

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

Bail Applications No.1083, 1084, 1085, 1095 & 1100
FIR No.325/2020, P.S. - Hari Nagar
U/s 354B/323/509/34 IPC

**State Vs. (1) Shoaib Tyagi
(2) Faisal
(3) Shahid
(4) Shabaz Tyagi @ Vicky
(5) Firoz Khan**

13.07.2020 (Proceedings through Video Conferencing)

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Sumit Gauba, Ld. Counsel for complainant
Sh. Manish Kumar, Ld. Counsel for accused persons/
applicants Shoaib Tyagi, Faisal, Shahid, Shabaz Tyagi
@ Vicky & Firoz Khan
IO ASI Shiv Lal
(all present through video conferencing).*

These are five applications, all dated 11.05.2020 u/s 438 Cr.PC on behalf of applicant/accused Shoaib Tyagi, Faisal, Shahid, Shabaz Tyagi @ Vicky & Firoz Khan for grant of anticipatory bail.

The complainant and the prosecutrix were present on 26.06.2020 and were represented through their counsel also. Today also, the counsel for complainant is present through video conferencing.

It is informed that there are two cross-cases of the same occurrence. Another cross case vide FIR No.326/20 was registered at the instance of applicant Shahid.

In support of the bail applications, it is submitted by the Ld. Counsel for the applicants/accused persons that the opposite party, accused of FIR No.326/2020 had beaten Shahid and the other four applicants reached there to save him.

Ld. Counsel has also submitted that the applicants had gone to police station on 30.04.2020 for registration of their case and the CCTV footage of the Police Station can prove that.

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Bail Applications No.1083, 1084, 1085, 1095 & 1100
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**State Vs. (1) Shoalb Tyagi
(2) Faisal
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(5) Firoz Khan**

13.07.2020

The IO ASI Shiv Lal is present and has informed that no CCTV footage was available of the spot as there was only one CCTV camera installed at Balmiki Mandir, that was not working at that time.

Also that, the MLC result could not be obtained from DDU Hospital as the report of CT Scan from Safdarjung Hospital was to be collected and it will be given either today or by tomorrow and on the basis of such report, the DDU Hospital will give the opinion on MLC by Wednesday i.e. 17.07.2020.

The IO has informed that all the five applicants had joined the investigation before the IO on the date and time fixed but accused Afroz who was granted regular bail has not joined the investigation and that the statements of applicant Faizal and Sahil are contrary to each other regarding the occurrence.

The counsel for applicants has ensured that he will inform accused Afroz about the directions of the Court to join the investigation.

Accused Afroz is directed to join the investigation before the IO on 16.07.2020 at 11 AM with the directions that he shall cooperate with the investigation and shall produce his proof of residence to the IO and shall join the investigation further as and when joined by the IO. Before joining investigation, accused Afroz shall get himself tested for Covid-19 and shall produce the test report before the IO.

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Bail Applications No.1083, 1084, 1085, 1095 & 1100
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**State Vs. (1) Shoalb Tyagi
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(4) Shabaz Tyagi @ Vicky
(5) Firoz Khanp**

13.07.2020

Let the IO produce the MLC result on or before
20.07.2020.

Let the applications be put up on **20.07.2020**.

Till then, no coercive steps of arrest of the
applicants/accused persons shall be taken by the IO.

A copy of this order be given dasti to the parties, as
prayed.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

FIR No.162/19, P.S. Hari Nagar
U/s 384/389/342/120B/34 IPC

State Vs. Sunny Ghadok @ Sunny Diwan

13.07.2020

These proceedings are conducted through video conferencing using Cisco Webex

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Danish Khan & Sh. Nayan Maggo, Ld. Counsel for accused
Sunny Ghadok @ Sunny Diwan
IO SI Shri Krishna
(all present through video conferencing)*

This is an application dated nil filed on 10.07.2020 moved U/s 438 Cr.PC on behalf of accused/applicant Sunny Ghadok @ Sunny Diwan for extension of interim bail granted vide orders dated 04.05.2020 and thereafter extended vide orders dated 06.06.2020.

The order dated 04.05.2020 has not been produced, vide which the interim bail was granted first time to the accused on the ground of heart problem, as shown in the application.

Such order be placed on record, so that the medical status of the accused regarding his heart problem/attack can be ascertained.

Be listed for hearing on the application for extension of interim bail on **14.07.2020**.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

FIR No.610/2020, P.S. Ranhola
U/s 323/452/506/509/34 IPC

**State Vs. (1) Madhuri
(2) Manju**

13.07.2020

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Shyam Lal Jain, Ld. Counsel for both the accused
persons/applicants Madhuri & Manju
IO SI Suresh Chand
(all appearing physically)
Sh. Pramod K. Tiwary, Ld. Counsel for complainant
IO ASI Dharmender of FIR No.611/2020
(both present through video conferencing)*

This is an application dated 09.07.2020 moved U/s 438 Cr.PC on behalf of accused persons/applicants Madhuri & Manju for grant of anticipatory bail.

