

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2338/21

FIR No. 223/21

U/s 392/411/34 IPC

P.S. Bara Hindu Rao

State Vs. Mohd. Imran

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

Present application u/s 439 Cr.P.C. has been moved on behalf of applicant Mohd. Imran for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

None for the applicant / accused.

None has appeared on behalf of applicant/accused Mohd.

Imran either through VC or physically despite repeated calls. Even on the last date of hearing none appeared for applicant/accused.

Accordingly, the present bail application stands dismissed in default.

Order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2356/21

FIR No. 275/21

U/s 392/411/34 IPC

P.S. Timarpur

State Vs. Sikander

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Sikander for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State.

Sh. Gautam Kumar, Ld. Counsel for applicant.

IO/SI Yogendra Kumar present through VC.

Reply of IO received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant /accused submitted that applicant is in J/C since 10.08.2021 and recoveries have already been effected in this case. He further submitted that applicant has clean antecedents and no purpose would be served by keeping the applicant in J/C any longer.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the bail application as per law. It was submitted that serious allegations of robbery have been levelled against the applicant/accused. It was further submitted that co-accused Robin is still absconding. It was further submitted that applicant has involved a CCL in committing the offence. It was further submitted that looted articles and money have yet to be recovered. It was further submitted that earlier bail applications of the applicant have already been dismissed on 21.08.2021 and 01.09.2021. Thus he ought not to be granted bail.
4. Before advertng to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged by the complainant that the accused Sikander with his two associates robbed his mobile phone and purse containing Rs. 20,000/-, one ATM card, Aadhar Card on 10.08.2021 at about 05:30 AM. During robbery, applicant/accused Sikander grabbed complainant's both legs and his cohorts grabbed his neck and robbed him. Applicant was caught at the spot, however his associates Suraj and Robin managed to escape from the spot. Robbed mobile and auto used in the commission of the crime were recovered from the possession of applicant/accused Sikaner. During investigation CCL has been apprehended and sent to observation home but looted articles and money could not recover. Co-accused Robin is still absconding.
5. Advertng to the rival contentions of both sides, a perusal of the record reveals that applicant alongwith his cohorts robbed the complainant forcefully by grabbing his legs and neck. Further, perusal of the record also reveals that applicant has involved the CCL in commission of the

offence. Co-accused Robin is still absconding and looted articles and money have yet to be recovered. As per report of the IO two bail applications of the applicant were dismissed earlier on 21.08.2021 and 01.09.2021.

6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein and the fact that applicant has involved the CCL in commission of the offence coupled with the fact that recoveries have yet to be effected, this Court is of the opinion that the accused ought not to be granted bail at this juncture. Accordingly, the present bail application is hereby dismissed.
7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2370/21
FIR No. 721/21
U/s 308/34 IPC
P.S. Burari
State Vs. Unhit Panwar

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Unhit for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State.
Sh. Vinod Kumar, Ld. Counsel for applicant through VC.
IO/ SI Manoj Kumar present through VC.
Report of IO received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant submitted that perusal of the FIR would reveal that the complainant was attacked without any reason, and

this fact should be considered as being implausible. It was submitted that all the accused persons are below the age of 20 years and being in J/C since 26.08.2021. It was also submitted that the applicant/accused does not have any previous involvements. It was submitted that a case u/s 308 IPC ought not to be made as complainant was discharged from the hospital on the very same day.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the bail application as per law. It was submitted that co-accused Vinay had attacked the complainant with a brick and all the accused persons had given beatings to the complainant as a result whereof the complainant sustained injuries. It was submitted that co-accused Rahul Sisodia is yet to be apprehended. Thus he ought not to be granted bail.
4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged that that the present case was registered on the statement of complainant Tejbir Rana. On receiving a PCR call vide DD No.146 A PS Burari, IO reached at the spot i.e. Nathupura Mod, Near Hanuman Mandir, Burari, the complainant was found to be under treatment at Kapil Hospital and two motorcycles i.e. HR 42 C 3861 and DL 8SCC 1635 allegedly belonging to accused persons and complainant respectively were recovered and taken into police possession.

Photographs of blood stains on road were taken and one broken piece of blood stained cemented brick was taken in police possession from the spot.

