

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.

Heard. It is submitted that applicant/accused has been falsely implicated and running in judicial custody since 11.12.2019. The role of the applicant/accused is only under S. 120-B IPC and was allegedly having conversation with other co-accused who had committed offence. It is further submitted that chargesheet has already been filed and nothing is to be recovered. There is no previous involvement. Further accused be granted interim bail in view of direction of Hon'ble High Court as there is outbreak of Covid-19 and there is every likelihood of its spreading in the jail.

• The application is opposed on the ground that accused has direct role. As per CDR, the location of the accused was found to be at the scene of crime. The robbery was committed after firing two round of bullets in the air. The accused was arrested on the basis of CAF. The robbed bag was recovered from the possession of the applicant/accused. The applicant/accused was receiving continuous phone call at the time of offence. Photograph of victim was found in

the mobile of applicant/accused.

In the totality of the facts and circumstances of the case and keeping in view seriousness of the allegations, gravity of offence and severity of punishment, I am of the opinion that applicant/accused is not entitled to interim bail. Accordingly, the application is dismissed and disposed of.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Rahul Verma @ Bhuri

FIR No.: 119/2019

PS : Mundka

U/s : 395/397/506/411/34 IPC r/w 25/54/59 Arms Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

The present application for grant of interim bail of applicant/accused moved on the ground of circumstances prevailing due to covid-19 and due to outbreak of covid-19 there is likelihood of spread of covid-19 in jail and therefore it is prayed that applicant/accused be released on interim bail. Further it is also submitted that there is no previous involvement of the applicant/accused and no recovery was effected and his role is under 120-B IPC. He is not found at the spot and there is only phone call.

Application is opposed. Reply filed. Perused.

It is stated that applicant/accused alongwith other committed dacoity at the company in the mid night and caused several injury on the head of cashier and all the employees were taken hostage at the gun point and Rs.22 lacs were looted. The present applicant/accused was arrested at the instance of co-accused and he had refused to join TIP. The chargesheet has already been filed and motorcycle used in the crime was recovered at the instance of the

applicant/accused and Rs.45000/- looted money was also recovered from him. However FSL report regarding DVR is awaited and sweater which was worn by applicant/accused at the time of occurrence has been recovered.

Keeping in view nature of offence and the recovery of incriminating material at the instance of the applicant/accused and his refusal to join TIP, gravity of offence and in the manner the dacoity was committed, I am of the opinion that applicant/accused is not entitled to bail. Accordingly, the interim bail application is dismissed and disposed of.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

This is an application for grant of interim bail of applicant/accused. Heard. It is submitted that mother of applicant/accused is suffering from fucfibroyd uterus and severe bleeding oozing, for which, she has been advised surgery for 09.05.2020 and thereafter another date is given. Further chargesheet is already filed and accused is in j/c for 4 years. Mother is seriously ill and surgery was advised alongwith attendant and two unit blood, which accused will provide on his release on interim bail. Therefore it is prayed that accused be released on interim bail for treatment of his mother.

On the other hand bail application is opposed as accused/applicant is main offender who had given stab injury on the person of deceased. Several dates for surgery has been extended.

Keeping in view nature of surgery advised and prevailing circumstances where only emergency patient are being treated, I am of the opinion that surgery for fucfibroyd uterus, which is not life

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threatening, can await. Accordingly, the application is dismissed and disposed of.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Pappu Kamat

FIR No.: 250/2019

PS : Tilak Nagar

U/s : 376/342/506 IPC & 6 POCSO Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

This is an application for grant of regular bail. Heard. It is submitted that applicant/accused has been falsely implicated in this case and running in judicial custody since 17.05.2019. Further statement of victim is already recorded and there is no medical examination of the victim and the accused is only bread earner of the family and has four minor children to look after them.

Bail application is opposed.

As per FIR, victim aged about 16 years was forcibly locked in a room and was raped twice by the applicant/accused who is married persons having children.

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Therefore in the totality of the facts and circumstances of the case and keeping in view seriousness of allegations, gravity of offence and severity of punishment, I am of the opinion that applicant/accused is not entitled to bail. Accordingly, the bail application is dismissed.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Vicky @ Takkar
FIR No.: 162/2015
PS : Ranhola
U/s : 302/307/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

This is an application for grant of interim bail. Heard. It is submitted that father of applicant/accused was diagnosed with abscess in liver and advised for plasma and blood transfusion urgently. The applicant/accused has to arrange for the blood for the treatment of his father and therefore it is prayed that applicant/accused be released on interim bail. In support of his application, Certificate of Anari Hospital dated 12.05.2020 filed wherein doctor had diagnosed father of applicant/accused as a case of liver abscess with deranged liver function and advised him plasma and blood transfusion urgently and surgery for liver abscess will be done after blood transfusion.