Reply dated 13.07.2020 has been filed by the IO. Copy of reply supplied.

In support of the bail application, it is submitted by the Ld. Counsel for the applicants/accused persons that there was a quarrel between the two groups on falling of the water from the water tank and two FIRs No.610/2020 and 611/2020 were registered as cross-cases against each other.

Ld. Addl. PP and the IO has informed that the quarrel has already been settled and after that quarrel, the accused persons had called 9-10 people with the weapons and three persons out of the group of the complainant party of this case received injuries. Apart from this, there are allegations of sexual assault of two of the ladies in the group.

It is further submitted that some of the accused persons are facing another FIR No.477/2018 for the offences u/s 186/353/332/34 IPC wherein the government officials of MCD were

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State Vs. (1) Madhuri (2) Manju

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attacked and that in that case, investigation has been completed and the charge-sheet is on the verge of filing.

Ld. Counsel for the complainant has also appeared, who is otherwise appearing for accused persons Jitender Singh, Manjeet Singh and Mrityunjay Singh as their bail applications for anticipatory bail in cross-case vide FIR No.611/2020 are also pending for hearing today.

IO has informed that the accused persons are required for investigation and the accused persons are ready to join the investigation.

In the above-noted circumstances, the accused persons/applicants of this case are hereby directed to join the investigation before the IO on **18.07.2020 at 2 PM** after getting them tested for Covid-19 test, with the test report, to be produced to the IO before joining the investigation. The accused persons shall further join the investigation as and when required by the IO. They shall also furnish their present and permanent addresses with supporting documents to the IO for future reference.

Non-joining of investigation shall be taken very seriously.

Be listed for further hearing on the bail application on **23.07.2020.**

The IO of FIR No.611/2020 shall also appear on that date with the case file of such case and issue notice to the IO of FIR No.477/2018 who shall appear with case file or with the report of filing of charge-sheet in the Court and with status report of this case, at the time of hearing of the bail application.

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State Vs. (1) Madhuri (2) Manju

13.07.2020

Till then, no coercive steps of arrest shall be taken against the accused persons/applicants Madhuri & Manju.

A copy of order be given to all the parties concerned, as prayed.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

Bail application No. 1394
FIR No.45/2020, P.S. Nihal Vihar
U/s 308/336/34 IPC

State Vs. Mithlesh

13.07.2020 (Physical Hearing)

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh.Danish Mudgal, Ld. Counsel for accused Mithlesh
IO absent*

This is an application dated 10.07.2020 moved U/s 438 Cr.PC on behalf of accused/applicant Mithlesh for grant of anticipatory bail.

Neither the IO is present nor any reply has been filed.

Issue notice to the IO to appear and reply the bail application. IO shall also produce the complainant, through notice.

Be listed for hearing on the bail application on

15.07.2020.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

FIR No.611/2020, P.S. - Ranhola
U/s 323/354B/506/34 IPC

**State Vs. (1) Manjeet Singh Banti
(2) Mritunjay Singh Avinash
(3) Jitender Kumar Singh**

13.07.2020

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Shyam Lal Jain, Ld. Counsel alongwith complainant
Ms. Manju
IO SI Suresh Chand of FIR No.610/2020
(all appearing physically)
Sh. Ashok Kumar Singh, Ld. Counsel for accused
persons/applicants Manjeet Singh Banti, Mritunjay Singh
Avinash & Jitender Kumar Singh
Sh. Pramod Kumar Tiwary, Ld. Counsel for accused
persons/applicants Manjeet Singh Banti, Mritunjay Singh
Avinash & Jitender Kumar Singh
IO ASI Dharmender
(all three present through video conferencing)*

These are two applications, both dated 04.06.2020 u/s 438 Cr.PC on behalf of applicants/accused persons namely Manjeet Singh Banti, Mritunjay Singh Avinash & Jitender Kumar Singh for grant of anticipatory bail.

Reply dated 13.07.2020 has been filed by the IO. Copy of reply supplied.

In support of the bail application, it is submitted by the Ld. Counsel for the applicants/accused persons that there was a quarrel between the two groups on falling of the water from the water tank and two FIRs No.610/2020 and 611/2020 were registered as cross-cases against each other.

It is submitted on behalf of accused persons that two of the accused persons namely Satya Narain Mehto & Sanjay have already been granted anticipatory bail from the Hon'ble High Court vide order dated 09.07.2020 in Bail application No.1355/2020 and for other three, the bail application is pending. Contd...2

**State Vs. (1) Manjeet Singh Banti
(2) Mritunjay Singh Avinash
(3) Jitender Kumar Singh**

13.07.2020

The IO of this case has informed that the accused persons have not joined the investigation till date.

