

State Vs Rashid Khan
FIR No: 213/2018
under Section 21 NDPS Act
PS: Crime Branch
20.06.2020

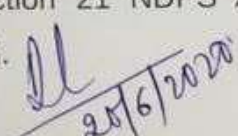
Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State
Sh. Kundan Kumar-Ld. Counsel for accused/applicant
(through V/C).

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed for extension of interim bail for a period of two months on the ground that wife of accused/applicant has been operated upon recently and she has been advised complete bed rest.

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand. It is submitted that wife of accused/applicant has already been operated upon and medical condition of wife of accused/applicant is not of such nature requiring his personal presence as per report sent by IO/concerned doctor.

Keeping in view the totality of facts and circumstances, I find no merits in the application filed by accused/applicant for extension of interim bail. The same is hereby dismissed and disposed of accordingly. It is pertinent to mention that the present case is pertaining to offence punishable under Section 21 NDPS Act i.e. recovery of commercial quantity of contraband.


(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts/Delhi/20.06.2020

State Vs Yogesh alias Goverdhan
FIR No: 183/2018
under Section 20/25 NDPS Act
PS: Crime Branch

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).
ASI Sanjay is also present for IO.

ASI Sanjay has filed report. The same be taken on record.
Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of interim bail for a period of two months. It is further submitted that wife of accused/applicant is suffering from piles and is to be operated upon on 24.06.2020. It is further submitted that father of accused/applicant is also suffering from heart ailments and he is also to be operated upon.

On the other hand, Ld. Addl. PP for State argued that application in hand is without merits and the same is liable to be dismissed. Previous application filed on behalf of accused/applicant for grant of interim bail was dismissed by this court vide order dated 23.04.2020 and the said application was also filed on the ground of medical condition of father of accused/applicant. Thereafter, accused/applicant filed an application for grant of interim bail before Hon'ble High Court of Delhi, but the same was also disposed of as

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withdrawn vide order dated 28.04.2020 as the hospital in question i.e. R & R was not undertaking routine investigation or even cardio angiography at that moment. Another bail application filed on behalf of accused/applicant in Hon'ble High Court of Delhi was also disposed of as withdrawn vide order dated 08.05.2020. Another application filed on behalf of accused/applicant for grant of interim bail was dismissed by Ld. Sessions Court vide order dated 26.05.2020. It is further submitted that 110 kg ganja was recovered from the possession of accused/applicant which falls in commercial category.

I have duly considered the rival submissions. I have perused the record carefully.


Perusal of record shows that the main reason/ground for filing the application in hand is that the wife of accused/applicant is suffering from piles and she is to be operated upon on 24.06.2020. As far as heart ailment of father of accused/applicant is concerned, no date has been fixed for any operation/procedure by the concerned Doctors. Hence, father of accused/applicant as well as mother of accused/applicant can very well take care of their daughter in law. Apart from them, accused/applicant is having one married sister and also one brother and they can also take care of wife of accused/applicant. Apart from them, the wife of accused/applicant must be having her parents, brothers or sisters who can take care of her at this stage. In the present case, commercial quantity of ganja i.e. 110 kg has been recovered from the possession of accused/applicant.

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The High Powered Committee vide minutes of meeting dated 18.05.2020 specifically excluded consideration of such cases for grant of interim bail.

Keeping in view the totality of facts and circumstances, I find no merits in the application filed by accused/applicant for grant of interim bail. The same is hereby dismissed and disposed of accordingly.


20/6/2020
(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020

State Vs Aakash alias Akash Sharma
FIR No: 216/2020
under Section 420/468/471/34 IPC
PS: Burari

20.06.2020


Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).
Ld. Counsel for Complainant.
Insp. Ashok Kumar in person.

Heard. Perused.

Insp. Ashok Kumar submits that IO of the case is not well.
Insp. Ashok Kumar seeks sometime for filing reply qua present
application.

Time is granted.

Now, to come up on **25.06.2020** for arguments and
disposal of present application. IO shall appear in person on NDOH
along with report.



(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020

State Vs Pradeep Kumar Kattamuri
FIR No: 303/2019
under Section 419/420 IPC and Section 12 Passport Act
PS: Crime Branch

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State
Ld. Counsel for accused/applicant (through V/C).

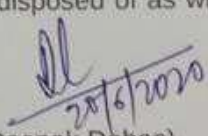
Heard. Perused.

Perusal of record shows that vide order dated 15.06.2020,
TCR was summoned. However, the same has not been received.

Ld. Counsel submits that the present application be
disposed of as withdrawn as TCR has not been received since
11.06.2020 and he will be filing an application for grant of interim bail
in the trial court itself i.e. court of Ld. CMM (Central).

Request is allowed.

Application in hand is hereby disposed of as withdrawn as
requested.


(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020

State Vs Suraj alias Charang and anr.
FIR No: 311/2019
under Section 20 and 29 NDPS Act
PS: Crime Branch

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State.
Ld. Counsel for accused/applicant (through V/C).

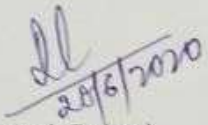
Heard. Perused.

Present application has been filed on behalf of
accused/applicant named above for grant of interim bail for a period of
two months.

IO in his report has stated that medical documents
attached with the application could not be verified as the application
was received yesterday only in late evening. IO seeks some more
time for verification of documents.

Same is not opposed. Time is granted.

IO to appear in person along with report on 23.06.2020,
after verification of medical documents.