My learned predecessor had called for the report of the IO. IO verified and reported that father of applicant/accused is admitted in the hospital on 10.05.2020 and family of the applicant is residing on rent. There is mother and sisters of applicant/accused, who may take care of the father of the applicant/accused.



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Ld. Counsel for applicant/accused submitted that there is no other male member in the family of the applicant/accused and sisters are young.

In the totality of the facts and circumstances of the case and keeping in view medical condition of father of applicant/accused, I am of the opinion that applicant/accused is entitled to interim bail for treatment of his father. Accordingly, the applicant/accused be released on interim bail for a period of 20 days from date of his release for treatment of his father on his executing personal bond and surety bond in the sum of Rs.25000/- each to the satisfaction of concerned Jail Superintendent subject to conditions that he shall not tamper with evidence and shall not influence the witnesses of the case and shall surrender before the Jail Superintendent concerned as per his direction.

The copy of the order be sent to Jail Superintendent for information and compliance by way of e-mail/whatsapp etc.

Accordingly, the present application is disposed of above:



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Ravi @ Retal
FIR No.: 526/2015
PS : Hari Nagar
U/s : 302/307/34 IPC & 25 Arms Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.

This is an application for grant of interim bail. Heard. It is submitted that chargesheet is not yet filed and due to outbreak of covid-19 there is likelihood of spread of covid-19 in jail. It is also submitted that accused is in j/c for last 5 years and his mother is in serious condition who is under treatment.

Interim bail application is opposed.

There is one document filed of chest pain of the hospital but there is no follow up of the same.

In the totality of the facts and circumstances of the case and keeping in view seriousness of allegations, gravity of offence and severity of punishment, I am of the opinion that applicant/accused is not entitled to interim bail. Accordingly, the interim bail application is dismissed and disposed of.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Jaspreet Singh @ Micky & Ors.

FIR No.: 12/2018

PS : Khayla

U/s : 302/201/120B/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

This is an application for grant of interim bail. Heard. It is submitted that family of applicant/accused comprises of old aged widow mother, wife (co-accused in the present matter) and two minor children. The mother of the applicant is living alone and she has been suffering from various ailments and therefore to lookafter her, the applicant/accused was earlier granted bail vide order dated 19.02.2020. Further the mental condition of the mother was not good and when she consulted the department of DDU Hospital, she was diagnosed with schizophrenia, a mental disorder. However, in compliance of the direction, he had to surrender before the jail authorities on 16.03.2020 and due to lockdown he could not apply for further extension of interim bail.

The bail application is opposed.

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The bail application of applicant/accused on the similar ground has already been dismissed vide order dated 05.05.2020. No fresh ground is made out. Accordingly, the interim bail application is dismissed and disposed of.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Ram Vilas Paswan
FIR No.: 257/2017
PS : Ranjeet Nagar
U/s : 323/370/354 IPC & 75/79 JJ Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.
Addl. PP for State.

(Hearing through VC)

Heard counsel for applicant/accused on mobile phone provided in the application who provided number of another counsel Sh. Kunal and Sh. Kunal stated that it is to be argued by another person who is not available today and sought adjournment.

The application cannot be adjourned in this manner as in view of outbreak of covid-19, only urgent matter is being heard. The application is accordingly dismissed and disposed of with liberty to counsel to file afresh.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Rajbir Yadav

FIR No.: 243/2016

PS : Moti Nagar

U/s : 395/397/412/34 IPC & 25/27/54/59 Arms Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard. Application perused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case and running in judicial custody since 01.04.2016. It is further submitted that main co-accused Sunny Bhardwaj and other co-accused Talab Singh @ Kala have already been admitted to bail vide order dated 16.11.2019 and 07.01.2020 respectively and therefore it is prayed that on the ground of parity, the applicant/accused be also admitted to bail. It is further submitted by Ld. Counsel for applicant/accused that main accused Sunny Bhardwaj, against whom charges under S. 397 IPC as well as Arms Act was framed, was identified in TIP and was also identified by the complainant during deposition in the court, has been granted bail. Further 5 witnesses have already been examined and 23 witnesses are yet to be examined. Further trial is going to take time.

