

**Bail application no. 7
FIR No. 1227/2020
PS: Kashmere Gate
Anwar Vs. State**

07.01.2021

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. U. K. Giri, counsel for applicant/accused Anwar.

On last date of hearing, IO was directed to file report regarding the status of other cases registered against the applicant. Ld. APP submits that IO is on leave today.

IO is directed to comply the order dated 05.01.2021.

Put up for arguments on the bail application on 12.01.2021.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

Bail application no. 2036
FIR No. 329/2020
PS: Sadar Bazar
U/s: 354 IPC
Jamaluddin Vs. State

07.01.2021

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Pawan Kumar Sisodia, counsel for complainant.
Sh. Rajiv Bajaj, counsel for applicant/accused Jamaluddin.

This is an application u/s 438 Cr.PC moved on behalf of applicant/accused Jamaluddin, seeking anticipatory bail.

Ld. Counsel for complainant submits that yesterday only the IO of the case has been changed.

Ld. APP submits that IO is not present today, therefore, he is not aware whether the applicant is joining the investigation or not.

IO is directed to appear in person on next date. In the meantime, interim order to continue.

Put up for arguments on the bail application on 25.01.2021.

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07.01.2021

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Phillip Massey, counsel for complainant.
Sh. Vikramjeet Saini, counsel for applicant/accused Faisal Jamal.

1. This is an application u/s 438 Cr.PC moved on behalf of applicant/accused Faisal Jamal, seeking anticipatory bail. Reply filed by the IO. Copy supplied.
2. Arguments on the bail application heard.
3. Vide order dated 08.12.2020, Ld. Predecessor granted interim protection to the applicant.
4. The case of the prosecution is that on 16.11.2020, at about 10:50 PM, the applicant alongwith co-accused Mohd. Mursaleen attacked on the complainant with some unknown weapon due to which the complainant sustained injuries. On these allegations the FIR of the present case was registered against the applicant and co-accused Mohd. Mursaleen.
5. Ld. Counsel for applicant submits that matter has been settled between the parties and applicant has already compensated the complainant for the injuries and loss suffered by the him.
6. Ld. Counsel for complainant also admits that the matter has been settled between the parties and further submits that he has no objection if the applicant is admitted on anticipatory bail. The settlement dated 24.11.2020, reached between the parties is part of the application.
7. Ld. APP submits that the FIR has been registered u/s 308 IPC which is a non-compoundable offence, therefore, applicant cannot be admitted on anticipatory bail on the basis of compromise reached between the parties.
8. I have considered the arguments advanced by Ld. APP, Ld. Counsel for complainant & Ld. Counsel for applicant and perused the record.

9. On last date of hearing, IO was directed to collect the opinion on the injuries sustained by the complainant in the incident. Today, reply filed by the IO stating that the complainant did not take the complete treatment in the hospital, therefore, the concerned Doctor has shown his inability to give any opinion on the injuries sustained by the complainant.

10. Considering the entire facts and circumstances particularly that the matter has been settled between the parties, the applicant is admitted on anticipatory bail subject to furnishing of personal bond to the tune of Rs. 20,000/- and surety bond of like amount to the satisfaction of concerned SHO and further subject to the following conditions:-

- (i) *The applicant shall join the investigation as and when required;*
- (ii) *The applicant shall not influence the witnesses;*
- (iii) *The applicant shall not leave India without prior permission of the court;*
- (iv) *The applicant will not change his address without prior intimation to the IO or Court;*
- (v) *The applicant shall furnish his mobile phone or contact number to the IO immediately.*

The application is disposed off accordingly.

Copy of this order be sent to the concerned IO/SHO.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

07.01.2021

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Phillip Massey, counsel for complainant.
Sh. Dilip Kumar, counsel for applicant/accused Mohd. Mursaleen.

V/N filed on behalf of complainant. Same is taken on record.

