

Bail Application No.1873/21  
FIR No.12728/21  
P.S. Gulabi Bagh  
U/s 379/411 IPC  
State Vs. Sahil

15.07.2021

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 440 Cr.P.C., moved for accused Sahil to release him on personal bond.**

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

Sh. A.K. Sharma, Ld. Counsel for the applicant through VC.

Vide this order, I shall dispose the application under Section 440 Cr.P.C., moved for accused Sahil to release him on personal bond.

Reply of the application received from IO.

Arguments to release the accused on personal bond addressed by both the parties.

Ld. Counsel for the accused submitted that vide order dated 25.06.2021, Sh. Harun Pratap, Ld. ACMM-2, THC/Delhi had granted bail to the accused on furnishing Personal bond in the sum of Rs.25,000/- alongwith one surety of like amount. Ld. Counsel for the accused submitted that accused is a poor person and due to financial constraints, he could not furnish his surety bond. He further submitted that accused is in J/C since 15.05.2021 and therefore he should be released on furnishing

FIR No.12728/21  
P.S. Gulabi Bagh  
U/s 379/411 IPC  
State Vs. Sahil

-2-

personal bond.

Perusal of reply of IO submits that a stolen scooty has been recovered from the accused. Accused has also been spent a considerable period of custody. Accordingly, considering the submissions made by Ld. Counsel for accused, period of custody and nature of offence, application is hereby allowed. Accused be released on furnishing personal bond in the sum of Rs.10,000/-. Personal bond be furnished before the Jail Superintendent.

Copy of this order be sent to the Jail Superintendent for necessary action, if any, through electronic mode.

With the above-mentioned observation, application stands disposed.

Copy of order be uploaded on the Court Website.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/15.07.2021**

Bail Application No.1900/21  
FIR No.267/21  
P.S. Burari  
U/s 498A/406.34 IPC  
State Vs. Sunil Jeenwal

15.07.2021

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 fresh application under Section 438 Cr.PC moved for accused Sunil Jeenwal for grant of anticipatory bail.**

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

Mr. A. Chauhan, Ld. Counsel for applicant through VC.

Notice of the application be sent to IO/SHO to file reply on NDOH.

List for arguments on the application on 27.07.2021.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021

Bail Application No.1901/21  
FIR No.463/2020  
P.S. Timarpur  
U/s 307/34 IPC & 25/27 Arms Act  
State Vs. Rahul @ Juddi

15.07.2021

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 a fresh application under Section 439 Cr.PC moved for accused Rahul @ Juddi for grant of bail as per HPC guidelines.**

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

Sh. Nikhlesh Mourya, Ld. Counsel for applicant.

Notice of the application be sent to IO/SHO to file reply on NDOH.

List for arguments on the application on 27.07.2021.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021

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

15.07.2021

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.PC moved for accused Amit Dedha for grant of anticipatory bail.**

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

Sh. Sunil Choudhary, Ld. Counsel for accused/applicant.

Sh. Sanjay Srivastva, Ld. Counsel for complainant.

Notice of the application be sent to IO/SHO to file reply on NDOH.

List for arguments on the application on 24.07.2021.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021

Bail Application No.962/2021,959/21,963/21,2048/21 & 960/21  
FIR No.546/2020  
P.S. Wazirabad  
U/s 498-A/406/34 IPC  
State Vs. 1.Tale Singh, 2.  
Kushma 3. Poja 4. Lalit Kumar & Rachna

15.07.2021

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 five applications under Section 438 Cr.PC moved for above-mentioned accused persons for grant of anticipatory bail.**

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

IO/ASI Sukhpal Singh through VC.

Sh. Satish Chand, Ld. Counsel for all accused through VC.

None has joined the VC for complainant. Issue notice to the complainant as well as counsel for complainant to join the proceedings on NDOH through VC.

At this juncture, Ld. Counsel for accused persons submits that he would also endeavour to ensure presence of the counsel for complainant in the Court proceedings on NDOH.

Put up for further proceedings on 19.07.2021. Interim order, if any, to continue till NDOH. All accused persons are directed to join the investigation as and when required by the IO.

Order be uploaded on the website.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021

FIR No.130/2021  
P.S. Wazirabad  
U/s 447/420/34 IPC  
State Vs. Satpal Tyagi

15.07.2021

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.PC moved for accused Satpal Tyagi for grant of anticipatory bail.**

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

IO/SI Praveen Kumar through VC.

Sh. Anuroop, Ld. Counsel for accused Satpal Tyagi through VC.

Re-list for arguments on 20.07.2021. Till then, no coercive action shall be taken against the accused. Accused is directed to join the investigation as and when required by the IO.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021

FIR No.130/2021  
P.S. Wazirabad  
U/s 447/420/34 IPC  
State Vs. Yashpal Tyagi

15.07.2021

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.PC moved for accused Yashpal Tyagi for grant of anticipatory bail.**

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

IO/SI Praveen Kumar through VC.

Sh. Anuroop, Ld. Counsel for accused Satpal Tyagi through VC.

Re-list for arguments on 20.07.2021. Interim order, if any, to continue till NDOH. Accused is directed to join the investigation as and when required by the IO.

(Arul Varma)  
ASJ/Special Judge, Electricity  
Court No. 02, Central  
Tis Hazari/Delhi/15.07.2021



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

BAIL APPLICATION NO. 1818/21

FIR NO. 505/2021

PS Burari

U/s 498A/406/34 IPC

State vs 1.Sunder Pal Singh

2. Rajbiri

3.Rajeev

15.07.2021

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. Jugal Singh, Ld. Counsel for

applicant/accused through VC.

IO/ASI Roop Singh, PS Burari through VC.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

1. Vide this common order, this Court shall adjudicate upon the anticipatory bail applications filed on behalf of the

accused/applicants Sunder Pal Singh, Rajbiri and Rajeev. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.