It is also submitted that allegation against applicant/accused is that he was involvement in the dacoity and allegedly Honda City car was recovered from his possession. The

chargesheet was filed on 30.06.2016 and material witnesses have been examined and co-accused having main role was already admitted to bail and therefore on the ground of parity, I am of the opinion that applicant/accused is entitled to bail. Accordingly, applicant/accused be released on bail on his furnishing personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of Ld. MM/ Link MM/ Duty MM/Trial Court subject to condition that he shall not tamper with evidence and shall not influence the witnesses of the case. It is made clear that if submission of Ld. Counsel regarding bail of co-accused is found untrue, the bail shall stand cancelled automatically.

Accordingly, the present application is disposed of above.

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(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Rakesh
FIR No.: 92/2010
PS : Nihal Vihar
U/s : 302/120 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.
Addl. PP for State.

(Hearing through VC)

Heard counsel for applicant/accused on mobile phone who provided number of another counsel Sh. Kunal and Sh. Kunal stated that it is to be argued by another person who is not available today and sought adjournment.

The application cannot be adjourned in this manner as in view of outbreak of covid-19, only urgent matter is being heard. The application is accordingly dismissed and disposed of with liberty to counsel to file afresh.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Hanif
FIR No.: 254/16
PS : Nangloi
U/s : 392/394/397/411/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.


Present: None.

Addl. PP for State.

(Hearing through VC)

Application perused. In the totality of the facts and circumstances, the CCL be released on personal bond to the satisfaction of observation home concerned.

The application is accordingly disposed of.


(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Rahul etc.
FIR No.: 1037/2015
PS : Ranhola

U/s : 363/376D/506/120B/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: None for applicant/accused.
Addl. PP for State.

(Hearing through VC)

Mobile number provided in the application is reportedly invalid and therefore counsel for applicant/accused could not be contacted for the purpose of video conferencing. In view of it, the present application is dismissed with liberty to counsel to file afresh with proper particulars.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Sandeep Shah
FIR No.: 640/2017
PS : Punjabi Bagh
U/s : 307 IPC


15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Sh. Haneef Mohammad, Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case. The FIR was registered against present applicant/accused on 09.12.2017 and he is in custody for 2 ½ years. He has been granted bail in similar offence in another case bearing FIR No. 681/17 under S. 307 IPC vide order dated 18.03.2020. It is further submitted that accused is young man of 21-22 years of age and done diploma in mechanical engineering from PUSA. Further chargesheet has already been filed and all public witnesses have been examined and now only formal witnesses are to be examined. Further it is submitted that on account of outbreak of covid-19, on the one hand trial is not proceeding and on the other hand, there is likelihood of spread of covid-19 in jail and therefore it is prayed that applicant/accused be admitted to bail.

On the other hand, it is submitted that applicant/accused had caused injury with eye poker on the back of injured and thereafter
 ran away from the spot. Subsequently in the similar fashion, he caused

injury to the complainant. He was apprehended red handed wherein he had made disclosure statement to the present case. Two previous bail applications have already dismissed. He had also approached Hon'ble High Court for grant of but but withdrew the same and hence the application was dismissed as withdrawn by Hon'ble High Court of Delhi.

As per submission, the applicant/accused is already admitted to bail in another case and in the present case, he has been behind the bar for about 2 ½ years and material witnesses have been examined and only formal witnesses are to be examined. Further applicant/accused is aged about 21-22 years and done mechanical engineering course. Further on account of outbreak of covid-19, trial is not proceeding. Therefore in the totality of the facts and circumstances of the case, I am of the opinion that applicant/accused is entitled to bail. Accordingly, applicant/accused be released on bail on his furnishing personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of Ld. MM/ Link MM/ Duty MM/Trial Court subject to condition that he shall not tamper with evidence and shall not influence the witnesses of the case,

Accordingly, the present application is disposed of above.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Behruddin

FIR No.: 326/2016

PS : Vikas Puri

U/s : 302/307/452/427/147/148/149/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard counsel for applicant/accused through Whatsapp call.

Application perused.

It is submitted that mother of applicant/accused is suffering with Sever Lumber Spondylities and getting treatment from BM Gupta Hospital Pvt. Ltd. Uttam Nagar, Delhi. Accused is in j/c and there is nobody in the family of applicant/accused to take care of his mother. Father of the accused is struck in UP and not in a position to come. Further mother of applicant/accused has been advised surgery for 12.05.2019.

