

FIR No. 30/2020
PS : Rajinder Nagar
U/s 452/307/34 IPC and 25 Arms Act, 1959
Abhay Arora Vs. The State (NCT of Delhi) & Anr.

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through VC).
Sh. R.R. Dua, counsel for complainant.
Sh. Chetan, proxy counsel for applicant/accused Abhay Arora.

Adjournment sought on behalf of applicant/accused on the ground that main counsel is not available due to death in his family.

At request, put up for **30.06.2020**.



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020(0).

FIR No. 436/18
PS : Karol Bagh
U/s 395/397/34/120B IPC
State Vs. Pankesh etc.

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through V/C).
Ms. Neha Kapoor, Ld. Counsel for applicant/accused Vir Bahadur(Through V/C).

TCR received.

Ld. APP for the State submits that address of the applicant is of U.P. It is not verified. IO is directed to verify the address of U.P. of the applicant/accused.

Ld. APP for the State submits that he is not having copy of the order dated 28.05.2020 passed by Hon'ble High Court whereby co-accused was granted bail. Ahlmad of the Court is directed to forward the copy of the said order to Ld. APP for the State.

Ld. Counsel for applicant also seeks copy of the reply filed. Ahlmad is directed to send the copy of said reply to the counsel for applicant/accused.

Put up on **30.06.2020.**



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽¹⁾.

FIR No. 30/2020
PS : Rajinder Nagar
U/s 307/452/387/120B & 34 IPC and
Section 25/27 of the Arms Act, 1959.
Sushil Kumar @ Sillu Vs. State of GNCTD.

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through
V/C).
Sh. Vikas, counsel for applicant/accused Sushil Kumar @
Sillu (Through V/C)

This is an application u/s 439 CrPC on behalf of
applicant/accused seeking interim bail. Reply filed by the IO.

IO has not mentioned the previous involvement of the
applicant in the reply. IO is directed to file the previous involvement
of the applicant.

Put up on **30.06.2020**.

Copy of the reply be sent to Ld. Counsel for
applicant/accused through E-mail by the Ahlmad of the Court.



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽ⁱ⁾.

e-FIR No. CKBD 0071/2020
PS : Karol Bagh
U/s 392/34 IPC
State Vs. Ritik

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through
V/C).
Counsel for applicant/accused Ritik

This is an application u/s 439 CrPC filed on behalf of the
applicant/accused Ritik for regular bail. Reply filed by the IO.

Arguments heard.

The allegations against the applicant are u/s 392/34 IPC
that he alongwith co-accused Dhananjay robbed complainant V.
Narayan Reddy. On 29.01.2020, the applicant surrendered in FIR No.
34/20 PS Karol Bagh and gave his disclosure statement regarding his
involvement in the present FIR. On the basis of the disclosure
statement of the applicant, he was arrested in this FIR. He was
correctly identified by the complainant in TIP proceedings.

Ld. Counsel for applicant/accused submits that applicant
has been falsely implicated in this case only on the basis of his
disclosure statement. He is only 18 years old. Mother of the accused
is not well and he is only bread earner in the family. He submits that
the investigation is complete and chargesheet has already been filed
in the Court of Ld. MM, though not committed yet, therefore, no
purpose shall be served by keeping accused behind bar particularly
keeping in mind the current situation of Pandemic Covid-19.



e-FIR No. CKBD 0071/2020
PS : Karol Bagh
U/s 392/34 IPC
State Vs. Ritik

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Ld. APP oppose the bail application as he submits that there are serious allegations against the applicant. Applicant is habitual offender as involved in 9 other cases of similar nature presently and during his juvenality. Ld. APP submits that list of previous involvement of the applicant has been sent to the undersigned on E-mail. He also submits that the applicant has been correctly identified by the complainant in the TIP proceedings.

I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The perusal of previous involvement record of the applicant shows that he is involved in almost 9 more cases of similar nature, therefore, the possibility of applicant to repeat the offence cannot be ruled out, accordingly, at this stage, no ground for bail is made out. The bail application is dismissed.

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



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽¹⁾.

FIR No. 32/20
PS: Kamla Market
U/s: 365/394/397/411/34 IPC
Krishan Vs. State

24.06.2020

Fresh bail application u/s 439 Cr.PC received by way of assignment. It be checked and registered.

Present: Sh. Virender Singh, Ld. Addl. PP for State. (Through V/C).