2. Ld. Counsel for applicants submitted that applicants have been falsely implicated in the present case at the instance of complainant. Ld. Counsel further submitted that accused persons do not have any previous criminal antecedents. He further submitted that complainant herein had been living separately from her husband. They had got married in April, 2018 and the complainant became pregnant in June, 2018 whereafter she left the matrimonial home. Ld. Counsel further contended that the IO had not served notice under Section 41A Cr.P.C., to accused herein to join the investigation. Lastly, Ld. Counsel placed reliance on additional documents that he had filed with the application, particularly the letter dated 12.09.2019 to contain that the complainant admitted, in the said letter, that the marriage was solemnized without any dowry, and that the differences between the husband and wife would be settled amicably by themselves, and thus the accused ought to be granted anticipatory bail.

3. *Per contra*, Ld Addl. PP for the State and IO have opposed the application as per law. Ld. Additional PP submitted that despite

directions, the accused persons have not been joining the investigation.

4. Submissions heard.

5. Perusal of record reveals that the accused herein are family members of the husband of the complainant. Further, it has been brought on record that the complainant left the matrimonial home in June 2018, after her pregnancy. In matters pertaining to matrimonial dispute, it would be apposite to refer to the following extract of ***Udit Raj Poonia Vs. State ( Government of NCT of Delhi) 2017 (1) DLT (Cri) 805 :-***

*23. This Court is of the considered opinion that in matters of matrimonial cases, the Investigating Officer is required to first make out whether any article is to be recovered. In case, he is of the view that any article is to be recovered then he is to decide whether the custodial interrogation of any of the accused is required for the purpose of recovery of article. Without reaching to the conclusion with regard to recovery of article, whether it is stridhan article or any other article, the Investigating Officer is not to arrest the person for the recovery of the same.*

*24. Similarly, the bail application ought not be rejected for setting the scores between the parties.*

*25. As per the discussions made above, this Court view that :*

*\*Provisions of Section 41 Cr.P.C. and the guidelines issued vide Standing Order Nos. 330/2008 and 444/2016 are mandatory in nature and must be complied with*

*\*The DCP/ACP shall ensure that the alleged articles are in existence and the recovery/seizure could take place without the arrest, in other words, that arrest is the only mode in the facts and circumstances to effect the recovery before granting the sanction to arrest.*

*\*Similarly, the Court while considering the bail under Section 437, 438, 439 Cr.P.C. shall refuse the bail in exceptional circumstances.*

*\* The exceptional circumstances may be assessed by the court concerned and the bail application must be decided expeditiously.*

*\*In the matrimonial cases bail is a rule and refusal is an exception.*

6. During the course of arguments, the IO had conceded that he had not formally sent notice under Section 41A Cr.P.C., to the accused herein. A perusal of record would also reveal that matter had been referred to Mediation Centre. It is thus apparent that no purpose would be served incarcerating the applicants at this juncture. Under these circumstances, this court is of the opinion that all three applicants namely Sunder Pal Singh, Rajbiri and Rajeev be granted anticipatory bail. Taking into account the facts and circumstances of this case, this Court is inclined to grant

anticipatory bail to the petitioners on the following conditions:

- a) Thus, in the event of arrest, they shall be released on bail on furnishing bail bond and surety bond of Rs. 20,000/- each alongwith one surety of like amount to the satisfaction of the SHO/IO concerned.
- b) The petitioners are directed not to leave NCT of Delhi without prior permission of the Court.
- c) The petitioners shall join investigation as and when called for.
- d) The petitioners are directed to give all their mobile numbers to the Investigating Officer and keep them operational at all times.
- e) The petitioners shall give their addresses to the IO and if they change the address they shall intimate the same to the IO.
- f) The accused/applicants shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicants are trying to contact him/her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.

9. 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.

7. 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/15.07.2021**

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

Bail Application No. 1817/21

FIR No. 174/2021

U/s 392/397/34 IPC

P.S. Gulabi Bagh

State Vs. Nitin

15.07.2021

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 Nitin for grant of anticipatory bail.**

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

Sh. Kanhaiya Singhal, Ld. Counsel for  
applicant through VC.

IO/SI Mithilesh Kumar is present though VC.

1. The matter is listed for hearing arguments on the

anticipatory bail application moved on behalf of applicant Nitin. Before hearing arguments, this Court had the occasion to peruse the reply of the anticipatory bail dated 09.07.2021 filed by SI Mithilesh Kumar, P.S. Gulabi Bagh, wherein it has been mentioned that the accused is involved in FIR No. 158/19, U/s 25 Arms Act, P.S. Dayal Pur, Delhi. It has been submitted by the IO that this information has been derived from the SCRB.

2. However, a perusal of order dated 01.12.2020 passed by the Hon'ble High Court of Delhi in bail application no. 2682 / 2020, copy whereof has been filed alongwith the present bail application, paints a different picture. In Para-3 of the said judgment, submissions have been made by Ld. Addl. PP for the State that the petitioner Nitin (accused herein) is involved **in as many as 7 cases**. There is also a mention of Status Report in para-4 of the said judgment wherein it has been mentioned that the petitioner Nitin is already on bail in FIR No. 344/12, U/s 341/323/325/506/34 IPC, P.S. Karawal Nagar and FIR No. 158/2019, U/s 25/54/59 Arms Act, P.S. Dayal Pur.



3. It is thus apparent that there is a divergence in the *number of cases and details of cases* pertaining to the accused, submitted by the IO, on one hand and on the other, that which has been reflected in order dated 01.12.2020 of Hon'ble High Court.

