

04.11.2020

Through Video conferencing at 10:05 am.

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
Sh. Ajay Lal, Ld. Counsel on behalf of applicant/accused Vicky has joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and he is in JC since 09.09.2020. Ld. Counsel argued that main-accused Shiv Kumar has already been granted bail. He further argued that recovery effected from a park, so, same cannot be connected with the accused. He further argued that applicant/accused was arrested on the disclosure statement of co-accused. Therefore, he should be granted bail in this matter.

Reply of IO has been filed electronically. Copy of same supplied to Ld. Counsel for applicant/accused. Perusal of the same shows that mobile phone got recovered at the instance of accused from the park. Ld. APP for the State vehemently opposed the present bail application stating that applicant/accused is BC of the area and recovery also effected at his instance.

Submissions of both sides heard.

Considering that recovery has already been effected investigation qua applicant/accused is almost complete, so, no purpose would be served by keeping the accused behind bars. Therefore, he is admitted to bail subject to furnishing of bail bond and surety bond in the sum of Rs.15,000/- each and subject to the following conditions : -

1. that accused person(s) shall attend the Court as per conditions of bond to be executed,
2. that accused person(s) shall not commit similar offence and ;
3. that accused person(s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Application stands disposed off accordingly. Copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Sadar Bazar. The printout of the applications, reply and the order be kept for records and be tagged with the final report.

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04.11.2020

Through Video conferencing at 10:00 am.

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
Sh. Manoj Kumar Yadav, Ld. Counsel on behalf of applicant/accused Vinayak Vikas Jadhav has joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and he is in JC. Ld. Counsel argued that incident pertains to the year 2016 and even as per the story of the prosecution, the applicant/accused had not made any e-mail to Sh. Amar Nath regarding transferring of money to NEFT. He further argued that at the time of alleged incident, the applicant/accused was mere 18 years of age. He further argued that account to which the amount of Rs.1 lakh was transferred belongs to co-accused Tejas Parmar. He further argued that present applicant/accused lives with his widow mother and there is no one to look after his mother. Therefore, he should be granted bail in this matter.

Reply of IO has been filed electronically. Copy of same supplied to Ld. Counsel for applicant/accused. Ld. APP for the State vehemently opposed the present bail application stating that applicant/accused is the main accused in the present case and he was arrested from Maharashtra and after taking his transit remand, he was produced before Delhi Court on 27.10.2020. He further argued that present applicant/accused is also involved in one another case of Hyderabad Cyber Crime in FIR No.98/16 under Section 420 IPC.

Submissions of both sides heard.

The present applicant/accused has been apprehended at the instance of co-accused. There is prima-facie evidence that applicant/accused withdrew the amount of Rs.97 lakhs by using the debit card of co-accused Tejas Parmar. He left Rs.3,000/- in the account of co-accused as agreed between them. Prima-facie, it seems that present accused is the main conspirator and there is evidence regarding his involvement in the present case. He is found involved in one similar other case. So, at this stage, this court is not inclined to grant bail to the applicant/accused and the present bail application is hereby rejected.

Application stands disposed off accordingly. Copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Sadar Bazar. The printout of the applications, reply and the order be kept for records and be tagged with the final report.

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04.11.2020

Through Video conferencing at 10:25 am.

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
Sh. Ashok Kumar, Ld. Counsel on behalf of applicants/accused Sarik and Mukul Arya has joined through Cisco Webex.

These are two applications under Section 437 Cr. PC for grant of bail of applicants/accused persons.

Reply of IO has been filed electronically. Copy of same supplied to Ld. Counsel for applicant/accused. Perusal of the same shows that charge-sheet has been filed.

At this stage, Ld. Counsel for accused persons submits that he will argue physically before the Court.

At request, be put up for arguments/further proceedings on 07.11.2020.

Application stands disposed off accordingly. Copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines.

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04.11.2020

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
None has joined meeting behalf of applicant/accused Bharat despite intimation.

This is an application of the applicant/accused for release of articles seized during jamatalashi as mentioned in the application.

Reply of IO has been filed. Copy of same sent to applicant/accused electronically. Perusal of the same shows that recovery of Rs.1080/- got effected from accused Bharat and the same found to be robbed from the complainant. There is no jamatalashi of accused. No mobile phone got seized from the accused.

Under these circumstances, present application is dismissed.

Copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the applications, reply and the order be kept for records and be tagged with the final report.

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MM-06(C)/THC/Delhi/04.11.2020

04.11.2020

Through Video conferencing at 10:15 am.

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
Sh. Ragib Gayyur, Ld. Counsel on behalf of applicant has joined through
Cisco Webex.

This is an application for calling the investigation report and direction for
preserve the CCTV footage of the area.

Reply on behalf of IO filed electronically. Copy of same supplied to Ld.
Counsel electronically.

At this stage, Ld. Counsel for applicant requested that necessary directions
may be issued to SHO/IO regarding putting the stolen mobile phone on surveillance.

Heard. Perused.

Let, notice be issued to SHO/IO with direction to make sincere efforts to trace
out the stolen mobile phone and accused.

At request, be put up for filing report on behalf of IO/SHO/further
proceedings on 20.11.2020.

Application stands disposed off accordingly. Copy of order be uploaded on
Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil
Lines.

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MANOJ KUMAR MM-06(C)/THC/Delhi/04.11.2020
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04.11.2020

Through Video conferencing at 10:10 am.

Present : Sh. Vikram Dubey, Ld. APP for the State has joined through Cisco Webex.
Sh. Abhishek Kumar, Ld. LAC on behalf of applicant/accused Shahbuddin @
Babu has joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and he is in JC since 08.05.2020. Ld. LAC argued that investigation is complete and charge-sheet has already been filed. Therefore, he should be granted bail in this matter.

Reply of IO has been filed electronically. Copy of same supplied to Ld. Counsel for applicant/accused. Ld. APP for the State vehemently opposed the present bail application stating that recovery has been effected from the possession/at the instance of applicant/accused.

Submissions of both sides heard.

Considering that investigation is complete and charge-sheet has been filed, so no purpose would be served by keeping the accused behind bars. Therefore, he is admitted to bail subject to furnishing of bail bond and surety bond in the sum of Rs.15,000/- each and subject to the following conditions : -

1. that accused person(s) shall attend the Court as per conditions of bond to be executed,
2. that accused person(s) shall not commit similar offence and ;
3. that accused person(s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Application stands disposed off accordingly. Copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Sadar Bazar. The printout of the applications, reply and the order be kept for records and be tagged with the final report.

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