

State V/s Arvind Kumar @ Kale
FIR No. 568/20
P.S. Civil Lines
U/s 33/38/58 Delhi Excise Act

04.01.2021

Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Arvind Kumar @ Kale s/o Sh. Ranjeet Singh.

Present : Ld. APP for the State joined through V.C.
Sh. Roj Malik & Sh. Pranay Abhishek, Id. Counsels for applicant/accused joined through V.C.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that even otherwise, the alleged recovery has already been effected and further custodial interrogation of the applicant/accused is no more required. It is further submitted that the applicant/accused is in J/C since 29.12.2020. It is further submitted that the applicant/accused is young boy aged 25 years. It is further submitted that applicant/accused belongs to a very poor family and has the responsibility of maintaining his minor children. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. Ld. Counsel for applicant/accused has placed reliance upon judgments in cases titled as **"Sanjay Chandra Vs CBI" (2012) 1 SCC 40 & "State of Rajasthan Vs Balchand @ Balia 1977"** in support of his plea of grant of bail to the applicant/accused. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that 1250 quarter bottles of illicit liquor & a Honda City car were recovered from the possession of applicant/accused. It is stated that the applicant/accused brought illicit liquor from Haryana to supply the same in Delhi. It is stated that the applicant/accused is previously involved in a case of similar nature and committed

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the present offence while he was enlarged on bail in another case. It is further stated that investigation qua the source of illicit liquor is still pending and thus, the applicant/accused shall not be released on bail.

Ld. APP for the State has opposed the bail application on the ground that 1250 quarter bottles of illicit liquor and a Honda City car have been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused is previously involved in a case of similar nature and committed the present offence while he was enlarged on bail in another case. It is further submitted that the investigation of the case is at an initial stage and source of illicit liquor is yet to be traced. Therefore, it has been prayed that applicant/accused should not be released on bail.

Arguments heard on the bail application from both the sides. I have perused the contents of the application and perused the reply filed by IO.

In the present case, the allegation against the applicant/accused is under the Delhi Excise Act for being found in illegal possession of illicit liquor. Considering the antecedents of the applicant/accused and the fact that the investigation of the case is still at a nascent stage, this Court is not inclined to grant bail to the applicant/accused at this stage. Hence, the present bail application is hereby dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/04.01.2021

04.01.2021

Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.

This is an application for releasing of vehicle bearing No. DL-1CR-0146 on superdari filed by applicant Sh. Sunil Shah.

Present : Ld. APP for the State (through V.C.).

None on behalf of applicant joined through V.C.

IO has filed reply to the present application. Copy of the same has been sent to Ld. Counsel for applicant electronically.

It is submitted by IO in the reply that he needs two days time to verify the documents of the above said vehicle.

Accordingly, IO is directed to file the reply to the present application on 06.01.2021.

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



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/04.01.2021

04.01.2021

State Vs. Gulzar Khan
FIR No.191/2012
PS Civil Lines

Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.

Joined through Video Conferencing on Cisco Webex.

Present : Ld. APP for the State (through V.C.).

Accused has not been produced from J/C through V.C.

SI Rohit Saraswat from I/C Cyber Cell (Deputed IO) has joined through V.C.

Deputed IO submits that orders pertaining to Kalandara in which accused was arrested are not available with Special Staff, North District. He further submits that the said orders are available with Special Cell, Lodhi Colony and he has apprised the Court regarding details of the concerned IO namely SI Rohit, No.D-4873, Special Cell, Lodhi Colony, who is likely to have the said record. Accordingly, let notice be issued to SI Rohit, No.D-4873, Special Cell, Lodhi Colony to file report and appear through V.C. on the next date of hearing.

Issue production warrant against accused through V.C. for the next date of hearing.

Let notice be issued to the concerned Jail Superintendent to ensure the presence of accused through V.C. on the next date of hearing.

Put up on 18.01.2021.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/04.01.2021