4. At this juncture, it would be apposite to peruse the judgment titled *Ravi Kumar @ Shooter Vs. State (NCT of Delhi), 2020 SCC Online Del 1871* wherein Hon'ble Mr. Justice Anup Jairam Bhambani has held as thus:-

***“14. It requires no emphasis that an accurate and credible SCRB report is of vital significance to proceedings before any criminal court. SCRB reports presented before a court, whether in the course of bail proceedings or trial or in any other matter, are taken to be authentic, credible and are presumed to reflect the upto-date position of all criminal involvements of any accused/convict. The court ordinarily considers such reports as sacred. If therefore, as in the present case, it is found that reports generated from the SCRB database are even inter se discrepant, it shakes the confidence of the court and leaves it wondering if it can rely blindly on the SCRB reports produced before it.***

***15. This is certainly not a desirable state of affairs.”***

5. It was further observed in the said order as follows:-

*“21. Mr. Bhagat further points-out that pursuant to certain observations made by this court in BAIL APPL. 1057/2020 titled Kunwar Manoj Bhatia @ Bunty vs. State of NCT of Delhi, directions have already been issued by the Special Commissioner of Police vidé communication dated 17.07.2020 to all Investigating Officers to follow a certain procedure to update the involvement sheet of accused/convicts before filing it in judicial proceedings, in the following terms:*

*"It is hereby ordered that henceforth, the Investigation officers shall follow the following procedure to update involvement sheet of criminals before using especially for filing it before Hon'ble Courts in Judicial Proceedings:*

*a. Check/verify involvement/status from ICJS i.e. <http://icjs.gov.in>. (Credentials created and staff trained in all PSs). b. Check/verify information from concerned Police Station records, if not traced above.*

***DCsP of the districts/units as well as other supervisory officer shall ensure that all the Investigation Officers shall submit Involvement Sheet with latest update of status column against each criminal***

*involvement. They may also be advice to update the status in the source application i.e. CCTNS, CCIS, Dossier, etc. for future reference."*

6. It is apparent that prima facie the DCP concerned has not adhered to the directions issued above. Accordingly, issue notice to DCP, North to explain this lapse on the NDOH, and also to file the correct SCRB report on NDOH, under his signatures. Accordingly, copy of this order be sent to DCP concerned for necessary action and filing compliance report on the next date of hearing.
7. Put up on 20.07.2021.
8. Order be uploaded on the website.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/15.07.2021**

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

Bail Application No. 1742/21  
FIR No. 0166/2021  
U/s 406/420/467/468/471/120B IPC  
P.S. Roop Nagar  
State Vs. Ridhi Kumar

15.07.2021

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.S. Panwar, Ld. Counsel for applicant through VC.  
Sh. Sanjay Bhargava, Ld. Counsel for complainant through VC.  
IO/SI Ranjit is present through VC.

**ORDER ON ANTICIPATORY 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 has submitted that applicant has never met the complainant, nor executed any agreement with him. Further, the accused never received any consideration from the complainant and nor has the accused ever been the

beneficiary of the impugned transaction. Ld. Counsel for the applicant further submitted that the complainant himself did not take steps to verify the signatures of accused Ridhi Kumar, and the complainant himself did not conduct due diligence. Lastly, it has been submitted that the transactions have taken place between the mother of the applicant and the complainant, and thus the applicant / accused ought to be granted anticipatory bail.

3. *Per contra*, Ld Addl. PP for the State alongwith IO/SI Ranjit Singh assisted by Ld. Counsel for complainant vehemently opposed the present anticipatory bail application. It was submitted that the anticipatory bail application of co-accused Raghav Kalra has been dismissed by this Court on 06.07.2021. Further, a perusal of the FIR would reveal that accused Renu Kalra introduced applicant Ridhi Kumar, her daughter, as the owner of the shop in question, and there was an acquiescence on the part of the applicant. Further, applicant directed the complainant to deposit part of the payment of Rs. 42 lakhs in the account of her mother. It was also pointed out that applicant is not cooperating with the investigation. Lastly, it was submitted that co-accused Renu Kalra's bail was dismissed on 12.07.2021 by Ld. MM.
4. Submissions heard.
5. 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 that that the complainant

Ashwani Kumar was introduced with co-accused Renu Kalra, by his friends Tarun Miglani and Sanjay Batra. This introduction took place in March, 2019 at the office of the co-accused Raghav Kalra and co-accused Renu Kalra. Renu Kalra had made a representation that her daughter Ridhi Kumar (applicant herein) is the owner, and in possession of shop no. 7, property no. 16 UB, Jawahar Nagar, Delhi, and that family is desirous of selling this shop. Renu Kalra even handed over a photocopy of sale deed dated 02.03.2006 whereby applicant Ridhi Kumar was shown to be the owner of the aforementioned property. Since the applicant / accused expressed their desire to sell the shop at an amount of Rs. 1.36 crores, the complainant paid Rs. 8 lakhs cash to them and it was decided that he will pay a further amount of Rs. 42 lakhs on 06.03.2019. Thereafter, on 06.03.2019 complainant further paid an amount of Rs. 42 lakhs through RTGS in the account of Renu Kalra, and an agreement for sale and purchase dated 06.03.2019 was executed between applicant Ridhi Kumar and complainant. Since applicant Ridhi Kumar was not present at the meeting spot i.e. Student Inn PG, Renu Kalra sent co-accused Raghav Kalra with the agreement for sale and purchase to her house for getting the signature of applicant Ridhi Kumar. Accused Raghav Kalra returned with the signed agreement for sale and purchase, which was also signed by him and the witnesses. Later, complainant was induced to pay a further amount of Rs. 38 lakhs as Renu Kalra

made him believe that this amount is required to get the original documents released from IDBI Bank as the said documents of the property were mortgaged with the bank. Despite giving a total amount of Rs. 88 lakhs, the complainant was not handed over the property documents, and thus the complaint came to be lodged.

6. A perusal of the record and reply of the IO reveals that applicant / accused herein played a role in representing herself as owner of the shop in question. Further, at her instance, the complainant herein deposited an amount of Rs. 42 lakhs in the account of accused Renu Kalra. It had also been pointed out by the IO that the applicant is not cooperating with the investigation. Further, the anticipatory bail application of co-accused Raghav Kalra has already been dismissed by this Court on 06.07.2021. Lastly, it is also a matter of record that the applicant Ridhi Kumar was previously involved in case FIR No. 57/20, U/s 420/467/468/471/34 IPC, P.S. Civil Lines.
7. Under these circumstances, taking into the account the fact that applicant is not cooperating in the investigation, her previous involvements, 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.
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.