Ld. Counsel for applicant/accused Krishan.

1. This is an application u/s 439 Cr.PC on behalf of applicant/accused, seeking regular bail. Reply already filed by IO.
2. Arguments heard.
3. The FIR of this case was registered at the behest of complainant Anshu Singh, who has stated in his statement recorded by the IO that he is a taxi driver. On 14.02.2020 at about 01:00 AM, he was coming from Pahar Ganj to Ajmeri Gate in his taxi bearing no. DL-1 ZC-8868. Three persons stopped his taxi at Ajmeri Gate and booked the taxi to go to Sonipat. Out of those 3 persons, one sat on the front seat and two sat on the back seat. Later on, one of the person put pistol on the complainant and pulled him on the back seat of the taxi. The person sitting on the front seat started driving the taxi and the two persons on the back seat started beating the complainant and snatched his purse containing Rs. 4000/-, ID proof, ATM Card and Mobile phone. The accused persons stopped the taxi at petrol pump to fill the petrol in the taxi. The complainant taking the advantage of the situation escaped from the taxi and made a call at 100 number.
4. During investigation, 4 accused i.e. Deepak, Anil, Gautam and Krishan (applicant) were arrested in other FIR No. 129/20, u/s 392/397/411/120-B/34 IPC, PS Punjabi Bagh, on 14.02.2020. From the possession of those accused

FIR No. 32/20
PS: Kamla Market
U/s: 365/394/397/411/34 IPC
Krishan Vs. State


persons, the robbed taxi of the complainant Anshu Singh, his mobile and RC were recovered. During TIP, applicant Krishan refused to participate in the TIP proceedings.

5. Ld. Counsel for applicant submits that applicant is in JC since 14.02.2020. No recovery was effected from him. He is innocent and has been falsely implicated. He is the sole bread earner in his family. He submits that investigation is complete, therefore, no purpose shall be served by keeping the applicant behind bar.

6. Ld. APP oppose the bail application by submitting that there are serious allegations against the applicant and he is also involved in one more case of similar nature. He also submits that the matter is at very initial stages as even the chargesheet has not been committed to the Session Court.

7. I have considered the rival contentions of Ld. APP and counsel for applicant. The matter is at the very initial stage even the chargesheet has not been committed to the Session Court, keeping in mind the antecedents of the applicant that he is also involved in one more case of similar nature, the possibility of influencing the witnesses by the applicant and repeating the offence cannot be ruled out, hence, at this stage, no ground for bail is made out. Accordingly, the present application is hereby dismissed.

Copy of this order be given dasti to the applicant.


(Charu Aggarwal)
ASJ-02/Central Distt.
THC/Delhi-24.06.2020

FIR No. 34/2020
PS : Karol Bagh
U/s 392/394/397/324/34 IPC
State Vs. Ritik

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through
V/C).
Counsel for applicant/accused Ritik

This is an application u/s 439 CrPC filed on behalf of the applicant/accused Ritik for regular bail. Reply filed by the IO.

Arguments heard.

The allegations against the applicant are that on 23.01.2020, the applicant alongwith co-accused Dhananjay robbed cash of Rs.2,000/- and documents of the complainant. During investigation, on 28.01.2020 the applicant surrendered before the Ld. MM and refused to participate in TIP proceedings.

Ld. Counsel for applicant/accused submits that applicant has been falsely implicated in this case. He is only 18 years old. Mother of the accused is not well and he is only bread earner in the family. He submits that the investigation is complete and chargesheet has already been filed in the Court of Ld. MM, though not committed yet, therefore, no purpose shall be served by keeping accused behind bar particularly keeping in mind the current situation of Pandemic Covid-19.

Ld. APP oppose the bail application as he submits that there are serious allegations against the applicant. Applicant is




FIR No. 34/2020
PS : Karol Bagh
U/s 392/394/397/324/34 IPC
State Vs. Ritik

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habitual offender as involved in 9 other cases of similar nature presently and during his juvenality. Ld. APP submits that list of previous involvement of the applicant has been sent to the undersigned on E-mail.

I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The perusal of previous involvement record of the applicant shows that he is involved in almost 9 more cases of similar nature. Considering the gravity of the offence of the present case and past antecedents of the applicant, at this stage, no ground for bail is made out. The bail application is dismissed.

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


(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽ⁱ⁾.

