

FIR No. 99/2018
PS Ranjit Nagar
U/s 392/394/397/34 IPC
State Vs. Arjun @ Hakla


30.09.2020

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh. Zia Afroz, Ld. Counsel for the applicant/accused through VC.

This application u/s 439 Cr.P.C. as filed on behalf of the applicant/accused for grant of regular bail, is listed today for arguments.

Ld. Counsel for the applicant/accused submits that the applicant/accused has been falsely implicated in this case and he has not committed any alleged offence. He further submits that the applicant/accused is in J.C. since April, 2018. He further submits that the prosecution witnesses have already been examined in this case and there are material contradictions in the testimonies of the prosecution witnesses. Ld. Counsel for the applicant/accused further submits that though the applicant/accused is stated to be involved in other criminal cases, however, as on today, the applicant/accused is in J.C. only in this case.

Ld. Addl. P.P. for the State submits that the applicant/accused is involved in many other cases. He further submits that the applicant/accused has been identified by the witness/complainant during trial. He also argued that the offence against the applicant/accused is serious in nature and moreover, the appreciation of evidence cannot be done at this stage. Ld. Addl. P.P. for the State has opposed the bail application of the applicant/accused.


30/09/2020 Contd....2.

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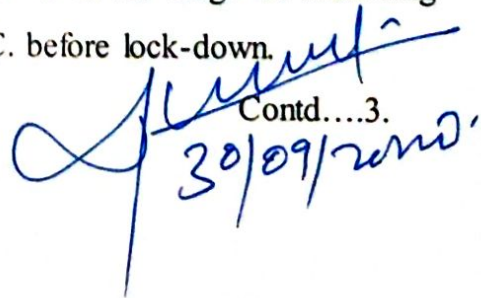
I have considered the abovesaid submissions and perused the record.

The allegations against the applicant/accused are that on 30.03.2018 at about 01.15 AM at Shadi Pur flyover in front of DMS, Shadi Pur, Delhi, he alongwith his other co-accused Afroj @ Bihari and one JCL committed robbery of mobile phone, cash of Rs. 300/- and Adhar Card of the complainant/victim Prashant Sagar. It is also alleged that while committing the abovesaid offence, the applicant/accused used knife and due to which the complainant received injuries.

Perusal of the file shows that the other co-accused Afroj @ Bihari is on bail. The earlier 4th application for grant of regular bail of the applicant/accused was dismissed by the Ld. Predecessor Court on 28.09.2019.

Since the last dismissal of regular bail of the applicant/accused on 28.09.2019, two prosecution witnesses namely PW-11 ASI Mahesh Chand and PW-12 IO/ASI Satpal were examined on 20.02.2020. Moreover, on 20.02.2020, ld. Addl. P.P. for the State has dropped three prosecution witnesses i.e. PWs ASI Gajender Singh, ASI Rajender and Ct. Anil. Further, on 20.02.2020, the then legal aid Counsel for the applicant/accused admitted FSL report as prepared by Ms. Seema Nain u/s 294 Cr.P.C.

Thus, the prosecution witnesses in the present case have already been examined and now the matter is at the stage of recording statements of accused persons u/s 313 Cr.P.C. This matter is at the stage of recording statements of accused persons u/s 313 Cr.P.C. before lock-down.


Contd.....3.
30/09/2020.

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Perusal of the file shows that the applicant/accused is in custody since 30.03.2018. The other co-accused is already on bail and the prosecution witnesses have already been examined. Therefore, keeping in view of the above facts & circumstances as well as considering the custody period already undergone by the applicant/accused in this case, the present application deserves to be allowed.

Accordingly, the applicant/accused is admitted to bail subject to furnishing personal bond in the sum of Rs. 25,000/- (Rupees twenty five thousand only) with one surety in the like amount.

Further, the applicant/accused shall not change his residential address without prior intimation to the Court.

Copy of this order be sent to the concerned Jail Supdt., for compliance.

The application is disposed of accordingly.