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/15.07.2021**



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

BAIL APPLICATION NO. 1821/21

FIR NO. 86/2021

U/S 308/394/395/34 IPC

P.S. Subzi Mandi

State Vs. Anupam Pandey

15.07.2021

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 application u/s 439 Cr.P.C. has been filed on behalf of accused Anupam Pandey for grant of regular bail.**

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

Sh. Ram Sagar Roy, Ld. Counsel for applicant through VC.

Complaints Sh. Dev Prakash Chaudhary, Sh. Bhupender and Sh. Devender Singh are present through VC.

IO has not joined the proceedings.

Reply of the IO has been received.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the 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 applicant has been falsely implicated in the present case by the police at the instance of complainants. He further submitted that applicant is in J/C since 22.02.2021. He further submitted that applicant has nothing to do with the alleged incident. He further submitted that application is having old aged mother of 60 years who is suffering from various old age ailments and he is the only bread winner in the family. He further submitted that investigation in the present case has been complete and charge sheet has already been filed. Lastly he submitted that applicant has clean antecedents, and is ready and willing to seek forgiveness from the complainants herein.
3. Per *contra*, Ld Addl. PP for the State, assisted by the complainants, vehemently opposed the application. Ld. Addl. PP for the State submitted that five bail applications of the applicant have already been dismissed. He further submitted that one of the complainants Sh. Devender has suffered grievous injury. He further submitted that applicant herein is a member of an active gang. Complainants have submitted that applicant is involved in other cases also.
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 complainants, who are lawyers by profession, that on 19.02.2021, six persons including the accused herein committed robbery upon them after

beating them with rods, and also assaulting them with the help of a knife. Further, a total amount of Rs. 20,700/- was robbed by the assailants. The MLC of injured Bhupedner and Dev Prakash Chaudhary reflected that the injury was simple in nature, whereas the MLC of Devender reflected that it was a grievous one.

5. Adverting to the rival contentions of both sides, a perusal of the record reveals that the offence has been committed against certain advocates, who are also officers of the Court. The injuries sustained by the counsels speaks volumes of the brutal manner in which the offence was committed, ostensibly with the help of bricks, rods and even a knife. The brick used in the offence has also been seized from the spot. Co-accused Cheeta @ Cheta is absconding, and process u/s 82 Cr.P.C. has been initiated against him. The accused herein has been previously involved in FIR No. 16/19, P.S. Lahori Gate. Thus, the apprehension of the IO that the accused may again involve himself in the commission of an offence, cannot be brushed under the carpet.
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 bail at this juncture. Accordingly, the present 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/15.07.2021**

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

BAIL APPLICATION NO. 2212/21

FIR NO. 101/21

U/S 33/38 Delhi Excise Act

P.S. Timarpur

State vs Avaneesh Kumar

15.07.2021

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. J.A. Chaudhary, Ld. Counsel for applicant through VC.

IO/ ASI Raj Kumar Lal is present through VC.

Reply to the present anticipatory bail application filed.

**ORDER ON ANTICIPATORY BAIL APPLICATION**

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

2. Ld. Counsel for applicant / accused has submitted that applicant / accused has been falsely implicated in the present case. He has further submitted that applicant is not named in the FIR and he has joined the investigation. Ld. Counsel for applicant has further submitted that the

offending vehicle bearing registration no. HR69-D-6345 was not driven by the applicant, however, it was driven by the Shiv Kumar owner of that vehicle. Applicant is working as a driver of Shiv Kumar. He has further submitted that only on the basis of recovery of applicant's purse from the offending vehicle, he has been implicated in the present case.

3. *Per contra*, Ld Addl. PP for the State, assisted by IO/ASI Raj Kumar vehemently opposed the present anticipatory bail application. Ld. Addl. PP for the State submitted that a huge quantity of liquor has been seized from the vehicle and thus he ought not to be granted anticipatory bail. He further submitted that driver of the car was identified as Shiv Kumar and was taken into custody. He further submitted that the accomplice of Shiv Kumar who was sitting on the rear seat of the offending vehicle, was able to escape from the spot, whose name was later on disclosed as Avaneesh Kumar. IO / ASI Raj Kumar has submitted that applicant has joined the investigation, however, applicant has disclosed during investigation that he was in the offending vehicle and alongwith co-accused Shiv Kumar they were going to supply the illicit liquor. Ld. Addl. PP for the State has further submitted that applicant has not cooperated in the investigation and failed to divulge the name of the associates. He has further submitted that it was applicant who ran away from the spot.

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 that on 02.04.2021, at about 12:45 AM white colour Maruti Ertiga car No. HR69-D-6345 was stopped, co-

accused Shiv Kumar was taken in custody, who was driving the said vehicle. The applicant herein was sitting at the rear seat, who somehow managed to escape from the spot. 10 boxes of illicit liquor were recovered from the said vehicle.

5. At this juncture, it would also be apposite to reproduce the following extracts of *Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-*

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

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation **and he is fully cooperating with the investigating agency** and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

6. Since the applicant / accused has, though joined the investigation, yet he is not cooperating with the IO. During investigation he was questioned about the source of illicit liquor, however, the applicant refused to divulge any information. Neither the source of illicit liquor nor complicity of other accused persons has been revealed by the

applicant herein. It is apparent that custodial interrogation is imperative for effective investigation. Under these circumstances, this court is of the opinion that the accused ought not to be granted anticipatory bail. 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.

**(Arul Varma)**  
**ASJ/Special Judge, Electricity**  
**Court No. 02, Central**  
**Tis Hazari/Delhi/15.07.2021**



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

CNR No. DLCT01-3280-2021

FIR NO. 641/2020

U/s 384/34 IPC

P.S. Wazirabad

State vs Sunil

15.07.2021

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. Gurmit Singh Hans, Ld. Counsel for applicant through VC.

IO/SI Neeraj Kumar is present through VC.