FIR No. CD-HQ-000064/20
PS : Hauz Qazi
U/s 379/411 IPC
State Vs. Raghuvendra Prasad

24.06.2020


Present Sh. Virender Singh, Ld. Addl. PP for the State(Through V/C).
IO ASI Amarjeet Singh in person.
Sh. Pankaj Sharma, counsel for applicant/accused Raghuvendra Prasad.

This is an application u/s 439 CrPC filed on behalf of applicant/accused Raghuvendra Prasad seeking regular bail. Reply filed by the IO.

During the course of the arguments, Ld. APP for the State submits that the earlier bail application of the applicant/accused was dismissed by Ld. MM vide order dated 20.06.2020 since the applicant was relying upon one settlement before Ld. MM which the complainant refused to enter with the applicant/accused. Today, Ld. Counsel for applicant/accused submits that the applicant/accused has not relied upon any settlement before the Ld. MM as the same is not even signed by the applicant.

For deciding the present bail application, the settlement placed on record before the Ld. MM is required to be looked into. Chargesheet is not yet been filed before the Ld. MM. Let the bail record be summoned from the Court of Ld. MM for next date of hearing.

Put up on **30.06.2020**.


(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020(j).

e-FIR No. 71/2020
PS : Karol Bagh
U/s 392/34 IPC
State Vs. Dhananjay @ Kalu

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through V/C).
Counsel for applicant/accused Dhananjay

This is an application u/s 439 CrPC filed on behalf of the applicant/accused Dhananjay seeking interim bail. Reply filed by the IO.

Arguments heard.

The allegations against the applicant are u/s 392/34 IPC that he alongwith co-accused Ritik robbed complainant V. Narayan Reddy. On 20.01.2020, co-accused Ritik was arrested in FIR No. 34/20 PS Karol Bagh and gave his disclosure statement regarding his involvement in the present FIR alongwith the applicant. On the basis of the disclosure statement of the co-accused Ritik, applicant was arrested in this FIR as well as in FIR No. 34/20 on 31.01.2020. He refused to participate in TIP proceedings.

Ld. Counsel for applicant/accused submits that applicant has been falsely implicated in this case only on the basis of his disclosure statement and on the disclosure statement of co-accused Ritik. Nothing has been recovered from the accused connecting him with the offence of this case. He submits that applicant is in JC since 31.01.2020 and due to situation of Covid-19 there are all possibilities that the applicant may catch the infection due to over crowding in



e-FIR No. 71/2020
PS : Karol Bagh
U/s 392/34 IPC
State Vs. Dhananjay @ Kalu

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the jail.

Ld. APP oppose the bail application as he submits that there are serious allegations against the applicant. Applicant is involved in one more case of similar nature i.e. FIR No. 34/20 u/s 392/394/397/324/34 IPC. He has refused to participate in TIP proceedings. Matter is at the initial stages.

I have considered the rival contentions of Ld. APP and Ld. Counsel for applicant and perused the record. The perusal of record shows that applicant was arrested in the present case only on the basis of his disclosure statement given in FIR No. 34/20 PS Karol Bagh. Nothing was recovered from the applicant. In the facts and circumstances of the case and considering the spread of Corona Virus, the applicant is admitted on interim bail for 45 days, from the date of release, subject to the following conditions :-

- a. *Applicant shall furnish the bail bond of Rs.20,000/- and surety bond of like amount to the satisfaction of concerned MM/Duty MM.*
- b. *Applicant is further directed not to leave Delhi without permission of the concerned Court.*
- c. *Applicant is directed to provide his mobile number to the IO within a day from his release and keep the said number switched on all the time.*
- d. *Applicant is also directed not to contact the witnesses during the period of interim bail.*



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PS : Karol Bagh
U/s 392/34 IPC
State Vs. Dhananjay @ Kalu

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e. The applicant is further directed to surrender before the concerned Jail Superintendent immediately after the expiry of period of interim bail.

The application is accordingly disposed off.



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽¹⁾.

FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Adil Fatima Vs. State

24.06.2020

Present: Sh. Virender Singh, Ld. Addl. PP for State. **(Through V/C)**.
Ld. Counsel for applicant/accused.

