

ऋषभ कपूर
RISHABH KAPOOR

M. 3-03

केन्द्रिय जेल कमरा नं. 150
Central District Court Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

State Vs. Prem @ Bunty
e-FIR No.010599/2020
PS Rajender Nagar

01.07.2020

Present: Ld. APP for State (through VCC over Cisco Webex)

Sh. Satish Kumar Ld. LAC for applicant/accused State (through VCC over Cisco Webex)

IO/ASI Jaiveer Singh State (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 2:13 PM to 2:17 PM.

The certificate of good conduct of accused during period of his custody, has not been filed. Ld.LAC submits that pursuant to order dated 29.06.2020, another intimation in this regard was made by him to concerned Jail Superintendent but despite same, the scanned copy of certificate of good conduct of accused as prescribed by HPC guidelines dated 18.05.2020, is not received.

Perusal of the orders dated 26.06.2020 and 29.06.2020, is revealing that the directions were also issued by this court to send the scanned copy of said order(s), to concerned Jail Superintendent through email at daksection.tihar@gov.in, for necessary compliance. But despite same, the compliance is not made by Jail Superintendent, till date.


Ld. LAC submits that the present application be disposed off, on merits.

The present application is moved for grant of interim bail to the applicant/ accused Prem @ Bunty in view of criterion laid down by Hon'ble HPC on 18.05.2020. It is stated by Ld. LAC that applicant is a remand prisoner involved in a theft case and is in custody for more than 15 days, therefore he be released on interim bail for a period of 45 days.

Minutes of meeting dated 18.05.2020 of Hon'ble HPC are perused.

In item no.6, page no. 12 in second para thereof, it has been observed by Hon'ble HPC that the applications for interim bail falling in aforementioned categories, for being considered should have a certificate of good conduct during their respective custody period from concerned Jail Superintendent for him to qualify in the above mentioned category.

In absence of certificate of good conduct of accused during his period of custody, from Jail Superintendent, the prayer for grant of interim bail to accused/applicant, is untenable.

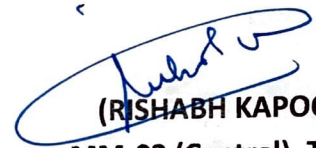

01/07/2020.

Accordingly, in view of the discussion made above the present application deserves to be dismissed and same is hereby dismissed,

Application stands disposed off.

Scanned copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. LAC for applicant and also for sending to concerned Jail Superintendent through all permissible modes including email at daksection.tihar@gov.in , for necessary information.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

01.07.2020

State Vs. Arun Saini
FIR No. 154/2020
PS Rajender Nagar

रिशभ कपूर
RISHABH KAPOOR
नं. -03
Met. ज. ... -03
केन्द्रीय जि. ... नं. 150
Central Dist. ... Room No. 150
तीस हजारी ... यालय, दिल्ली
Tis Hazari Courts, Delhi

01.07.2020

Present: Sh. Vakil Ahmad Ld. APP for State (through VCC over Cisco Webex)

Sh. Vikas Kataria Ld. Counsel for applicant/accused (through VCC over Cisco Webex)

IO/SI Rituraj (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 2:31 PM to 2:38 PM.


The present urgent application was filed on behalf of the applicant/accused on email id of this court on 30.06.2020. Same is taken up for hearing through VCC in view of Circular No. 6797-6899/CMM/Central/DR/2020 dated 29.06.2020.

This order shall dispose of the bail application moved on behalf of applicant/accused Arun Saini.

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that applicant/accused has no involvement in the present case. It is further averred that the allegations made in the FIR does not constitute any offence. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements. It is also contended that the remaining co-accused persons namely Monu Jaat and Gopal are yet to be nabbed in the present case and if applicant/accused is enlarged on bail, he may help the absconding co-accused persons to flee away from the process of law.

On perusal of the scanned copy of previous conviction/involvement report received along with reply of IO, it emerges that the accused is having previous involvements in certain other cases, involving serious offences. More particularly, the accused has been shown to have complicity in respect of case FIR 197/2014 u/s 392/34 PC PS Vasant Kunj, case FIR No. 357/2014 u/s 392/397/34 IPC PS Samai Pur Badli and case FIR No. 32/2014, u/s 380/34 IPC PS Miya Wali


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Nagar. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified. Besides, also keeping in view the fact that applicant/accused has unclean previous antecedents, of having been involved in serious offences on previous occasions, therefore the apprehension of investigating agency that if enlarged on bail, he will help the co-accused persons namely Monu Jaat and Gopal in further evading the process of law, also appears to be well justified.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant Arun Saini. Accordingly, the present application deserves dismissal and same is hereby dismissed.

Scanned copy of this order is being sent to Sh. Manoj Kumar (Assistant Ahlmad) through whatsapp/email for transmitting the same to the Ld. Counsel for applicant/accused and also for compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

01.07.2020