

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

Bail Application No. 2225/21
FIR No. 422/21
U/s 498A/406/34 IPC
P.S. Wazirabad
State Vs. Amzad Khan

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 438 Cr.P.C. has been filed on behalf of accused Amzad Khan for grant of anticipatory bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for the State.
Sh. Sheikh Imran Alam, Ld. Counsel for applicant.
Complainant alongwith Ld. Counsel Sh. Gaurav Kumar.
IO/SI Neeraj present through VC.
Report of IO received.

ORDER ON ANTICIPATORY BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the anticipatory bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. On the previous date of hearing, complainant had submitted that

the accused had entered into a second marriage whilst the first marriage was subsisting. Therefore, the applicant/accused was directed to file an affidavit to clarify his marital status. Further, IO was also directed to verify the factum of second marriage of the applicant /accused.

3. Affidavit has been filed by the applicant/accused as per which it has been averred in para-2 that his marriage with the complainant is still continuing and subsisting and that he has not solemnized subsequent/second marriage. Further, a perusal of reply of the IO would reveal that the complainant could not produce any documentary evidence to substantiate the claim of second marriage of the applicant/accused. The IO had further verified these facts from the applicant/accused who also stated to the IO that he has not entered into a second marriage.
4. Ld. counsel for applicant / accused has submitted that complainant has already taken her jewellery and istridhan alongwith her and all items are in her custody. It was further averred that the applicant/accused herein has been taking care of the expenses of his wife and son and it was submitted that as per para-6 of the application of the applicant, online payments amounting to approximately Rs. 2,11,648/- has been paid to the complainant by the applicant/accused. Lastly, it was submitted that the applicant is ready and willing to join the investigation as and when called for and there is no requirement of custodial

interrogation. Thus, accused ought to be granted anticipatory bail.

5. *Per contra*, Ld. Addl. PP for the State alongwith IO vehemently opposed the present anticipatory bail application as per law. It was submitted that there are allegations of dowry, cruelty, harassment and beatings by the husband and in-laws for the sake of money. It was submitted that the accused is not joining investigation.
6. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged by the complainant that she got married to the accused on 24.03.2017. After some time of marriage, accused persons started demanding money and other items from the complainant. She was beaten, harassed, tortured and also physically and mentally assaulted by the applicant and her in-laws for the sake of money.
7. 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.”**

8. 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) The complaint filed against the accused needs to be thoroughly examined, including the aspect whether the complainant has filed a false or frivolous complaint on

earlier occasions. The court should also examine the fact whether there is any family dispute between the accused and the complainant and the complainant must be clearly told that if the complaint is found to be false or frivolous, then strict action will be taken against him in accordance with law. If the connivance between the complainant and the investigating officer is established then action be taken against the investigating officer in accordance with law.”

9. A perusal of record would reveal that allegations have been made not only against the husband, but again her own father. It seems slightly implausible that the father of the complainant would allow the husband to beat her in the father's house itself. The allegation of beatings do not seem to hold water in the absence of medical documents. The allegation of second marriage of the applicant while the first one is subsisting did merit consideration. However, in light of the averments contained in the affidavit of the applicant and as mentioned in the reply of the IO, no credence can be given to the complainant's allegations at this juncture.
10. Further, a perusal of para-6 of the application of the applicant reveals that applicant has been taking care of the expenses of his wife and his son and as such he has been depositing money online in the bank account of the complainant. Incarcerating the applicant may tantamount to crossing the Rubicon, for an arrest may obviate chances of reconciliation, if any. Thus, this Court does not deem it fit to allow apprehension of

the applicant by the police at this juncture, so long as the applicant is ready and willing to join the investigation as and when called for. Accordingly, applicant is granted anticipatory bail 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. 10,000/- with one surety of the like amount to the satisfaction of the SHO/IO.
- b) The applicant is directed not to leave the country without intimation to the IO.
- c) **The applicant shall join investigation as and when called for and return all the jewellery and other articles to the complainant, if any.**
- 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.
- g) **Further, the applicant /accused shall also join the**

mediation proceedings, if so desired by the complainant.