**ORDER ON ANTICIPATORY 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 has submitted that applicant has never indulged in any illegal activity. He further submitted that applicant has been falsely implicated in the captioned FIR. He further submitted that complainant and his associates with the active collusion of the police officials of P.S. Wazirabad have hatched a well orchestrated plan to dispossess the applicant /

accused and his associates from the plot. He further submitted that nothing incriminating has been recovered from or at the instance of applicant / accused and offences enumerated in the FIR are not made out against the applicant / accused. He further submitted that applicant / accused has already got interim protection in another case FIR No. 643/2020 from the Hon'ble High Court of Delhi. He further submitted that applicant / accused has already joined the investigation and is still ready to cooperate with the investigating agencies. He further submitted that co-accused Vijender Singh has already granted regular bail in the present FIR by Ld. MM.

3. *Per contra*, Ld Addl. PP for the State, assisted by IO/SI Neeraj Kumar vehemently opposed the present anticipatory bail application. It has been submitted that accused Rajiv and Sunil have been absconding deliberately, and have not been found despite several raids. Further, process u/s 82 Cr.P.C. has been initiated against the said two accused. However, a perusal of record reveals that the above facts find mentioned in reply dated 03.03.2021. The latest reply to the bail application is dated 15.07.2021 wherein it has been mentioned that both the accused have joined investigation.
4. At this juncture, it would also be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

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

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

5. As per reply of the IO, the applicant / accused has joined the investigation, and his interrogation report has also been prepared. Further, the other three accused namely Nitin, Rinku and Vijender have already been granted bail, it is thus apparent that no purpose would be served in incarcerating the accused at this juncture. Under these circumstances, this court is of the opinion that the accused Sunil be granted anticipatory bail. Taking into account the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the applicant on the following conditions:-

a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the

satisfaction of the SHO/IO.

- b) The applicant is directed not to leave NCT of Delhi without prior permission of the Court.
  - c) The applicant shall join investigation as and when called for.
  - d) The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him / her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.
6. 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.
7. 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/15.07.2021**

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

CNR No. DLCT01-003963-2021

FIR NO. 641/2020

U/s 384/34 IPC

P.S. Wazirabad

State vs Rajiv Kumar

15.07.2021

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. Gurmit Singh Hans, Ld. Counsel for applicant through VC.

IO/SI Neeraj Kumar is present through VC.

**ORDER ON ANTICIPATORY 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 has submitted that applicant has never indulged in any illegal activity. He further submitted that applicant has been falsely implicated in the captioned FIR. He further submitted that complainant and his associates with the active collusion of the police officials of P.S. Wazirabad have hatched a well orchestrated plan to dispossess the applicant /

accused and his associates from the plot. He further submitted that nothing incriminating has been recovered from or at the instance of applicant / accused and offences enumerated in the FIR are not made out against the applicant / accused. He further submitted that applicant / accused has already got interim protection in another case FIR No. 643/2020 from the Hon'ble High Court of Delhi. He further submitted that applicant / accused has already joined the investigation and is still ready to cooperate with the investigating agencies. He further submitted that co-accused Vijender Singh has already granted regular bail in the present FIR by Ld. MM.

3. *Per contra*, Ld Addl. PP for the State, assisted by IO/SI Neeraj Kumar vehemently opposed the present anticipatory bail application. It has been submitted that accused Rajiv and Sunil have been absconding deliberately, and have not been found despite several raids. Further, process u/s 82 Cr.P.C. has been initiated against the said two accused. However, a perusal of record reveals that the above facts find mentioned in reply dated 03.03.2021. The latest reply to the bail application is dated 15.07.2021 wherein it has been mentioned that both the accused have joined investigation.
4. At this juncture, it would also be apposite to reproduce the following extracts of ***Bhadresh Bipin Bhai Sheth Vs. State of Gujarat & Anr., (2016) 1 Supreme Court Cases 152:-***

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

*(i).....*

*(ii).....*

*(iii) It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion to grant bail must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined the investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided. A great ignominy, humiliation and disgrace is attached to arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.....”*

5. As per reply of the IO, the applicant / accused has joined the investigation, and his interrogation report has also been prepared. Further, the other three accused namely Nitin, Rinku and Vijender have already been granted bail, it is thus apparent that no purpose would be served in incarcerating the accused at this juncture. Under these circumstances, this court is of the opinion that the accused Rajiv Kumar be granted anticipatory bail. Taking into account the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the applicant on the following conditions:-

a) In the event of arrest, applicant shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety of the like amount to the

satisfaction of the SHO/IO.

- b) The applicant is directed not to leave NCT of Delhi without prior permission of the Court.
  - c) The applicant shall join investigation as and when called for.
  - d) The applicant is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times.
  - e) The applicant shall give his address to the IO and if he changes the address he shall intimate the same to the IO.
  - f) The applicant shall not, directly or indirectly, contact or pressurize, complainant or any other witness. In case any complaint is received from the complainant that the applicant is trying to contact him / her and trying to put pressure on him/her then the protection granted by this Court shall stand cancelled.
6. 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.
7. 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/15.07.2021**



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

BAIL APPLICATION NO. 1664/21

FIR NO. 02/21

U/S 419/420/468/471/506/120B/34 IPC

P.S. Crime Branch

State Vs. Saurabh Kumar Shukla

15.07.2021

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 application u/s 439 Cr.P.C. has been filed on behalf of accused Saurabh Kumar Shukla for grant of regular bail.**

Present: Sh. Rajat Kalra, Ld. Addl. PP for the State through VC.  
Sh. Rishab Khurana, Ld. Counsel for applicant through VC.  
Sh. Ankit Goel, Ld. Counsel for complainant through VC.  
IO/SI Omvir Dabas is present through VC.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the 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 applicant is in J/C since 17.03.2021 and has thus spent 131 days in the custody. It was strenuously contended by Ld. Counsel for applicant that

applicant did not prepare the fake documents. Further, submission was made that money had not been transferred to his account, rather the money has been transferred to the account of co-accused persons. It was argued by Ld. Counsel for applicant that despite coming to know of the alleged offence in the year 2017, the complainant waited until 2019 to file the present case, which smacks of malafides on the part of the complainant. It has been submitted that the charge sheet has already been filed and no purpose would be served in detaining the applicant any longer. Lastly, it was contended that the accused has clean antecedents and has aged old parents to look after. Reliance was placed on judgment titled ***Sanjay Chandra Vs. CBI*** to contend that bail is a right and jail is an exception.

