/2021(G)

FIR No.140/2019  
PS Daryaganj  
U/s 302/147/149/34 IPC  
State Vs. Nabeel

10/08/2021

File taken up today on the application of the applicant Nabeel for releasing of mobile phone and other articles of jamatalashi.

( Proceedings Convened through Video Conferencing)

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
IO/ Inspector Raj Kumar is present (through V.C.).  
None has joined the proceedings through V.C. on behalf of the applicant.

**Assistant Ahlmad is on leave today.**

Reply to the aforesaid application of the applicant is stated to be filed by the IO.

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

The aforesaid application of the applicant be put up for clarifications/ consideration on 20/08/2021.

IO is bound down for the next date of hearing i.e. 20/08/2021.

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

(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
10/08/2021(G)

CNR No. DLCT01-003847-2021

SC No.22/2021

FIR No.335/2019

PS Nabi Karim

U/s 308/34 IPC

State Vs. Surender Kumar & Ors.

10/08/2021

File taken up today on 2<sup>nd</sup> bail application u/s 439 Cr.P.C. of accused Manohar Lal @ Prem for grant of interim bail for the period of 30 days.

(Proceedings Convened through Video Conferencing)

Present: Sh. Gyan Prakash Ray, Ld. Addl. P.P. for the State (through V.C.).  
Sh. Satbir Singh, Ld. Counsel for the accused Manohar Lal @ Prem (through V.C.).

**Assistant Ahlmad is on leave today.**

By way of present order, this Court shall disposed of 2<sup>nd</sup> interim bail application u/s. 439 Cr.P.C. of the accused Manohar Lal @ Prem.

Arguments have already been heard on the aforesaid 2<sup>nd</sup> interim bail application of accused Manohar Lal @ Prem. Perused the material available on record.

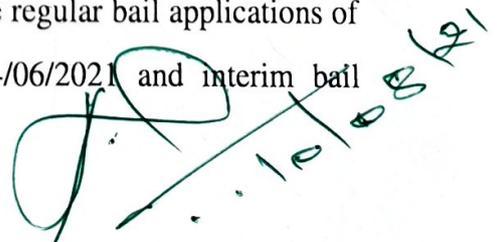
During the course of arguments on the aforesaid interim bail application, it was submitted by counsel for the accused that the accused Manohar Lal @ Prem has filed present interim bail application on the medical grounds of his wife. It was further submitted that the wife of the accused is seriously ill and she is having fibroid in uterus. It was further submitted that at the time of filing the present interim bail application, the wife of the accused was admitted in the Hindu Rao Hospital, Delhi and surgery of wife of the accused was conducted and further surgery is yet to be conducted. It was further submitted that the wife of the accused requires day to day care. It was further submitted that the accused is having two sons, out of them, one is in jail and another is minor. It was further submitted that the interim bail for the period of 30 days be granted to the accused for looking after his wife and for arranging the funds/money for further surgery/treatment of his wife and 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.

10/08/21

During the course of arguments on the aforesaid interim bail application, it was submitted by Addl. P.P. for the State that the allegations against the accused are serious in nature and he can abscond, if the interim bail is granted to him. It was further submitted that the accused is having two major children to look after the wife of the accused and families of five brothers of the accused are also residing in the same building and they can also look after wife of the accused. It was further submitted that in the present case, charge is yet to be framed. It was further submitted that regular bail applications, interim bail application as per HPC guidelines and interim bail application of the accused on the medical ground of his wife have already been dismissed. It was further submitted that accused is habitual offender and he is involved in 13 other criminal cases of different nature. It was further submitted that interim bail has to be granted in exceptional circumstances and in the present interim bail application, the accused has not mentioned any exceptional circumstances and the same be dismissed.