11. 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.
12. 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/09.09.2021.

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

BAIL APPLICATION NO. 2263/21
FIR NO. 115/21
U/S 420/467/468/471/120B IPC
P.S. Burari
State vs Desh Raj

09.09.2021

Vide Order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to 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.

Present application u/s 439 Cr.P.C. has been filed on behalf of the applicant Desh Raj for grant of regular bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Roshan Lal, Ld. Counsel for applicant.
Sh. Gurmit Singh Hans, Ld. Counsel for applicant.
IO/SI Naveen also present.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the applicant/accused. Arguments 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. It was submitted that co-accused Mukesh Kumar has been granted regular bail on 28.05.2021. Further, it was averred that co-accused Meena Maurya has been granted interim protection from arrest by the Hon'ble High Court of Delhi. Ld. Counsel has submitted

that the present FIR is a counter blast to the FIR registered by Meena Maurya i.e. wife of the applicant / accused against the complainant Lal Babu Shah. It was vehemently contended that charge sheet has been filed and investigation is over and that no recovery is to be effected from the accused herein, as he does not possess the original documents, rather he has only photocopies thereof.

3. *Per contra*, Ld Addl. PP for the State alongwith the IO, assisted by Ld. Counsel for complainant vehemently opposed the present bail application as per law. It has been submitted that on the strength of forged ownership/title documents, accused herein got the electricity connection changed in his name. Thus, according to Ld. Addl. PP for the State, grave charges of forgery of title documents and using false documents as genuine are made out.
4. Submissions heard and record perused.
5. A perusal of the record reveals that grave allegations of commission of forgery and using forged documents have been levelled against the accused herein. On the aspect of granting bail on parity, the copy of order whereby accused/applicant Mukesh Kumar was granted bail has not been placed on record. Their roles are not identical, the accused herein not only forged the documents, but also allegedly used the same for getting the fresh electricity connection. During the course of arguments, IO had invited the Court's attention to the charge sheet, wherein, it was mentioned by Nodal Officer of Tata Power Company that original documents were shown by accused at the time of getting the electricity connection in his name. Further, during the course of arguments IO had submitted that further investigation is still pending

and specimen signatures of accused is yet to be taken. It was further submitted that investigation is still ongoing qua recovery of original title papers.

6. 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.."

7. 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".

8. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the applicant and the fact that investigation is still ongoing qua recovery of original title papers, this Court is of the opinion that the applicant/accused ought not to be granted bail. 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 stand disposed off.
10. TCR be sent back alongwith copy of this order.
11. Order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

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

BAIL APPLICATION NO. 2339/21

FIR NO. 674/21

U/s 25/54/59 Arms Act

P.S. Wazirabad

State Vs. Rahul

09.09.2021

Vide Order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to 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.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for the State.

Sh. Rajeev Taneja, Ld. Counsel for applicant.

IO/HC Kailash Kumar also present.

Report of IO 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 / accused was implicated in the present case merely on the basis of

tip given by the secret informer. It was submitted that, a perusal of the FIR would itself reveal that no evidence of firing was collected from the spot. It was vehemently contended that the investigating authorities have not joined any public person who could evince the factum of either firing the weapon by the accused herein or recovery thereof. It was further submitted that the accused has clean antecedents and his wife is 35 & ½ weeks pregnant. It was submitted that accused is already in J/C since 28.08.2021, thus he ought to be granted bail.