3. Per *contra*, Ld Addl. PP for the State alongwith the IO, assisted by Ld. Counsel for complainant, vehemently opposed the application. Ld. Addl. PP for the State submitted that money transactions were done in Delhi and, therefore, the Courts in Delhi have the requisite jurisdiction to deal with the matter. It was contended that the role of the applicant has been specifically mentioned in the FIR. According to Ld. Addl. PP for the State, all the accused herein were part of a scam and hatched a conspiracy whereby they made fake joining letters, interview letters etc. IO has strongly opposed the bail application by submitting that one co-accused Habib has been previously involved in a similar matter. It was

submitted that nefarious activities of the accused herein have ruined many families. Lastly it was submitted that supplementary charge sheet is yet to be filed.

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 that complainant Mrs. Bindu has stated in her complaint that she had been cheated by a group of people namely Mudassir Habib, Ashok Pandey, Saurabh Shukla, Manish, Ayush, Malik etc. on the pretext of providing government job in nationalized bank/railways. As per complaint, transactions of money have been made through accounts and also, cash money has been handed over to alleged persons in Delhi. After approval, preliminary enquiry was conducted. During enquiry complainant as well as other local persons were examined. It was found that alleged Mudassir Habib, Ashok Kumar @ Shiv Kumar alongwith their other associates lured the complainant and other local persons also, on the pretext of providing job in bank / railway. Money was paid as cash or transferred in installments at Delhi. She was called near SBI Bank, Daryaganj and Patel Chowk branches for interview etc. Appointment letter (with Bank logo) was sent to her. Some documents, bank statements, voice recording, whatsapp chats were also provided by the complainant. Thereafter, the present FIR was registered.

5. At this juncture, it would be apposite to peruse the judgment titled ***Sunil Dahiya Vs. State (Govt. of NCT of Delhi), Bail Application No. 1212/2016 dated 18.10.2016*** wherein Hon'ble High Court of Delhi has held as thus:-

*"49. The applicant accused appears to be a person with deep pockets. If he could manipulate and dupe more than 1000 investors to invest in his projects, he may as well be able to influence these investors, other witnesses and the evidence to save his own skin. The Applicant herein has been accused of economic offences involving cheating and misappropriation of huge amounts of public funds, and such offences - as observed by the Apex Court, have to be viewed seriously. In Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation, (2013) 7 SCC 439, the Court in Para 34 observed:*

*"34. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."*

*50. Further, in State of Gujarat vs. Mohanlal Jitmalji Porwal and Anr., (1987) 2 SCC 364, the Court in Para 5 observed:*

*"5. The entire Community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the Community can be manifested only at the cost of forfeiting the trust and faith of the Community in the system to administer justice in*

*an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest.."*

6. Further, the above judgment, which ordains Courts to be circumspect while adjudicating bail applications in cases pertaining to offences against property, and offences related to documents, also observed as thus:-

*"53. The Supreme Court, in [Neeru Yadav v. State of U.P.](#), (2014) 16 SCC 508 - which was also a case of regular bail under [Section 439](#), observed as follows:*

*"16. xxx We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects*

*responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society disapproves, the legal consequences are bound to follow. At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law".*

7. A perusal of the record reveals that prima facie several persons have been duped by the accused herein and other co-accused persons, by giving them the lure of providing employment with the government. The deception is writ large by a bare perusal of the record, in which, among others, there is a mention of fake visiting cards of accused introducing themselves as lawyers of Indian Railways, or as other government employees. Balaji Skill Academy was allegedly a front, to lure unsuspecting aspirants for government jobs. The deception, as alleged by the prosecution, lured the victims to part with their money. Further, fake joining letters, and other such documents point out towards the offence of commission of forgery. The entire conspiracy is being unfolded, layer by layer, and probably that is the reason the IO sought more time to conclude investigation. As far as applicant / accused Saurabh Kumar Shukla is concerned, according to IO, he was instrumental in preparing fake joining letters, meeting candidates near government banks etc. and, handing over fake joining letters

after so-called interview.

8. It has already come on record, and was submitted by the IO, that a supplementary charge sheet is yet to be filed in this matter. The grant of bail in a case involving cheating and forgery committed qua many people, and of such sums of money would have an adverse impact on the progress of the case, especially when the investigation is incomplete. 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 bail at this juncture. Accordingly, the present bail application is hereby dismissed.
9. 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.
10. 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/15.07.2021**

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

BAIL APPLICATION NO. 1700/21

FIR NO. 02/21

U/S 419/420/468/471/506/120B/34 IPC

P.S. Crime Branch

State Vs. Ashok Kumar @ Shiv Kumar

15.07.2021

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 application u/s 439 Cr.P.C. has been filed on behalf of accused Saurabh Kumar Shukla for grant of regular bail.**

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

Sh. Kapil Kumar, Ld. Counsel for applicant through VC.

Sh. Saurabh Shokeen, Ld. Counsel for complainant through VC.

IO/SI Omvir Dabas is present through VC.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the 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 applicant is in J/C since long. Ld. Counsel has placed reliance on **Sanjay**



***Chandra Vs. CBI and Jitender Kumar Vs. Govt. of NCT of Delhi, Bail Application No. 2707/2015 decided by Hon'ble High Court of Delhi on 24.02.2016.*** Ld. Counsel has submitted that since charge sheet has been filed, no purpose would be served in detaining the accused. According to Ld. Counsel for applicant, no allegations have been made against the accused after 08.05.2017. According to Ld. Counsel, applicant merely conducted training programme, and was not involved in the commission of the offence. Lastly Ld. Counsel submitted that since the incident allegedly took place in Mohali, Punjab, Himachal Pradesh, therefore, Courts in Delhi would not have requisite jurisdiction.