(Lal Singh) 30/09/2020
ASJ-05(W)/THC/Delhi
30.09.2020(P)

IA No. 11/2020
FIR No. 629/2018
PS Punjabi Bagh
U/s 302/201/149/120B/34 IPC & 25/27/54/59 Arms Act
State Vs. Jitender @ Jitu

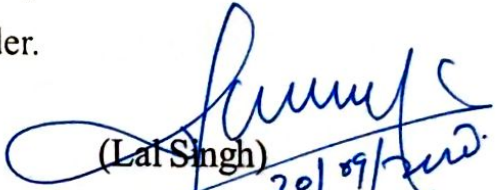
30.09.2020

Present : Sh.M.A.Khan, ld. Addl. PP for the State through VC.
Sh. Pradeep Kumar Anand, Ld. Counsel for the
applicant/accused through VC.

Matter is listed today for orders on the application u/s 439
Cr.P.C. moved on behalf of the applicant/accused.

Order could not be passed today.

Put up on 01.10.2020 for Order.


(Lal Singh)
30/09/2020
ASJ-05(W)/THC/Delhi
30.09.2020(P)

Case No. 727/2019
FIR No. 295/2017
PS Patel Nagar
State Vs. Jogesh & others

30.09.2020

Matter is taken up today in terms of order bearing No. 26/DHC/2020 dt. 30.07.2020, order bearing No. 322/RG/DHC/2020 dt. 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No. 545/13726-13784/Misc/Gaz./DJ West/Delhi/2020 dt. 31.08.2020 of the Id. District & Sessions Judge, West, Delhi.

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
Sh. Amresh Kumar, Ld. Counsel for all the accused persons
alongwith accused Jogesh, who is on bail, through VC.
Other three accused persons are absent.

Matter is at the stage of consideration on the point of Charge.

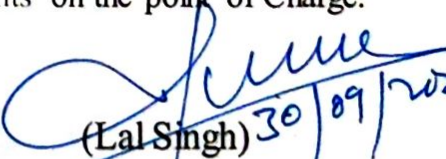
In this case, all the accused persons are on bail, however, today
except accused Jogesh, other accused persons are absent.

At the oral request of Id. Counsel for the accused persons, other
three accused persons who are also on bail are exempted from personal
appearance through VC, only for today.

At this stage, Id. Counsel for all the accused persons submits
that he is not prepared for arguments on Charge and he is seeking one more
opportunity for arguments.

At the request of Id. Counsel for accused persons, matter is
adjourned for 09.12.2020.

Put up on 09.12.2020 for arguments on the point of Charge.


(Lal Singh) 30/09/2020.
ASJ-05(W)/THC/Delhi
30.09.2020(P)

Case No. 135/2019
FIR No. 318/2018
PS Patel Nagar
State Vs. Lakhwinder Singh @ Suresh & others

30.09.2020

Matter is taken up today in terms of order bearing No. 26/DHC/2020 dt. 30.07.2020, order bearing No. 322/RG/DHC/2020 dt. 15.08.2020 of the Hon'ble High Court of Delhi and order bearing No. 545/13726-13784/Misc/Gaz./DJ West/Delhi/2020 dt. 31.08.2020 of the Id. District & Sessions Judge, West, Delhi.

Present : Sh.M.A.Khan, Id. Addl. PP for the State through VC.
None for the accused persons.

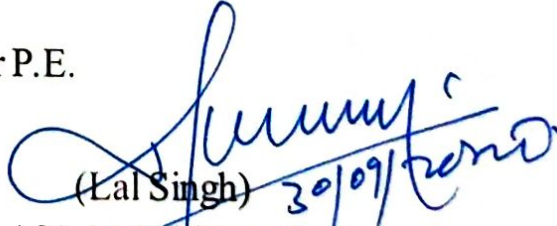
Matter is at the stage of P.E.

Perusal of the file shows that before lock-down, all the accused persons were in J.C.

As per order bearing no. 26/DHC/2020 dt. 30.07.2020 of the Hon'ble High Court of Delhi, evidence shall be recorded only in ex-parte and uncontested matters, where the same is required to be tendered by way of affidavit.

In view of the above, the matter is adjourned for 09.12.2020.

Put up on 09.12.2020 for P.E.


(Lal Singh) 30/09/2020
ASJ-05(W)/THC/Delhi
30.09.2020(P)