3. Per *contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the bail application as per law.
4. Submissions heard and record perused.
5. A perusal of the record reveals that recoveries in the present matter have already been effected. Further, prima facie there seem to be no evidence regarding the complicity of the accused in the incident of altercation. The State could not put forth a plausible reason as to why further incarceration of the accused is imperative. Further, this Court is inclined to take into the account the factum of previous clean antecedents of accused and the factum of his wife being at an advanced stage of pregnancy.
6. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the applicant in custody any longer. Accordingly, the applicant/accused Rahul is admitted on bail on furnishing bail bond and surety bond of

Rs 10,000/- with one surety of like amount to the satisfaction of Ld CMM/Ld. MM/Ld. Link MM/Ld. Duty MM as the case may be, subject to the following conditions:

- i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
 - ii. He shall not hamper the trial or investigation in any manner.
 - iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.
 - iv. He shall join the investigation/attend trial without default.
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/09.09.2021

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

Bail Application No. 2366/21
FIR No. 125/21
U/s 392/397/342/411/120B/34 IPC
P.S. Crime Brnach
State Vs. Vijay Bhan Pandey

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

Fresh application u/s 439 Cr.P.C. has been moved on behalf of applicant Vijay Bhan Pandey for extension of interim bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for State.

Sh. U.K. Giri, Ld. Counsel for applicant.

Heard.

Applicant had been granted interim bail vide order dated 27.08.2021 for one week on the grounds of death of his uncle, which has been extended for one more week vide order dated 04.09.2021 on the medical grounds of applicant/accused.

Today, Ld. Counsel for applicant has submitted that applicant is still admitted in the Teg Bahadur Sapru (Beli) Hospital. Court has interacted with the applicant through WhatsApp video call and it is apparent that applicant is still admitted in the hospital.

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Under these circumstances keeping in view the facts and circumstances of this case and the fact that applicant is still admitted in the hospital, interim bail is extended for two more weeks on the same terms and conditions mentioned in the previous interim order dated 27.08.2021. Application stands disposed of.

Order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2230/2021
FIR No. 228/21
P.S. Burari
U/s 420/506 IPC
State Vs. Vikas Kumar

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Vikas Kumar Cr.P.C., for grant of anticipatory bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Gautam Raj, Ld. Counsel for applicant.
Sh. Gaurav Chitkara, Ld. Counsel for complainant.
IO/SI Pushpendra in person.

Both parties submitted that matter is still pending before the Mediation Centre, Tis Hazari Courts and the next date of hearing thereat is 13.09.2021. It was apprised by the Ld. counsel for both the parties that no effective hearing could be held before the Mediation Centre on account of non-appearance of the complainant due to illness.

Be that it may be, be list for further proceedings on 15.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.1721/21
FIR No. 142/2021
P.S. Burari
U/s 498A/377/34 IPC
State Vs. Raju Koli

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Rajan Kumar, Ld. Counsel for applicant.
Sh. Chandragupta Maurya, Ld.counsel for complainant through VC.

Ld. Counsel for the applicant submitted that parties have already approached the Hon'ble High Court of Delhi for quashing the present FIR. Ld. Counsel for complainant has also conceded to the said fact, and has no objection to the grant of interim protection to the accused till NDOH. In these circumstances, the accused applicant is hereby given interim protection from arrest till the NDOH.

Re-list for further proceedings on 08.10.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.1961/21
FIR No. 142/2021
P.S. Burari
U/s 498A/377/34 IPC
State Vs. Ashish Kumar Gupta

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Rajan Kumar, Ld. Counsel for applicant.
Sh. Chandragupta Maurya, Ld.counsel for complainant through VC.

Ld. Counsel for the applicant submitted that parties have already approached the Hon'ble High Court of Delhi for quashing the present FIR. Ld. Counsel for complainant has also conceded to the said fact, and has no objection to the grant of interim protection to the accused till NDOH. In these circumstances, the accused applicant is hereby given interim protection from arrest till the NDOH.

Re-list for further proceedings on 08.10.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

FIR No. 142/2021
P.S. Burari
U/s 498A/377/34 IPC
State Vs. Rambeti

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.