In the totality of the facts and circumstances of the case, seriousness of allegations and severity of punishment and keeping in view that movement of migrants labour is now

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allowed, father of applicant/accused can come and join and there is no merit and ground for grant of interim bail. Accordingly, the application is dismissed and disposed of.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Deepak @ Mota
FIR No.: 0193/2019
PS : Rajouri Garden
U/s : 392/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Ms. Reenu Sharma, Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case and running in judicial custody since 06.12.2019 i.e. date of arrest. Further it is submitted that role of applicant/accused is shown that he is seen in CCTV cameras whereas the person seen in CCTV footage are having helmet and therefore there is no identification. Earlier bail application was dismissed. No TIP was conducted. Alleged recovery of knife is planted upon him. Charge is already framed. Further it is submitted that on account of outbreak of covid-19, on the one hand trial is not proceeding and on the other hand, there is likelihood of spread of covid-19 in jail and therefore it is prayed that applicant/accused be admitted to bail.

On the other hand, it is stated that previous bail application was already dismissed. Accused was involved in robbery of bag of the complainant containing Rs.1.75 lacs. He had refused TIP. Recovery of knife was effected from the applicant/accused and there



are involvement of applicant/accused in case of murder and cash robbery when he was minor. The co-accused had already been identified.

The involvement of accused when he was minor cannot be taken into consideration. Investigation is complete and chargesheet has already been filed. Further also there is likelihood of spread of covid-19 in jail. Therefore in the totality of the facts and circumstances of the case, I am of the opinion that applicant/accused is entitled to bail. Accordingly, applicant/accused be released on bail on his furnishing personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of Ld. MM/ Link MM/ Duty MM/Trial Court subject to condition that he shall not tamper with evidence and shall not influence the witnesses of the case.

Accordingly, the present application is disposed of above.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02

WEST DISTRICT/THC/ 15-05-2020

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.

Addl. PP for State.

Heard counsel for applicant/accused through Whatsapp

Video call.

Application perused.

This is an application for grant of interim bail. Heard. It is submitted that uncle of applicant/accused has died on 07.05.2020 due to severe heart attack and Tehravi of uncle of applicant/accused is fixed for 15.05.2020 in village Baprola Delhi. Therefore it is prayed that applicant/accused be released on interim bail to attend Tehravi and other ceremonies. It is also submitted by Ld. Counsel for applicant/accused that on the earlier occasions also, he was released on interim bail and he never misused the liberty so granted and surrendered before the authority concerned in time as per direction.

In the totality of the facts and circumstances of the case, the applicant/accused be released on interim bail for a period of one week from date of his release on his executing personal bond and surety bond in the sum of Rs.25000/- each to the satisfaction of concerned Jail Superintendent subject to conditions that he shall not

tamper with evidence and shall not influence the witnesses of the case and shall surrender before the Jail Superintendent concerned as per his direction.

The copy of the order be sent to Jail Superintendent for information and compliance by way of e-mail/whatsapp etc.

Accordingly, the present application is disposed of above.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02

WEST DISTRICT/THC/ 15-05-2020

State v. Abhijeet Malik
FIR No.: 425/19
PS : Paschim Vihar
U/s : 302/120B/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused.
Addl. PP for State.
Counsel for complainant.

Heard. Application perused.

This is an application under S. 439 Cr.PC for grant of interim bail of applicant/accused. It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case and running in judicial custody since 02.09.2019. It is submitted that father of applicant/accused is 60% handicap and mother is ill. Accused is law graduate and there is no previous involvement and therefore he be admitted to interim bail.

The application is opposed on the ground that father despite being handicap is pursuing the case and visiting the court on every date of hearing. The mother was committed in pre-planned manner. The brother of the accused is still at large and has been declared proclaimed offender (P.O.). further threats are being extended despite personal security officer (PSO) has been given for security to the family of the victim.



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In the totality of the facts and circumstances of the case and in view of nature of offence and allegation of threat, I am of the opinion that applicant/accused is not entitled to bail. Accordingly, the present application for interim bail is dismissed and disposed of.



(GURDEEP SINGH)

DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Deepak @ Mota
FIR No.: 0193/2019
PS : Rajouri Garden
U/s : 392/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Ms. Reenu Sharma, Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.


It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case and running in judicial custody since 06.12.2019 i.e. date of arrest. Further it is submitted that role of applicant/accused is shown that he is seen in CCTV cameras whereas the person seen in CCTV footage are having helmet and therefore there is no identification. Earlier bail application was dismissed. No TIP was conducted. Alleged recovery of knife is planted upon him. Charge is already framed. Further it is submitted that on account of outbreak of covid-19, on the one hand trial is not proceeding and on the other hand, there is likelihood of spread of covid-19 in jail and therefore it is prayed that applicant/accused be admitted to bail.

On the other hand, it is stated that previous bail application was already dismissed. Accused was involved in robbery of bag of the complainant containing Rs.1.75 lacs. He had refused TIP. Recovery of knife was effected from the applicant/accused and there

are involvement of applicant/accused in case of murder and cash robbery when he was minor. The co-accused had already been identified.