3. *Per contra*, Ld Addl. PP for the State alongwith the IO, assisted by Ld. Counsel for complainant, vehemently opposed the application. Ld. Addl. PP for the State submitted that money transactions were done in Delhi and, therefore, the Courts in Delhi have the requisite jurisdiction to deal with the matter. It was contended that the role of the applicant has been specifically mentioned in the FIR. According to Ld. Addl. PP for the State, all the accused herein were part of a scam and hatched a conspiracy whereby they made fake joining letters, interview letters etc. IO has strongly opposed the bail application by submitting that one co-accused Habib has been previously involved in a similar matter. It was submitted that nefarious activities of the accused herein have ruined many families. Lastly it was submitted that supplementary

charge sheet is yet to be filed.

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: It was alleged that complainant Mrs. Bindu has stated in her complaint that she had been cheated by a group of people namely Mudassir Habib, Ashok Pandey, Saurabh Shukla, Manish, Ayush, Malik etc. on the pretext of providing government job in nationalized bank/railways. As per complaint, transactions of money have been made through accounts and also, cash money has been handed over to alleged persons in Delhi. After approval, preliminary enquiry was conducted. During enquiry complainant as well as other local persons were examined. It was found that alleged Mudassir Habib, Ashok Kumar @ Shiv Kumar alongwith their other associates lured the complainant and other local persons also, on the pretext of providing job in bank / railway. Money was paid as cash or transferred in installments at Delhi. She was called near SBI Bank, Daryaganj and Patel Chowk branches for interview etc. Appointment letter (with Bank logo) was sent to her. Some documents, bank statements, voice recording, whatsapp chats were also provided by the complainant. Thereafter, the present FIR was registered.
5. At this juncture, it would be apposite to peruse the judgment titled ***Sunil Dahiya Vs. State (Govt. of NCT of Delhi), Bail***

**Application No. 1212/2016 dated 18.10.2016** wherein Hon'ble High Court of Delhi has held as thus:-

*"49. The applicant accused appears to be a person with deep pockets. If he could manipulate and dupe more than 1000 investors to invest in his projects, he may as well be able to influence these investors, other witnesses and the evidence to save his own skin. The Applicant herein has been accused of economic offences involving cheating and misappropriation of huge amounts of public funds, and such offences - as observed by the Apex Court, have to be viewed seriously. In Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation, (2013) 7 SCC 439, the Court in Para 34 observed:*

*"34. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."*

*50. Further, in State of Gujarat vs. Mohanlal Jitmalji Porwal and Anr., (1987) 2 SCC 364, the Court in Para 5 observed:*

*"5. The entire Community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the Community can be manifested only at the cost of forfeiting the trust and faith of the Community in the system to administer justice in an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest.."*

6. Further, the above judgment, which ordains Courts to be circumspect while adjudicating bail applications in cases

pertaining to offences against property, and offences related to documents, also observed as thus:-

“53. The Supreme Court, in *Neeru Yadav v. State of U.P.*, (2014) 16 SCC 508 - which was also a case of regular bail under *Section 439*, observed as follows:

"16. xxx We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner ushering in disorderly things which the society disapproves, the legal consequences are bound to follow. At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law".

7. A perusal of the record reveals that prima facie several persons have been duped by the accused herein and other co-accused persons, by giving them the lure of providing employment with the government. The deception is writ large by a bare perusal of the record, in which, among others, there is a mention of fake visiting cards of accused introducing themselves as lawyers of Indian Railways, or as other government employees. Balaji Skill Academy was allegedly a front, to lure unsuspecting aspirants for government jobs. The deception, as alleged by the prosecution, lured the victims to part with their money. Further, fake joining letters, and other such documents point out towards the offence of commission of forgery. The entire conspiracy is being unfolded, layer by layer, and probably that is the reason the IO sought more time to conclude investigation. As far as applicant / accused Ashok Kumar @ Shiv Kumar is concerned, he was instrumental in starting Balaji Skill Academy and introduced Mudassir Habib to aspiring candidates as an influential person and in meeting with candidates and luring them for government jobs.
8. It has already come on record, and was submitted by the IO, that a supplementary charge sheet is yet to be filed in this matter. The grant of bail in a case involving cheating and forgery committed qua many people, and of such sums of money would have an adverse impact on the progress of the case, especially when the investigation is incomplete. 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 bail at this juncture. Accordingly, the present bail application is hereby dismissed.

9. 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.
10. 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/15.07.2021**

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

BAIL APPLICATION NO. 979/21

FIR NO. 02/21

U/S 419/420/468/471/506/120B/34 IPC

P.S. Crime Branch

State Vs. Sandeep Kumar Sood

15.07.2021

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 application u/s 439 Cr.P.C. has been filed on behalf of accused Saurabh Kumar Shukla for grant of regular bail.**

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

Sh. Jitender Singh Sirohi, Ld. Counsel for applicant through VC.

Sh. Ankit Goel, Ld. Counsel for complainant through VC.

IO/SI Omvir Dabas is present through VC.