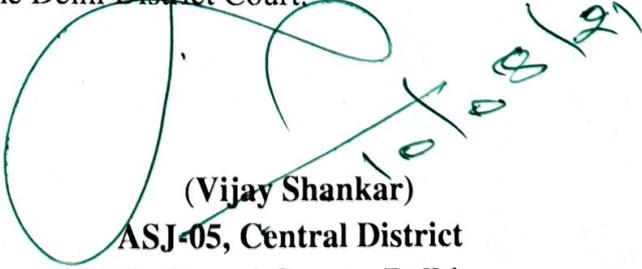
By way of the present interim bail application, the accused has prayed for interim bail for the period of 30 days to look after his wife and for arranging funds/money for treatment of his wife. It is well settled law that interim bail has to be granted in a very exceptional and extraordinary circumstances warranting the immediate release of the accused to deal with any unforeseen contingency and interim bail cannot be granted in a mechanical manner. In the present case, report/reply of the present interim bail application was called and reply of SI Manmeet Singh was filed wherein it is mentioned that patient Mrs. Lata was admitted on 03/08/2021 and her surgery was performed and she was discharged in good condition. It is also mentioned in the reply that the accused Manohar Lal @ Prem is having two sons Mr. Vishu (aged about 21 years) and Mr. Kunal (aged about 19 years) and elder son Vishu is in judicial custody. On 09/08/2021, it was submitted by Dr. Manisha that patient Lata was admitted in the hospital and biopsy of the patient was done and she was discharged from the hospital on 05/08/2021. It was further submitted by Dr. Manisha that biopsy report of the patient is awaited and further course of treatment shall be decided after the biopsy report of the patient Lata.

In the present case, charge is yet to be framed. The regular bail applications of the accused were dismissed vide orders 27/02/2020 and 24/06/2021 and interim bail

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application of the accused on medical ground of his wife was dismissed vide order dated 24/07/2021. It is pertinent to mention here that in the present case, the accused was evading his arrest and process u/s 82 Cr.P.C. was issued against him and thereafter, the accused had surrendered. Accused is stated to be habitual offender and he is stated to be involved in 13 other criminal cases of different nature. Mr. Kunal, younger son of the accused is looking after wife of the accused. Families of brothers of the accused are also stated to be residing in the same building and they can also look after wife of the accused. Wife of the accused already stated to be discharged from the hospital. Keeping in view the facts and circumstances of the case, gravity of offence, nature of serious allegations levelled against the accused and report of SI Manmeet Singh, this court is not inclined to grant the interim bail to the accused Manohar Lal @ Prem as prayed in the present interim bail application. ***However, accused Manohar Lal @ Prem is hereby granted custody parole for 12/08/2021 for six hours from 10:00 AM to 4:00 PM only for visiting his house, excluding the traveling time, at the cost to be incurred by the applicant/ accused Manohar Lal @ Prem. During the aforesaid custody parole period Covid-19 protocol/guidelines issued by Central Government/State Government/Competent Authorities be followed.*** Concerned Jail Superintendent is directed to make necessary arrangement for the same.

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

  
(Vijay Shankar)  
ASJ-05, Central District  
Tis Hazari Courts, Delhi  
10/08/2021(A)

CNR No. DLCT01-004190-2021  
SC No. 144/2021  
FIR No. 463/2020  
PS Sarai Rohilla  
U/s 307/323/325/147/148/149/34 IPC  
State Vs. Usman & Ors.

10/08/2021

File taken up today on the application u/s. 439 Cr.PC of the accused Mansoor @ Sannata 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.).

None has joined the proceedings via video conferencing on behalf of the accused.

**Assistant Ahlmad is on leave today.**

By way of present order, this Court shall disposed of interim bail application of the accused Mansoor @ Sannata.

Arguments have already been heard on the aforesaid interim bail application of the accused Mansoor @ Sannata. 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 case of the accused falls in the criteria no. (ix) r/w (v) of minutes of HPC guidelines dated 04/05/2021. It was further submitted that when the accused was juvenile, he was involved in two cases and the aforesaid cases are pending before the concerned JJB. It was further submitted that in view of the provisions of Juvenile Justice Act, the pendency of the aforesaid two cases before the concerned JJB cannot be considered as previous involvement for the purpose of grant of interim bail as per HPC guidelines as accused was juvenile at the relevant time. It was further submitted that after attaining the age of majority, the accused

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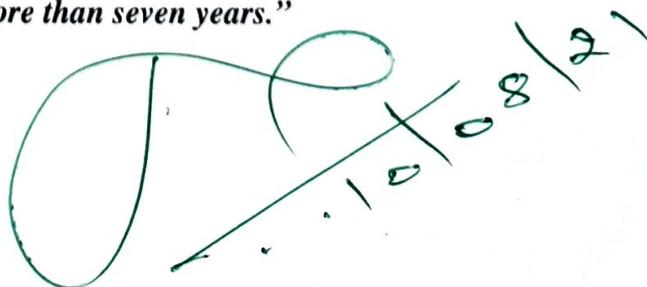
has no involvement in any other case except the present case and jail conduct of the accused is satisfactory. It was further submitted that apart from Section 307 IPC, other Sections as mentioned in the charge-sheet are bailable. It was further submitted that co-accused Usman has already been released on interim bail as per HPC guidelines. It was further submitted that the accused is in J/C in the present case for the period of more than eight months. It was further submitted that the accused shall 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 is not disputed by Addl. PP for the State that in view of the provisions of Juvenile Justice Act, the pendency of the aforesaid two cases before the concerned JJB cannot be considered as previous involvement for the purpose of grant of interim bail as per HPC guidelines as accused was stated to be juvenile at the relevant time.