Ld. Counsel for the applicants has submitted that they had gone to the police station but the IO was not meeting at that time.

In the above-noted circumstances, the accused persons/applicants of this case are hereby directed to join the investigation before the IO on **18.07.2020 at 5 PM** after getting them tested for Covid-19 test, with the test report, to be produced to the IO before joining the investigation. The accused persons shall further join the investigation as and when required by the IO. They shall also furnish their present and permanent addresses with supporting documents to the IO for future reference.

Non-joining of investigation shall be taken very seriously.

Be listed for further hearing on the bail application on **23.07.2020.**

The IO of FIR No.610/2020 shall also appear on that date with the case file of such case.

Interim protection of no coercive steps of arrest already granted vide order dated 17.06.2020 and further continued vide order dated 23.06.2020, the interim protection shall continue.

A copy of order be given to all the parties concerned, as prayed.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

Bail application No. 1293
FIR No.628/2020, P.S. Ranhola
U/s 376/506 IPC

State Vs. Rajpal

13.07.2020

***These proceedings are conducted through video
conferencing using Cisco Webex***

Present: *Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Abhilash, Ld. Counsel for accused Rajpal
IO W/SI Annu alongwith prosecutrix Ms.S
Ms.Deepika Sachdeva, Ld. Counsel from DCW
(all present through video conferencing)*

This is an application dated nil filed on 29.06.2020 moved U/s 438 Cr.PC on behalf of accused/applicant Rajpal for grant of anticipatory bail.

Reply dated 29.06.2020 has already been filed by the IO. Copy of reply has already been received by Ld. Counsel for accused.

IO has informed that the accused has joined the investigation as per the directions given. She has also apprised that the exhibits were sent to FSL, but due to objections, the same are to be resent on 16.07.2020.

Ld. Counsel for the accused has submitted that the relations between the applicant/accused and prosecutrix were consensual in nature and that they were in friendship with each other for a long period. Also that, there is a delay of 5 days in reporting the matter to the police and that the prosecutrix has stated in her statement recorded u/s 164 Cr.PC that whatever relations have been established between her and the accused were as per her consent.

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State Vs. Rajpal

13.07.2020

On behalf of the State, to counter the contentions of the Ld. Counsel for the accused, it is submitted that the offences are serious in nature. Thus, it is submitted that granting bail to the accused will hamper the trial as the chances of tempering of evidence and hampering of the trial cannot be ruled out.

The prosecutrix is present before this Court and is enquired into. She has confirmed her statement given to Ld.MM u/s 164 Cr.PC where she has stated that whatever relations were established by her with the accused, it was as per her consent and that due to doubt by her husband, she had made the call to the police and that she does not want to continue her case.

The prosecutrix has stated the same version before this Court during the inquiries and she has given her 'no-objection' for grant of bail to the accused.

Considering the nature of offences alleged, the fact that the prosecutrix is major and a married lady and she has stated in her statement recorded u/s 164 Cr.PC that the sexual relations were consensual in nature and that she has 'no-objection' if the applicant is admitted on bail, observing the admitted relations of the prosecutrix and the accused, the statement of the prosecutrix recorded u/s 164 Cr.PC and the law settled in case titled as **Hanuman Singh and Anr. Vs. State of Rajasthan cited as 42 (1990) DLT 364, 1990 (19) DRJ 201 decided on 29.10.1986** that in case of no objection of prosecutrix/complainant, a liberal view, while considering the bail, may be adopted by the courts of law, the court is of the considered view that no purpose would be served to keep the liberty of the accused at peril during investigation or trial, if he can be procured to face the trial.

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State Vs. Rajpal

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Thus, in the event of arrest, applicant/accused Rajpal shall be released on bail on furnishing bail bond and surety bond of Rs. 50,000/- alongwith one surety of like amount to the satisfaction of the SHO/IO concerned, subject to the conditions that, subject to the conditions:

1. He shall not leave the city/country without permission of court.
2. He shall join the investigation as and when required by the IO.
3. He shall furnish his present and permanent address with supporting documents along with an affidavit/undertaking to inform any change that of without delay.

Any observations and expressions in this order shall not tantamount to any adverse influence on the merits of the case.

Violation of any of the conditions mentioned above shall make this bail automatically stands cancelled.

With these conditions, application dated nil filed on 29.06.2020 moved U/s 438 Cr.PC on behalf of accused/applicant Rajpal for grant of anticipatory bail stands disposed of.

