

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Rafat Ali
FIR No. : 609/15
PS. : Khayala
U/s : 302/347 (d)/34/120(b)IPC

I.A. NO. : 07/20

THROUGH CISCO WEB EX

02.07.2020

ORDER:-

Present: Sh. Subhash Chauhan, Ld. Addl. PP for the State (through Cisco Web Ex.)
Sh. Kunal Manav with Sh. Puneet Jaiswal, Ld. Counsels for the accused/applicant along with accused/applicant (through Cisco Web Ex)
Ms. Aarti Pandey Ld. Counsel from DCW. (through Cisco Web Ex).
Sh. C.B. Garg, Ld. Counsel for the complainant along with complainant.

Reply on behalf of the IO filed.

Arguments on the interim bail application heard. Put up for orders.

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 02.07.2020

At 1.30 PM

ORDER :-

1. By this order I shall decide the interim bail application filed by the accused Rafat Ali. The brief facts of the case are that victim was gang rapped and then she along with her two children were killed, the house was also robbed, after completion of investigation chargesheet

- was filed in the case.
2. Ld. Counsel for the accused/applicant has sought interim bail on the ground that sister of the accused has to get married.
 3. Ld. Addl. PP for the State has opposed the bail application on the ground that no doubt the sister of the accused has to get married but repeatedly the bail application of the Rafat Ali has been dismissed by this court and accused does not have any permanent address in Delhi. Ld. Counsel for the complainant has supported the submissions made by the Addl. PP for the State.
 4. I have heard Ld. Counsel for the accused/applicant and Ld. Addl. PP for the State and have perused the record.
 5. PW 2 in his deposition has identified the accused persons while entering the house of the victim. Prima facie FSL report suggest that DNA of victim lady was found on the clothes of the accused person worn by them at the time of committing the offence, which were later recovered at their instance. In the present case accused has sought interim bail on the ground that his sister has to get married and he has to make arrangement. Nowhere in the application he has pleaded that he is the only brother or that there is no other male member in the house. The perusal of the wedding card annexed with the petition clearly suggests that there are other members in the family who can make arrangements. Considering the facts and circumstances of the case I do not find any ground to admit the accused to interim bail. Application stands dismissed.

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 02.07.2020

IN THE COURT OF ANKUR JAIN
ADDITIONAL SESSIONS JUDGE: SFTC (WEST)-01: DELHI

State Vs. Naveen Goyal
FIR No. : 334/19
PS. : Nangloi
U/s : 376(d)/328/506/34 IPC

I.A. NO. /05/20

THROUGH CISCO WEB EX

02.07.2020

ORDER:-

Present: Sh Subhash Chauhan Ld Addl P.P for the state.
Ms Arti Pandey Ld Counsel for DCW
Sh Aman Goyal Ld counsel for the complainant along with
complainant.
Sh Sanjiv Kumar Ld Counsel for the accused.

1. By way of this order I shall decide the interim bail application filed by the accused/applicant Navin Goyal. The brief facts of the case are that on the complaint of Ms. 'K' FIR was registered wherein she had alleged that she was raped by Deepak and accused. After completion of investigation chargesheet was filed and case was pending at the stage of charge.
2. This is an application seeking interim bail on the ground that the the son of the accused is not well and on the ground of prevalent circumstances in the country.



Counsel for the accused has argued that the younger child of the accused is suffering from loose motion and there is no male member in the family to look after the child. He also submits that in the complaint there are no allegations of rape in so far as the accused is concerned.

4. On the other hand Ld. Addl. PP for the State duly assisted by the counsel for the complainant has argued that allegations against the accused are serious in nature. Charge is yet to be framed and the possibility of the accused tempering with the evidence cannot be ruled out.
5. I have heard Ld. Counsel for the accused/applicant and Ld. Addl. PP for the State and perused the record.
6. As per the reply filed by the IO main accused Deepak has reportedly been granted interim bail during this lock-down period. Counsel for the accused had also sent the copy of the order through whats app. Accused is in Judicial custody since 11.10.2019. the trial is likely to take some time. Considering the facts and circumstances of the case on the ground of parity accused is admitted to interim bail for a period of 45 days from the date of his release on furnishing a personal bond in the sum of Rs. 25,000/- along with one surety in the like amount to the satisfaction of this court with the following terms and conditions:-



- a. That the accused shall not contact the complainant/victim or any other witnesses through any mode. He shall not leave the city without permission of this court.
- b. He shall inform this court of any change in his address.
- c. The accused shall surrender before the concerned jail on expiry of 45 days from the date of his release.
- d. The accused shall provide his latest mobile no to the SHO/IO and shall mark his presence once a month on first Monday of the month. The mode and manner of marking his presence is at the discretion of SHO/IO concerned.

IA is disposed off accordingly.

Copy of the order be sent to all concerned through electronic mode.

Put up on the date fixed.

(Ankur Jain)
Addl. Sessions Judge (SFTC-01) West
Delhi: 02.07.2020