1. This is an application u/s 438 Cr.PC moved on behalf of applicant/accused Mohd. Mursaleen, seeking anticipatory bail. Reply filed by the IO. Copy supplied.
2. Arguments on the bail application heard.
3. Vide order dated 08.12.2020, Ld. Predecessor granted interim protection to the applicant.
4. The case of the prosecution is that on 16.11.2020, at about 10:50 PM, the applicant alongwith co-accused Faisal Jamal attacked on the complainant with some unknown weapon due to which the complainant sustained injuries. On these allegations the FIR of the present case was registered against the applicant and co-accused Faisal Jamal.
5. Ld. Counsel for applicant submits that matter has been settled between the parties and applicant has already compensated the complainant for the injuries and loss suffered by him.
6. Ld. Counsel for complainant also admits that the matter has been settled between the parties and further submits that he has no objection if the applicant is admitted on anticipatory bail.
7. Ld. APP submits that the FIR has been registered u/s 308 IPC which is a non-compoundable offence, therefore, applicant cannot be admitted on anticipatory

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FIR No. 167/2020
PS: Jama Masjid
U/s: 308/324/34 IPC
Mohd. Mursaleen Vs. State

bail on the basis of compromise reached between the parties.

8. I have considered the arguments advanced by Ld. APP, Ld. Counsel for complainant & Ld. Counsel for applicant and perused the record.

9. On last date of hearing, IO was directed to collect the opinion on the injuries sustained by the complainant in the incident. Today, reply filed by the IO stating that the complainant did not take the complete treatment in the hospital, therefore, the concerned Doctor has shown his inability to give any opinion on the injuries sustained by the complainant.

10. Considering the entire facts and circumstances particularly that the matter has been settled between the parties, the applicant is admitted on anticipatory bail subject to furnishing of personal bond to the tune of Rs. 20,000/- and surety bond of like amount to the satisfaction of concerned SHO and further subject to the following conditions:-

- (i) *The applicant shall join the investigation as and when required;*
- (ii) *The applicant shall not influence the witnesses;*
- (iii) *The applicant shall not leave India without prior permission of the court;*
- (iv) *The applicant will not change his address without prior intimation to the IO or Court;*
- (v) *The applicant shall furnish his mobile phone or contact number to the IO immediately.*

The application is disposed off accordingly.

Copy of this order be sent to the concerned IO/SHO.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

07.01.2021

Fresh anticipatory application u/s 438 Cr.PC moved on behalf of applicant/accused Santosh Kumar. It be checked and registered.

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Counsel for applicant/accused Santosh Kumar.

1. This is an application u/s 438 Cr.PC moved on behalf of applicant/accused Santosh Kumar, seeking anticipatory bail. Reply filed by the IO. Copy supplied.
2. Arguments heard.
3. The FIR of this case was registered at the behest of complainant Satpal Goel on the allegations that he runs the shop of gift items from property bearing no. B-11, Falated Factory, Jhandewalan, Pahar Ganj, Delhi. On 12.11.2020, at about 07:00 PM, the complainant closed his shop and went to his house. On 13.11.2020, at about 12:30 PM, he received information from his employee Ram Kumar that Gullak (Money Bank) and drawn of the table were broken. Complainant reached at his shop and found that Rs. 1,93,500/- were missing from his shop. On the aforesaid allegations, the present FIR was registered.
4. Ld. Counsel for applicant submits that FIR was registered without naming the assailant of the crime but later on the complainant in connivance with concerned police is trying to falsely implicate the applicant in the present case since applicant was driver of the complainant and there was some dispute between both of them regarding the salary of the applicant. He submits that applicant is a driver on the monthly salary of Rs. 12,000/- having responsibility of 5 minor children. He has deep roots in the society and is ready to join the investigation as and when directed by the IO and this court.
5. Ld. APP strongly oppose the bail application as he submits that there are serious allegations against the applicant. He also submits that the IO has collected the CCTV

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FIR No. 298/2020
PS: Pahar Ganj
U/s:380/457 IPC
Santosh Kumar Vs. State

Footage of the area in which the applicant has been specifically shown while committing the theft and was duly identified by the complainant in the said CCTV Footage as his driver Santosh (applicant). Ld. APP also submits that the FIR of this case was registered in November-2020 and since then the applicant is evading his arrest. He also submits that custodial interrogation of the applicant is required for the purpose of recovery of case property (stolen cash), therefore, applicant be not admitted on anticipatory bail.

6. I have considered the rival contentions of Ld. APP & Ld. Counsel for applicant and perused the record.

7. The applicant is shown in the CCTV Footage collected by IO. Custodial interrogation of the applicant is required for recovery of case property, therefore, no ground for anticipatory bail is made out. Hence, the present application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

Bail application no. 54
FIR No. 301/2020
PS: Chandni Chowk
U/s: 380/411 IPC
Anwar Ali Vs. State

07.01.2021

Fresh application u/s 439 Cr.PC moved on behalf of applicant/accused Anwar Ali. It be checked and registered.