A copy of order be given dasti to the parties, as prayed and be also sent to all the parties through e-mail.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

FIR No.600/2020, P.S. Ranhola
U/s 308 IPC

State Vs. Rahul Kumar

13.07.2020

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Pankaj, Ld. Counsel for accused Rahul Kumar
(both physically present)
IO ASI Sunil Dutt (present through video conferencing)*

This is second bail application dated 10.07.2020 moved U/s 439 Cr.PC on behalf of accused/applicant Rahul Kumar for grant of regular bail.

The first bail application is stated to have been dismissed as withdrawn.

Reply dated 13.07.2020 has been filed by the IO. Copy of reply be supplied and accordingly supplied.

In support of the bail application, it is submitted by the Ld. Counsel for the applicant/accused that the accused has only intervened in the quarrel that had already taken place between the injured and the other two boys present there and that there is no intention of causing any injury to anyone and that the weapon i.e. the danda was a chance weapon that was used for self-defence by the applicant.

Also that, he has no involvement and is in custody since 28.05.2020 and his family is suffering in this pandemic of Covid-19 as he is the only bread earner and there is no other person to help his family.

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State Vs. Rahul Kumar

13.07.2020

IO has informed that the injured Vishal was in the hospital for 2 days and was discharged on 3rd day and the nature of injury is grievous in nature and the danda recovered was opined that it could be the weapon of offence. However, it is clarified that the antecedents of accused/applicant are clear having no other criminal case on his account.

Let the IO produce the complainant, with notice to him, to clarify stand taken by the applicant/accused that he only intervened in the quarrel that had already taken place.

The IO shall send the MLC to the Court through e-mail and also to be forwarded to Ld. Counsel for accused.

Be listed for further hearing on **17.07.2020**.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020

**IN THE COURT OF DR. ARCHANA SINHA
ADDL. SESSIONS JUDGE-06, WEST TIS HAZARI COURTS, DELHI**

FIR No.611/2020, P.S. - Ranhola
U/s 323/354B/506/34 IPC

**State Vs. (1) Manjeet Singh Banti
(2) Mritunjay Singh Avinash
(3) Jitender Kumar Singh**

13.07.2020

*Present: Shri Rajat Kalra, Ld. Addl. PP for the State
Sh. Shyam Lal Jain, Ld. Counsel alongwith complainant
Ms. Manju
IO SI Suresh Chand of FIR No.610/2020
(all appearing physically)
Sh. Ashok Kumar Singh, Ld. Counsel for accused
persons/applicants Manjeet Singh Banti, Mritunjay Singh
Avinash & Jitender Kumar Singh
Sh. Pramod Kumar Tiwary, Ld. Counsel for accused
persons/applicants Manjeet Singh Banti, Mritunjay Singh
Avinash & Jitender Kumar Singh
IO ASI Dharmender
(all three present through video conferencing)*

These are two applications, both dated 04.06.2020 u/s 438 Cr.PC on behalf of applicants/accused persons namely Manjeet Singh Banti, Mritunjay Singh Avinash & Jitender Kumar Singh for grant of anticipatory bail.

Reply dated 13.07.2020 has been filed by the IO. Copy of reply supplied.

In support of the bail application, it is submitted by the Ld. Counsel for the applicants/accused persons that there was a quarrel between the two groups on falling of the water from the water tank and two FIRs No.610/2020 and 611/2020 were registered as cross-cases against each other.

It is submitted on behalf of accused persons that two of the accused persons namely Satya Narain Mehto & Sanjay have already been granted anticipatory bail from the Hon'ble High Court vide order dated 09.07.2020 in Bail application No.1355/2020 and for other three, the bail application is pending. Contd...2

**State Vs. (1) Manjeet Singh Banti
(2) Mritunjay Singh Avinash
(3) Jitender Kumar Singh**

13.07.2020

The IO of this case has informed that the accused persons have not joined the investigation till date.

Ld. Counsel for the applicants has submitted that they had gone to the police station but the IO was not meeting at that time.

In the above-noted circumstances, the accused persons/applicants of this case are hereby directed to join the investigation before the IO on **18.07.2020 at 5 PM** after getting them tested for Covid-19 test, with the test report, to be produced to the IO before joining the investigation. The accused persons shall further join the investigation as and when required by the IO. They shall also furnish their present and permanent addresses with supporting documents to the IO for future reference.

Non-joining of investigation shall be taken very seriously.

Be listed for further hearing on the bail application on

23.07.2020.

The IO of FIR No.610/2020 shall also appear on that date with the case file of such case.

Interim protection of no coercive steps of arrest already granted vide order dated 17.06.2020 and further continued vide order dated 23.06.2020, the interim protection shall continue.

A copy of order be given to all the parties concerned, as prayed.

(Dr. Archana Sinha)
Addl. Sessions Judge-06(West)
Tis Hazari Courts : Delhi/13.07.2020