(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020

State Vs Mohd. Suhail
FIR No: 204/2019
under Section 304/308/34 IPC r/w Section 79 JJ Act
PS: Sadar Bazar (Case investigated by Crime Branch)

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State
Sh. L. N. Rao-Ld. Counsel for accused/applicant (through
V/C).
SI Pankaj is also present for IO.

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of regular bail. It is further submitted that accused/applicant was arrested on 11.12.2019 and he is in custody since then. Investigation of the case has already been completed and even charge-sheet has been filed. No offence punishable under Section 308/304 IPC is made out against accused/applicant and even if for the sake of arguments the whole prosecution version is accepted to be true, even then offence punishable under Section 304-A IPC only is made out against accused/applicant and the said offence is bailable one. It is further submitted that accused/applicant is not the owner of building in question and IO has failed to collect any material/evidence to connect the accused/applicant with the building in question. It is further submitted that the building is in the name of father of accused/applicant and father of accused/applicant has already expired. It is further submitted that as many as 208 witnesses have

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been cited in the list of witnesses and conclusion of trial is likely to take long time. Ld. Counsel has also relied upon following cases/judgments:-

1. **State of UP Vs Amarmani Tripathi (2005) 8 SCC 21.**
2. **Sushil Ansal Vs State 68 (1997) DLT 704.**
3. **Abdul Saleem Vs State of Maharashtra Crl. Bail Applications No. 850, 179 and 236 of 2014 dated 28.10.2014.**
4. **Keshub Mahindra Vs State of M.P. 1996 (6) SCC 129.**
5. **Sanjay Chandra Vs CBI AIR 2012 SC 830.**
6. **H.B. Chaturvedi Vs CBI 2010 (3) JCC 2109.**

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand. Ld. Addl. PP has submitted that accused/applicant was collecting rent from various tenants and was also looking after the maintenance of the building in question and other miscellaneous matters. Accused/applicant was himself running a unit pertaining to moulding/packaging of looking glasses (mirror). It is further submitted that the electricity wiring in the building was not proper. The safety measures were not taken and even the passage was blocked was keeping various articles in the same. Due to aforesaid acts of accused/applicant as well as co-accused persons, 43 persons lost their lives and 35 persons sustained injuries.

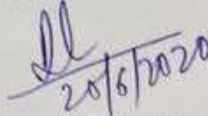
I have duly considered the rival submissions. I have perused the record carefully.

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Perusal of record shows that allegations against accused/applicant are of very serious nature. Co-accused namely Imran is absconding process of law and he is yet to be arrested. Though charge-sheet has been filed in the court of Ld. CMM (Central) but the case is yet to be committed to Ld. Sessions Court for trial. Statement of material witnesses/injured persons is yet to be recorded in court. Possibility of tampering with evidence/witnesses and fleeing away from the process of law cannot be ruled out at this stage. The offence in question is very serious one as 43 persons lost their lives and several persons were injured. The facts and circumstances of the cases/judgments upon which reliance has been placed by Ld. Counsel for accused/applicant are different from the facts and circumstances of the present case and the said judgments have no applicability to the facts of the present case.

Keeping in view the totality of facts and circumstances, I find no merits in the application filed by accused/applicant for grant of bail. The same is hereby dismissed and disposed of accordingly.


20/6/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020


State Vs Anish Tyagi
FIR No: 193/2020
under Section 392/411/34 IPC
PS: Wazirabad

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State.
Sh. P. K. Choudhary-Ld. Counsel for accused/applicant.
IO/ASI Chhotey Lal is also present.

Heard. Perused.

Application in hand is hereby disposed of as withdrawn as
requested by Ld. Counsel for accused/applicant.


20/6/2020
(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020

State Vs Birender alias Virender Kumar Yadav
FIR No: 154/2020
under Section 304/34 IPC
PS: Burari

20.06.2020

Present: Sh. Ghanshyam Srivastava-Ld. Addl. PP for State.
Ld. Counsel for accused/applicant.
Insp. Ashok is also present.

Heard. Perused.

Ld. Counsel for accused/applicant submits that application in hand has been filed on behalf of accused/applicant named above for grant of interim bail for a period of one month i.e. 30 days on the ground that wife of accused/applicant is seriously ill and there is nobody else in the family of accused/applicant to look after her. It is further submitted that accused/applicant was arrested on 08.04.2020 and he is in custody since then. Investigation of the case has already been completed and conclusion of trial is likely to take time. It is further submitted that the deceased along with some other persons had committed theft in the house of accused/applicant and while he was escaping from the spot, he (deceased) was apprehended by some public persons and was also given some beatings by public persons only. The deceased later on expired and accused/applicant herein was falsely implicated in this case.

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand.

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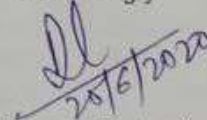
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I have duly considered the rival submissions. I have perused the record carefully.

IO/Insp. Ashok Kumar in his report has stated that the medical papers pertaining to wife of accused/applicant have been verified. Accused/applicant is having three minor children and there is no male family member in the house of accused/applicant to look after them. It is further mentioned that family of accused/applicant is facing financial insecurity. It is also mentioned that theft was committed in the house of accused/applicant by deceased and while he was running away from the spot, he (deceased) was apprehended by public persons and was beaten up.

Keeping in view of the totality of facts and circumstances, accused/applicant is admitted to interim bail for a period of 30 days from the date of his release on his furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like amount to the satisfaction of concerned Ld. MM/Ld. Duty MM. Accused/applicant shall surrender before concerned Jail Supdt on expiry of period of 30 days.

Application stands disposed of accordingly.


25/6/2020

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/20.06.2020