**ORDER ON BAIL APPLICATION**

1. Vide this order, this Court shall adjudicate upon the 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 applicant is in J/C since 18.03.2021. Further, it was submitted that accused has not been mentioned in the FIR and he has been falsely implicated in the present matter only because his name finds mentioned in the disclosure statement of co-accused persons. Ld. Counsel has also submitted that the accused had been remanded to police custody, however, no recoveries were effected. Further, Ld. Counsel for applicant has levelled insinuations against the investigating agencies as, according to him, the accused was arrested from Chandigarh, however, the place of arrest on records was shown to be Delhi. It was also contended that the investigation has not been conducted qua the laptop seized from the possession of the accused. Doubts were raised on the complainant's knowledge qua distribution of money amongst the accused persons. According to Ld. Counsel for applicant a normal business transaction has been given a criminal hue.
3. Per *contra*, Ld Addl. PP for the State alongwith the IO, assisted by Ld. Counsel for complainant, vehemently opposed the application. Ld. Addl. PP for the State submitted that money transactions were done in Delhi and, therefore, the Courts in Delhi have the requisite jurisdiction to deal with the matter. It was contended that the role of the applicant has been specifically mentioned in the FIR. According to Ld. Addl. PP for the State, all the accused herein were part of a scam and hatched a conspiracy whereby they



made fake joining letters, interview letters etc. IO has strongly opposed the bail application by submitting that one co-accused Habib has been previously involved in a similar matter. It was submitted that nefarious activities of the accused herein have ruined many families. Lastly it was submitted that supplementary charge sheet is yet to be filed.

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 that complainant Mrs. Bindu has stated in her complaint that she had been cheated by a group of people namely Mudassir Habib, Ashok Pandey, Saurabh Shukla, Manish, Ayush, Malik etc. on the pretext of providing government job in nationalized bank/railways. As per complaint, transactions of money have been made through accounts and also, cash money has been handed over to alleged persons in Delhi. After approval, preliminary enquiry was conducted. During enquiry complainant as well as other local persons were examined. It was found that alleged Mudassir Habib, Ashok Kumar @ Shiv Kumar alongwith their other associates lured the complainant and other local persons also, on the pretext of providing job in bank / railway. Money was paid as cash or transferred in installments at Delhi. She was called near SBI Bank, Daryaganj and Patel Chowk branches for interview etc. Appointment letter (with Bank logo) was sent to her. Some

documents, bank statements, voice recording, whatsapp chats were also provided by the complainant. Thereafter, the present FIR was registered.

5. At this juncture, it would be apposite to peruse the judgment titled ***Sunil Dahiya Vs. State (Govt. of NCT of Delhi), Bail Application No. 1212/2016 dated 18.10.2016*** wherein Hon'ble High Court of Delhi has held as thus:-

*"49. The applicant accused appears to be a person with deep pockets. If he could manipulate and dupe more than 1000 investors to invest in his projects, he may as well be able to influence these investors, other witnesses and the evidence to save his own skin. The Applicant herein has been accused of economic offences involving cheating and misappropriation of huge amounts of public funds, and such offences - as observed by the Apex Court, have to be viewed seriously. In Y.S. Jagan Mohan Reddy v. Central Bureau of Investigation, (2013) 7 SCC 439, the Court in Para 34 observed:*

*"34. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."*

*50. Further, in State of Gujarat vs. Mohanlal Jitamalji Porwal and Anr., (1987) 2 SCC 364, the Court in Para 5 observed:*

*"5. The entire Community is aggrieved if the economic offenders who ruin the economy of the State are not brought to book. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the Community can be manifested only at the cost of forfeiting the trust and faith of the Community in the system to administer justice in an even handed*

*manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the national economy and national interest.."*

6. Further, the above judgment, which ordains Courts to be circumspect while adjudicating bail applications in cases pertaining to offences against property, and offences related to documents, also observed as thus:-

*"53. The Supreme Court, in [Neeru Yadav v. State of U.P.](#), (2014) 16 SCC 508 - which was also a case of regular bail under [Section 439](#), observed as follows:*

*"16. xxx We are not oblivious of the fact that the liberty is a priceless treasure for a human being. It is founded on the bed rock of constitutional right and accentuated further on human rights principle. It is basically a natural right. In fact, some regard it as the grammar of life. No one would like to lose his liberty or barter it for all the wealth of the world. People from centuries have fought for liberty, for absence of liberty causes sense of emptiness. The sanctity of liberty is the fulcrum of any civilized society. It is a cardinal value on which the civilisation rests. It cannot be allowed to be paralysed and immobilized. Deprivation of liberty of a person has enormous impact on his mind as well as body. A democratic body polity which is wedded to rule of law, anxiously guards liberty. But, a pregnant and significant one, the liberty of an individual is not absolute. The society by its collective wisdom through process of law can withdraw the liberty that it has sanctioned to an individual when an individual becomes a danger to the collective and to the societal order. Accent on individual liberty cannot be pyramided to that extent which would bring chaos and anarchy to a society. A society expects responsibility and accountability from the member, and it desires that the citizens should obey the law, respecting it as a cherished social norm. No individual can make an attempt to create a concavity in the stem of social stream. It is impermissible. Therefore, when an individual behaves in a disharmonious manner*

*ushering in disorderly things which the society disapproves, the legal consequences are bound to follow. At that stage, the Court has a duty. It cannot abandon its sacrosanct obligation and pass an order at its own whim or caprice. It has to be guided by the established parameters of law".*

7. A perusal of the record reveals that prima facie several persons have been duped by the accused herein and other co-accused persons, by giving them the lure of providing employment with the government. The deception is writ large by a bare perusal of the record, in which, among others, there is a mention of fake visiting cards of accused introducing themselves as lawyers of Indian Railways, or as other government employees. Balaji Skill Academy was allegedly a front, to lure unsuspecting aspirants for government jobs. The deception, as alleged by the prosecution, lured the victims to part with their money. Further, fake joining letters, and other such documents point out towards the offence of commission of forgery. The entire conspiracy is being unfolded, layer by layer, and probably that is the reason the IO sought more time to conclude investigation. As far as applicant / accused Sandeep Kumar Sood is concerned, according to the IO, he was instrumental in meeting candidates near government banks etc., and handing over fake joining letters after so-called interview.
8. It has already come on record, and was submitted by the IO, that a supplementary charge sheet is yet to be filed in this matter. The grant of bail in a case involving cheating and forgery committed

qua many people, and of such sums of money would have an adverse impact on the progress of the case, especially when the investigation is incomplete. 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 bail at this juncture. Accordingly, the present bail application is hereby dismissed.

9. 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.
10. 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/15.07.2021**