Sh. Rajan Kumar, Ld. Counsel for applicant.

Sh. Chandragupta Maurya, Ld.counsel for complainant through VC.

Ld. Counsel for the applicant submitted that parties have already approached the Hon'ble High Court of Delhi for quashing the present FIR. Ld. Counsel for complainant has also conceded to the said fact, and has no objection to the grant of interim protection to the accused till NDOH. In these circumstances, the accused applicant is hereby given interim protection from arrest till the NDOH.

Re-list for further proceedings on 08.10.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.1763/21
FIR No. 142/2021
P.S. Burari
U/s 498A/377/34 IPC
State Vs. Veer Singh

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Rajan Kumar, Ld. Counsel for applicant.
Sh. Chandragupta Maurya, Ld.counsel for complainant through VC.

Ld. Counsel for the applicant submitted that parties have already approached the Hon'ble High Court of Delhi for quashing the present FIR. Ld. Counsel for complainant has also conceded to the said fact, and has no objection to the grant of interim protection to the accused till NDOH. In these circumstances, the accused applicant is hereby given interim protection from arrest till the NDOH.

Re-list for further proceedings on 08.10.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.1954/21
FIR No. 142/2021
P.S. Burari
U/s 498A/377/34 IPC
State Vs. Narender Sharma

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Rajan Kumar, Ld. Counsel for applicant.
Sh. Chandragupta Maurya, Ld.counsel for complainant through VC.

Ld. Counsel for the applicant submitted that parties have already approached the Hon'ble High Court of Delhi for quashing the present FIR. Ld. Counsel for complainant has also conceded to the said fact, and has no objection to the grant of interim protection to the accused till NDOH. In these circumstances, the accused applicant is hereby given interim protection from arrest till the NDOH.

Re-list for further proceedings on 08.10.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2365/21
FIR No. 0125/2021
P.S. Crime Branch
U/s 392/397/342/411/120B/34 IPC
State Vs. Harish Singh

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.

None has appeared for applicant or connected through VC.

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

List on 15.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2355/21
FIR No. 745/2015
P.S. Roop Nagar
U/s 380/451/34 IPC
State Vs. Roshan Singh

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Shiv Kumar, Ld. Counsel for applicant.

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

List on 16.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2356/21
FIR No. 275/21
P.S. Timarpur
U/s 392/34 IPC
State Vs. Sikandar

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Gautam Kumar , Ld. Counsel for applicant.

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

List on 14.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2358/21
FIR No. Not Known
P.S. Timarpur
U/s 498A... IPC
State Vs. Vivek Negi

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Sachin Kashyap, Ld. Counsel for applicant.

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

List on 15.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2357/21
FIR No. 223/21
P.S. Bara Hindu Rao
U/s 392/411/34 IPC
State Vs. Mohd. Imran

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. Amit Kumar , Ld. Counsel for applicant.

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

List on 14.09.2021.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2364/21
FIR No. 0156/2021
P.S. Subzi Mandi
U/s 354/354-A/354-B/509/451/34 IPC
State Vs. Raj Kumar & Ors.

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. P.C. Jha, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH. It is submitted by Ld. Counsel for applicant that chargesheet in the present matter has already been filed. Let TCR be requisitioned for NDOH.

At request, list on 27.09.2021. Long date is given at request of Ld. Counsel for applicant.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2363/21
FIR No. 0156/2021
P.S. Subzi Mandi
U/s 354/354-A/354-B/509/451/34 IPC
State Vs. Dabbu @ Rajesh Kumar

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. P.C. Jha, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH. It is submitted by Ld. Counsel for applicant that chargesheet in the present matter has already been filed. Let TCR be requisitioned for NDOH.

At request, list on 27.09.2021. Long date is given at request of Ld. Counsel for applicant.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

Bail Application No.2362/21
FIR No. 0156/2021
P.S. Subzi Mandi
U/s 354/354-A/354-B/509/451/34 IPC
State Vs. Ankit @ Abhishek & Ors.