During the investigation, it has been revealed that while complainant was going towards his home on his motorcycle DL 8SCC 1635 and when he reached Nathupura Mor, near Hanuman Mandir Burari, two boys (co-accused Vinay Kaushik and Rahul Sisodiya) on a motorcycle were trying to stop one car, the complainant who was riding his motorcycle asked them not to do so and this made them furious and both of them then stopped his motorcycle forcefully and started beating him. Within few moments, two more boys (applicant/accused Unhit Panwar and co-accused Vipin Singh) came on their motorcycles and they also started beating him and during the beatings, co-accused Vinay Kaushik hit him with the cemented brick. When the complainant raised the alarm, the accused persons left one motorcycle Hero Splendor Pro on the spot and fled from the spot on seeing gathering of public.

During the investigation, it was revealed that the motorcycle HR 42 C 3861 Hero Splendor Pro left by the accused persons on the spot belongs to co-accused Vinay Kaushik who was arrested on 25.08.2021 and at his instance other two accused persons i.e. applicant/accused Unhit Panwar and co-accused Vipin Singh were also arrested and two more motorcycles used by the accused

persons for fleeing the spot were seized and taken into police possession on the same day. All the above accused persons Vinay Kaushik, Vipin Singh and Unhit Panwar are presently running in Judicial Custody. The co-accused Vinay Kaushik was identified by the complainant as the person who hit him with the cemented brick on his head at the time of his arrest. The applicant/accused Unhit Pawar and co-accused Vipin Singh were also identified during the arrest who alongwith their associates thrashed and mercilessly beaten the complainant. All the above four accused persons are friends and residing in the same locality. The investigation in the above case is at initial stage. Thus the present FIR came to be registered.

5. Adverting to the rival contentions of both sides, a perusal of the record reveals that as per the MLC the complainant has suffered severe injuries especially on his head which is CLW 6 cm long X 2 cm deep. The allegations of the accused that the complainant was in an inebriated condition stands belied upon a bare perusal of the MLC, wherein such fact has not been mentioned at all. Further, a perusal of the complaint made by the accused persons to the Police Commissioner containing that the complainant sustained injuries by falling himself, cannot be countenanced in the face of injuries suffered on various parts of the body, which cannot be sustained by a mere fall. Further, investigation is at a nascent stage.

6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein and the fact that investigation is at a nascent stage, this Court is of the opinion that the accused ought not to be granted bail at this juncture. Accordingly, the present bail application is hereby dismissed.
7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2371/21
FIR No. 721/21
U/s 308/34 IPC
P.S. Burari
State Vs. Vipin

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Vipin for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State.
Sh. Vinod Kumar, Ld. Counsel for applicant through VC.
IO/ SI Manoj Kumar present through VC.
Report of IO received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant submitted that perusal of the FIR would reveal that the complainant was attacked without any reason, and

this fact should be considered as being implausible. It was submitted that all the accused persons are below the age of 20 years and being in J/C since 26.08.2021. It was also submitted that the applicant/accused does not have any previous involvements. It was submitted that a case u/s 308 IPC ought not to be made as complainant was discharged from the hospital on the very same day.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the bail application as per law. It was submitted that co-accused Vinay had attacked the complainant with a brick and all the accused persons had given beatings to the complainant as a result whereof the complainant sustained injuries. It was submitted that co-accused Rahul Sisodia is yet to be apprehended. Thus he ought not to be granted bail.
4. Before adverting to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: It was alleged that that the present case was registered on the statement of complainant Tejbir Rana. On receiving a PCR call vide DD No.146 A PS Burari, IO reached at the spot i.e. Nathupura Mod, Near Hanuman Mandir, Burari, the complainant was found to be under treatment at Kapil Hospital and two motorcycles i.e. HR 42 C 3861 and DL 8SCC 1635 allegedly belonging to accused persons and complainant respectively were recovered and taken into police possession.

Photographs of blood stains on road were taken and one broken piece of blood stained cemented brick was taken in police possession from the spot.