1. This is the second bail application u/s 439 Cr.PC filed on behalf of applicant/accused Adil Fatima seeking regular bail. Reply filed by the IO on merits as well as stating that applicant is not involved in any other case. Her first bail application u/s 439 Cr.PC was dismissed vide order dated 08.05.2020, passed by Ld. ASJ.
2. Trial of the case is pending in the Court of undersigned. Vide order dated 12.02.2020, charge u/s 302/201/34 IPC has already been framed against the applicant and other co-accused persons.
3. The applicant alongwith other 3 co-accused persons is booked for the offence u/s 302/201/34 IPC. All 4 accused are brother-in-law (Dever) and sisters-in-law (Two Nanad and one Devrani) of the deceased. The allegations against the applicant and other co-accused persons are that they set their Bhabhi (deceased) on fire on 09.10.2019, who later on, on 12.10.2019 expired. The FIR of this case was registered on the statement dated 09.10.2019 of the deceased herself who in her statement stated that her dever (co-accused Faizan Wasim) poured kerosene oil upon her and set her on fire and at the time of incident other 3 lady accused i.e. her Devrani and two Nanads were also standing. The statement of husband of deceased was also recorded by the IO in which he alleged that the applicant



FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Adil Fatima Vs. State

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alongwith other two lady accused were exhorting to set the deceased on fire. On these allegations, the present FIR was registered.

4. Counsel for applicant submits that applicant is in JC since 14.10.2019. Her family is extremely poor. Applicant is a married lady having 2 minor children aged about 8 years and $\frac{1}{4}$ **years** and the younger child of the applicant is staying with the applicant in the jail since there is nobody in the family of the applicant to look after the infant. He submits that mother-in-law of the applicant has already expired and her father-in-law and husband are already looking after her elder child aged about 8 years. Counsel further submits that due to the recent threat of Corona Virus which has also spread inside the jail premises, the stay of infant inside the jail is dangerous for his health, therefore, the applicant be admitted on regular or interim bail.

5. Ld. APP strongly oppose the bail application primarily on the ground that the first bail application of the applicant was dismissed by Ld. ASJ vide order dated 08.05.2020 and thereafter, there is no change in circumstance that applicant be admitted on bail. He also submits that there are serious allegations against the applicant that she in connivance with other co-accused persons set on fire her real sister-in-law (Bhabhi), who later on lost her life in the incident.

6. I have considered the rival contentions of Ld. APP and counsel for applicant and perused the record. The applicant is seeking bail primarily on the ground that she is staying in the jail



FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Adil Fatima Vs. State

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alongwith her infant aged about 1 ¼ year and due to spread of Covid-19, it is risky for the child to remain inside the jail and there is nobody in the family of the applicant to look after the child.

7. Report filed by the Jail superintendent that the child aged about 1 year and 8 months of the applicant is staying with her inside the jail. The IO has filed the report that father and grandfather of the child are available in the family to look after the infant who are already looking after the elder son aged about 8 years of the applicant.

8. In "**Data Ram Singh Vs. State of U.P.**" decided on 06.02.2018 the Hon'ble Apex Court has observed that the Court should opt humane attitude while considering the bail application. Bail is rule and jail is exception. A person is presumed to be innocent unless the guilt is proved.

9. Copy of order dated 08.05.2020, passed by Ld. ASJ whereby the earlier bail application of the applicant was dismissed is annexed with the present application which shows that the said bail application was dismissed primarily on two grounds *firstly* considering the seriousness of the offence and *secondly* by observing that the HPC has already expressed its satisfaction in various meetings regarding the measures taken by the jail authorities for preventing outbreak of Corona in jail premises.

10. A perusal of the judicial file shows that vide order dated 12.02.2020 charge u/s 302/201/34 IPC was framed upon the applicant



FIR No. 149/19
PS: Hauz Qazi
U/s: 302/201/34 IPC
Adil Fatima Vs. State

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and other co-accused persons and thereafter matter was adjourned for prosecution evidence for 18.03.2020. Since March, 2020 the case has not proceeded further to its next stage at all in view of the outbreak/lock down due to Covid-19. As per the latest Media reports, the situation of spread of Corona virus has become more worst in last one month due to increase of cases of virus manifold, which is so being taken note by the HPC in its latest Minutes dated 20.06.2020, as reported to the Committee that till Mid-May 2020 the situation was under control inside the jail however despite taking various precautions the virus has entered even in the jail premises since mid of May. In the Meeting of HPC held on 20.06.2020, the committee was also informed that few Jail Inmates and Jail staff was found Corona positive. Keeping in mind spread of Corona virus inside the jail since mid May 2020, the prime concern of this Court is the safety of the innocent infant of the applicant who cannot be made sufferer of the present situation of outbreak of Pandemic Covid-19. In the present situation, the safest place for the infant to stay will be in his own house. As reported by the IO, there is no female member in the family of the applicant to look after such a small child and the male members of the family are already looking after the 8 years old son of the applicant. The Courts may take time to resume its regular working. Hence, the applicant is admitted on interim bail for 45 days, from the date of release, subject to the following conditions :-