09.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

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

Present: Sh. Amit Dabas, Ld. Addl. PP for State.
Sh. P.C. Jha, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH. It is submitted by Ld. Counsel for applicant that chargesheet in the present matter has already been filed. Let TCR be requisitioned for NDOH.

At request, list on 27.09.2021. Long date is given at request of Ld. Counsel for applicant.

Copy of the order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/09.09.2021

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

BAIL APPLICATION NO. 2320/21

FIR NO. 138/21

U/s 307/341/34 IPC

P.S. Subzi Mandi

State Vs. Nitin Sonkar @ Kashi

09.09.2021

Vide Order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to 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.

Second application u/s 438 Cr.P.C. has been filed on behalf of accused Nitin Sonkar @ Kashi for grant of anticipatory bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for the State through VC.

Sh. Ashok Priyadarshani, Ld. Counsel for applicant.

Reply has been received from IO.

Ld. Counsel for the applicant submitted that accused/applicant has been falsely implicated in the present case

and therefore he ought to be granted anticipatory bail.

Ld. Additional PP for the State has raised the issue of maintainability of the present application. According to him, there is no change in circumstances since dismissal of previous anticipatory bail application, and thus, the present application is not maintainable.

Submissions heard.

During the course of arguments, it was submitted by the State that anticipatory bail application was adjudicated on merit vide order dated 28.05.2021 passed by Sh. Vidya Prakash, Ld. Vacation Judge, Central District, THC, Delhi. During the course of arguments, it was submitted by the State that accused never joined investigation and remained absconding, pursuant to which process under Section 82 Cr.P.C., was initiated against him.

At this juncture, it would be apposite to peruse the following extracts of **G.R. Ananda Babu (Supra)** wherein it was observed as under :

“As a matter of fact, successive anticipatory bail application ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (respondent No.2) is absconding and not co-operating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the

same Judge.”

Thus, in light of the mandate of the above judgment, this Court concurs with the submissions of Ld. Additional PP for the State. Under these circumstances, the present anticipatory bail application is hereby dismissed.

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/09.09.2021

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

BAIL APPLICATION NO. 2278/21

FIR NO. 138/21

U/s 307/341/34 IPC

P.S. Subzi Mandi

State Vs. Roop Kamal @ Varun

09.09.2021

Vide Order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to 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.

Second application u/s 438 Cr.P.C. has been filed on behalf of accused Roop Kamal @ Varun for grant of anticipatory bail.

Present: Sh. Amit Dabas, Ld. Addl. PP for the State through VC.

Sh. Ashok Priyadarshani, Ld. Counsel for applicant.

Reply has been received from IO.

Ld. Counsel for the applicant submitted that accused/applicant has been falsely implicated in the present case

and therefore he ought to be granted anticipatory bail.

Ld. Additional PP for the State has raised the issue of maintainability of the present application. According to him, there is no change in circumstances since dismissal of previous anticipatory bail application, and thus, the present application is not maintainable.

Submissions heard.

During the course of arguments, it was submitted by the State that anticipatory bail application was adjudicated on merit vide order dated 28.05.2021 passed by Sh. Vidya Prakash, Ld. Vacation Judge, Central District, THC, Delhi. During the course of arguments, it was submitted by the State that accused never joined investigation and remained absconding, pursuant to which process under Section 82 Cr.P.C., was initiated against him.

At this juncture, it would be apposite to peruse the following extracts of **G.R. Ananda Babu (Supra)** wherein it was observed as under :

“As a matter of fact, successive anticipatory bail application ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (respondent No.2) is absconding and not co-operating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the

same Judge.”

Thus, in light of the mandate of the above judgment, this Court concurs with the submissions of Ld. Additional PP for the State. Under these circumstances, the present anticipatory bail application is hereby dismissed.

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/09.09.2021