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Lokesh Kumar Garg, counsel for applicant/accused Anwar Ali.

This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Anwar Ali, seeking regular bail. Reply filed by the IO. Copy supplied.

Ld. APP submits that chargesheet has already been filed in the concerned court.

TCR be summoned for next date of hearing.

Put up for arguments on the bail application on 14.01.2021.

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ASJ-02/Central Distt.
THC/Delhi-07.01.2021

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Bail application no. 71
FIR No. 756/2020
PS: Kotwali
U/s: 356/379/34 IPC
Hasnayn Vs. State

07.01.2021

Fresh anticipatory bail application u/s 438 Cr.PC moved on behalf of applicant/accused Hasnayn. It be checked and registered.

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Counsel for applicant/accused Hasnayn.

1. The present application u/s 438 Cr.PC moved on behalf of applicant/accused Hasnayn, seeking anticipatory bail. Reply filed by the IO. Copy supplied.
2. Arguments on the bail application heard.
3. The FIR of this case was registered at the behest of Sh. Aman Bhardwaj on the allegations that on 17.12.2020, at about 09:00 PM, while he was going to his house near Maaliwada Chowk, two unknown boys came to him on a scooty bearing no. DL-6SAZ-2573 and snatched the gold chain and Rs. 10,000/- from him and raw away on the said scooty. He stated in the complaint that he can identify both the boys if shown to him.
4. Ld. Counsel for applicant submits that concerned police is trying to falsely implicate the applicant in the present case only since the scooty mentioned in the FIR was registered in the name of applicant. He also submits that the scooty of the applicant generally used to be parked outside his house and applicant is not even aware that how the reference of the said scooty has come in the FIR, therefore, applicant be admitted on anticipatory bail. He also submits that otherwise also the applicant is ready to join the investigation as and when directed to him.
5. Ld. APP strongly oppose the bail application as he submits that the custodial interrogation of the applicant is required for recovery of stolen articles as well as for the purpose of TIP of the applicant.

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FIR No. 756/2020

PS: Kotwali

**U/s: 356/379/34 IPC
Hasnayn Vs. State**

6. I have considered the rival contentions of Ld. APP & Ld. Counsel for applicant and perused the record.

7. The custodial interrogation of the applicant is required for recovery of stolen articles, to arrest co-accused and for TIP purpose, hence, no ground for anticipatory bail is made out. The present bail application is hereby dismissed.

Copy of this order be given dasti to the counsel for applicant.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

Bail Application No. 02
FIR No. 11/2020
PS: DBG Road
U/s: 341/392/411/34 IPC
Ashu @ Dallu Vs. State

07.01.2021

VIDEO CONFERENCING DAY

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. S. N. Shukla, Ld. LAC for applicant/accused Ashu @ Dallu.

This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Ashu @ Dallu, seeking regular bail. Reply filed by the IO. Copy supplied.
Ld. APP submits that chargesheet has already been filed in the concerned court.

TCR be summoned for next date.

Put up for arguments on the bail application on 13.01.2021.

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(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-07.01.2021

Bail application no. 55
FIR No.215/2018
PS: EOW
U/s: 406/467/468/471/120-B IPC
Rohit Bhuttan Vs. State

07.01.2021

Fresh application u/s 439 Cr.PC moved on behalf of applicant/accused Rohit Bhuttan.
It be checked and registered.

Video Conferencing Day

Present: Sh. Virender Singh, Ld. Addl. PP for State.
Sh. Abhishek Rai, counsel for complainant Bank.
Sh. B. L. Madhukar, counsel for applicant/accused Rohit Bhuttan.
IO Inspector Ashutosh Kumar.

This is an application u/s 439 Cr.PC moved on behalf of applicant/accused Rohit Bhuttan, seeking regular bail. Reply filed by the IO. Copy supplied. IO submits that he has already filed the chargesheet in the concerned court of Ld. MM.

TCR be summoned for next date.

Put up for arguments on the bail application on 14.01.2021.

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ASJ-02/Central Distt.
THC/Delhi-07.01.2021

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