It is mentioned in the minutes of H.P.C. guidelines dated 04/05/2021 that:-

*“(v) Under trial prisoners (UTPs), who are less than 60 years of age and are in custody for six months or more, facing trial in a case which prescribes a maximum sentence of 10 years or less, subject to the condition that he should not be involved in any other case which prescribes punishment of more than 7 years.*

*(ix) Under trial prisoners (UTPs) facing trial in a case under Section 307 IPC and are in jail for more than six months; subject to the condition that he should not be involved in any other case which prescribes punishment of more than seven years.”*

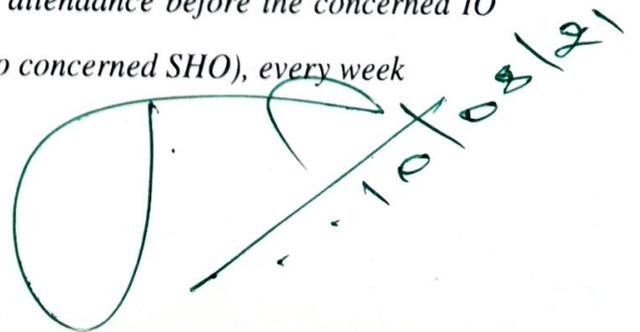
  
10/08/21

In the present case, charge-sheet has been filed for the offences u/s 307/323/325/147/148/149/34 IPC.

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

Admittedly, after attaining the age of majority, the accused has no involvement in any other case and jail conduct of the accused is satisfactory. As per report of Deputy Superintendent, Jail No. 8/9, Tihar, New Delhi, the accused is in J/C for the period more than eight months and jail conduct of the accused is satisfactory and there is no pending case against the accused. Co-accused Usman already stated to be released on interim bail as per HPC guidelines. Case of the accused falls in the criteria no. (ix) r/w (v) of minutes of HPC guidelines dated 04/05/2021. Keeping in view of the 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 and in view of the submissions made, present interim bail application of the accused Mansoor @ Sannata is allowed and accused is admitted to interim bail for the period of 30 days on furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of the concerned Jail Superintendent subject to the conditions that:-

- i) Accused shall not flee from the justice;*
- ii) Accused shall not tamper with the evidence;*
- iii) Accused shall not threaten or contact in any manner to the prosecution witnesses;*
- iv) Accused shall not leave the country without permission of the Court;*
- v) Accused shall convey any change of address immediately to the IO and the court;*
- vi) Accused shall also provide his/her mobile number to the IO;*
- vii) Accused shall mark his/her attendance before the concerned IO (and if IO is not available then to concerned SHO), every week*

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*preferably on Monday through mobile by sharing his/her location with the SHO/IO;*

*viii) 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) once in 15 days preferably on Monday between 10:00 AM to 5:00 PM;*

*x) Accused shall keep his/her such mobile number 'Switched On' at all the time, particularly between 8:00 AM to 8:00 PM every day;*

*x) Accused shall not indulge in any kind of criminal activities;*

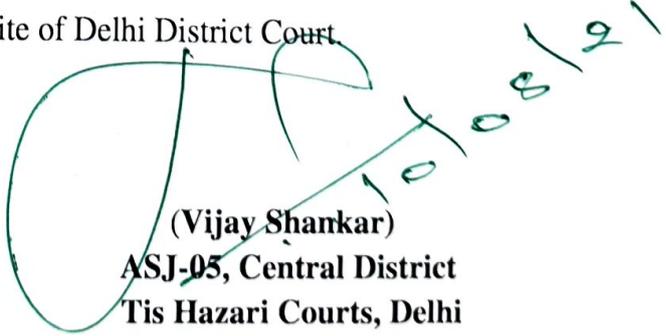
*xi) Accused shall follow Covid-19 protocol/guidelines issued by Central Government/State Government/Competent Authorities;*

*xii) The period of interim bail of 30 days shall commence from the date of release of the accused from Jail;*

*xiii) Accused shall surrender before the concerned Jail Superintendent after expiry of interim bail period or within the period as directed by the Hon'ble Superior Courts;*

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. Copy of order be also sent to SHO/IO for compliance. 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  
10/08/2021(A)