The involvement of accused when he was minor cannot be taken into consideration. Investigation is complete and chargesheet has already been filed. Further also there is likelihood of spread of covid-19 in jail. Therefore in the totality of the facts and circumstances of the case, I am of the opinion that applicant/accused is entitled to bail. Accordingly, applicant/accused be released on bail on his furnishing personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of Ld. MM/ Link MM/ Duty MM/Trial Court subject to condition that he shall not tamper with evidence and shall not influence the witnesses of the case.

Accordingly, the present application is disposed of above.


(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Sandeep Shah
FIR No.: 640/2017
PS : Punjabi Bagh
U/s : 307 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Sh. Haneef Mohammad, Counsel for applicant/accused.
Addl. PP for State.

Heard. Application perused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused has been falsely implicated in this case. The FIR was registered against present applicant/accused on 09.12.2017 and he is in custody for 2 ½ years. He has been granted bail in similar offence in another case bearing FIR No. 681/17 under S. 307 IPC vide order dated 18.03.2020. It is further submitted that accused is young man of 21-22 years of age and done diploma in mechanical engineering from PUSA. Further chargesheet has already been filed and all public witnesses have been examined and now only formal witnesses are to be examined. Further it is submitted that on account of outbreak of covid-19, on the one hand trial is not proceeding and on the other hand, there is likelihood of spread of covid-19 in jail and therefore it is prayed that applicant/accused be admitted to bail.


On the other hand, It is submitted that applicant/accused had caused injury with eye poker on the back of injured and thereafter ran away from the spot. Subsequently in the similar fashion, he caused

Sharma

injury to the complainant. He was apprehended red handed wherein he had made disclosure statement to the present case. Two previous bail applications have already dismissed. He had also approached Hon'ble High Court for grant of but but withdrew the same and hence the application was dismissed as withdrawn by Hon'ble High Court of Delhi.

As per submission, the applicant/accused is already admitted to bail in another case and in the present case, he has been behind the bar for about 2 ½ years and material witnesses have been examined and only formal witnesses are to be examined. Further applicant/accused is aged about 21-22 years and done mechanical engineering course. Further on account of outbreak of covid-19, trial is not proceeding. Therefore in the totality of the facts and circumstances of the case, I am of the opinion that applicant/accused is entitled to bail. Accordingly, applicant/accused be released on bail on his furnishing personal bond and surety bond in the sum of Rs.25,000/- each to the satisfaction of Ld. MM/ Link MM/ Duty MM/Trial Court subject to condition that he shall not tamper with evidence and shall not influence the witnesses of the case,

Accordingly, the present application is disposed of above.


(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Sunil
FIR No.: 389/2019

PS : Patel Nagar

U/s : 377 IPC & 4 POCSO Act

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Sh. Pradeep Kumar, counsel for applicant/accused
Addl. PP for State.

IO in person.

Father of complainant is also present.

Application perused.

Ld. Counsel for applicant/accused wishes to withdraw present bail application. Heard. In view of submission, the present bail application is dismissed as withdrawn.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

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State v. Anwar Ali
FIR No.: 25/2008
PS : Kirti Nagar
U/s 392/397/34 IPC


15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Mohd. Ilyas, counsel for applicant/accused Anwar Ali.
Addl. PP for State.

IO in person.

Ld. Counsel for applicant/accused wishes to withdraw present bail application. Heard. In view of submission, the present bail application is dismissed as withdrawn.


(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Aashish Pandey
FIR No.: 140/19
PS : Punjabi Bagh
U/s : 392/397/411/34 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.

Present: Counsel for applicant/accused
Addl. PP for State.

Application perused.

Ld. Counsel for applicant/accused wishes to withdraw present bail application with liberty to file fresh application. Heard. In view of submission, the present bail application is dismissed as withdrawn with liberty to counsel for applicant/accused file afresh.



(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020

State v. Nand Kishore
FIR No.: 184/19
PS : Nangloi
U/s 10 POCSO Act & 323 IPC

15-05-2020

Vide order/circular No.DJ(W)/THC/Delhi/409/9413-9416 dated 15.05.2020 of Ld. District & Sessions Judge (West), THC, Delhi, the present bail application has been assigned to this court.


Present: IO in person.
Addl. PP for State.

Non-applicant/accused in person.

Non-applicant/accused seeks time to engage counsel.

Heard & Allowed.

Put up for consideration on 02.06.2020.


(GURDEEP SINGH)
DISTRICT JUDGE (COMMERCIAL COURT)-02
WEST DISTRICT/THC/ 15-05-2020