FIR No. 149/19

PS: Hauz Qazi

U/s: 302/201/34 IPC

Adil Fatima Vs. State

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- a. Applicant shall furnish the bail bond of Rs.20,000/- and surety bond of like amount to the satisfaction of this Court.
- b. Applicant is further directed not to leave Delhi without permission of this Court.
- c. Applicant is directed to provide his mobile number to the IO within two days from her release and keep the said phone switched on all the time.
- d. Applicant is also directed not to influence the witnesses during the period of interim bail.
- e. The applicant is further directed to surrender before the concerned Jail Superintendent immediately after the expiry of interim bail.

The application is accordingly disposed off.



(Charu Aggarwal)
ASJ-02/Central
Tis Hazari/Delhi
24.06.2020(j)

FIR No. 211/19
PS : Prasad Nagar
U/s 302 IPC
Monu Kandra Vs. State

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State(Through V/C).
Sh. Vineet Jain, Ld. Counsel for applicant/accused Monu Kandra (Through V/C).

This is an application u/s 439 CrPC on behalf of applicant/accused Monu Kandra seeking interim bail on the ground of marriage of his sister stated to be scheduled for 29.06.2020. Reply on merits already filed by IO. In compliance of order dated 18.06.2020 of this Court, the IO has verified the factum of marriage of applicant's sister on 29.06.2020 and his family members. As per the reply of the IO, marriage of the applicant's sister is fixed for 29.06.2020 and other three brothers of the applicant are available to perform the rituals relating to the marriage of applicant's sister.

Ld. Counsel for applicant submits that applicant is a permanent resident of Delhi, however, marriage of his only sister scheduled for 29.06.2020 is at the native place i.e. Muradabad, U.P. of the applicant in which his presence is required to perform marriage rituals. He also submits that applicant is not involved in any other case and has been falsely implicated even in this case and he is in JC since September, 2019. He submits that chargesheet has already been filed in the Court of concerned MM though not committed yet due to lockdown.



FIR No. 211/19
PS : Prasad Nagar
U/s 302 IPC
Monu Kandra Vs. State

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Ld. APP oppose the bail application stating that there are serious allegations against the applicant and matter is at the very initial stages. Chargsheet is not even committed to the Court of Sessions. He also submits that the prosecution has cited one eye witness to the murder of the deceased and if applicant is admitted on bail, the possibility of influencing the witness by the applicant cannot be ruled out. He also submits that the provisions of custody parole are also available for the applicant to attend the marriage of his sister. He further submits that as per the reply of the IO, other three brothers of the applicant are available to perform rituals in the marriage. He submits that the marriage is going to be performed in Muradabad, U.P. which is almost 200 kms away from Delhi and due to out break of Covid 19 there is uncertainty of the entire situation including the movement of the persons from one place to another.

I have heard Ld. APP for the State and Ld. Counsel for applicant. As reported by the IO, other three brothers of the applicant are available to perform the marriage rituals therefore, the presence of the applicant is not indispensable in the marriage of his sister, hence, no ground for bail is made out. Application is dismissed.

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



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020⁽¹⁾.

FIR No. 10599/20
PS Rajender Nagar
u/s 379/411/34 IPC
Krishan Vs. State

24.06.2020

Present Sh. Virender Singh, Ld. Addl. PP for the State (Through V/C).

Sh. Atul Kumar Sharma, counsel for applicant Krishan

Ld. Counsel for applicant submits that at present he is not pressing this application since he has directly availed the remedy u/s 439 CrPC instead of filing an application u/s 437 CrPC. Separate statement of Ld. Counsel for applicant recorded to this effect.

In view of the above statement, the present application is dismissed as withdrawn with liberty to first approach the appropriate Court.

Application is disposed off accordingly.



(Charu Aggarwal)
ASJ-02, Central District,
Tis Hazari Courts,
Delhi/24.06.2020(i).