During the investigation, it has been revealed that while complainant was going towards his home on his motorcycle DL 8SCC 1635 and when he reached Nathupura Mor, near Hanuman Mandir Burari, two boys (co-accused Vinay Kaushik and Rahul Sisodiya) on a motorcycle were trying to stop one car, the complainant who was riding his motorcycle asked them not to do so and this made them furious and both of them then stopped his motorcycle forcefully and started beating him. Within few moments, two more boys (co-accused Unhit Panwar and applicant/accused Vipin Singh) came on their motorcycles and they also started beating him and during the beatings, co-accused Vinay Kaushik hit him with the cemented brick. When the complainant raised the alarm, the accused persons left one motorcycle Hero Splendor Pro on the spot and fled from the spot on seeing gathering of public.

During the investigation, it was revealed that the motorcycle HR 42 C 3861 Hero Splendor Pro left by the accused persons on the spot belongs to co-accused Vinay Kaushik who was arrested on 25.08.2021 and at his instance other two accused persons i.e. co-accused Unhit Panwar and applicant/accused Vipin Singh were also arrested and two more motorcycles used by the accused

persons for fleeing the spot were seized and taken into police possession on the same day. All the above accused persons Vinay Kaushik, Vipin Singh and Unhit Panwar are presently running in Judicial Custody. The co-accused Vinay Kaushik was identified by the complainant as the person who hit him with the cemented brick on his head at the time of his arrest. The co-accused Unhit Pawar and applicant/accused Vipin Singh were also identified during the arrest who alongwith their associates thrashed and mercilessly beaten the complainant. All the above four accused persons are friends and residing in the same locality. The investigation in the above case is at initial stage. Thus the present FIR came to be registered.

5. Adverting to the rival contentions of both sides, a perusal of the record reveals that as per the MLC the complainant has suffered severe injuries especially on his head which is CLW 6 cm long X 2 cm deep. The allegations of the accused that the complainant was in an inebriated condition stands belied upon a bare perusal of the MLC, wherein such fact has not been mentioned at all. Further, a perusal of the complaint made by the accused persons to the Police Commissioner containing that the complainant sustained injuries by falling himself, cannot be countenanced in the face of injuries suffered on various parts of the body, which cannot be sustained by a mere fall. Further, investigation is at a nascent stage.

6. Under these circumstances, taking into the account the gravity of the offence, severity of the punishment that the offence entails, the role attributed to the accused herein and the fact that investigation is at a nascent stage, this Court is of the opinion that the accused ought not to be granted bail at this juncture. Accordingly, the present bail application is hereby dismissed.
7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2402/2021
FIR No. 0515/21
P.S. Subzi Mandi
U/s 186/353/506/34 IPC
State Vs. Nanhe Koli

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Nanhe Koli under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Saurabh Tyagi, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 17.09.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2400/2021
FIR No. Not Known
P.S. Wazirabad
U/s Not Known
State Vs. Sandeep Mishra

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Sandeep Mishra under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. R.K. Gaur, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 17.09.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2401/2021
FIR No. 236/21
P.S. Gulabi Bagh
U/s 379/356/34 IPC
State Vs. Rakesh

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Rakesh under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Tarun Arora, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 16.09.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2399/2021
FIR No. 022159/2021
P.S. Bara Hindu Rao
U/s 379 IPC
State Vs. Rakesh

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Rakesh under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Tarun Arora, Ld. Counsel for applicant through VC.

Let reply of the application be called from IO/SHO for NDOH.

List for arguments on 16.09.2021.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2341/21
FIR No. Not Known
P.S. Civil Line
U/s Not Known
State Vs. Gurbachan Singh

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Gurbachan Singh under Section 438 Cr.P.C., for grant of anticipatory bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. S.P. Sharma, Ld. Counsel for applicant through VC.

Reply to the application under the signature of SI Pankaj Thakran has been received wherein it has been submitted that no FIR has been registered till date against the applicant Gurbachan Singh and there is no apprehension of arrest of applicant. In view of the reply of the SI Pankaj Thakran, present application is dismissed being infructuous.

Copy of this order be uploaded on the website.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2306/21
FIR No. 223/2021
P.S. Bara Hindu Rao
U/s 392/34 IPC
State Vs. Mohd. Zubair

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Md. Zubair under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Saurabh Tyagi, Ld. Counsel for applicant through VC.

Report of Jail Superintendent received as per which accused is still under drug addiction treatment. In view of the report, let the application be adjourned for 22.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

Bail Application No.2281/2021
FIR No. 254/2021
P.S. Burari
U/s 376 IPC
State Vs. Saurab Singh Thakur

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad.

This is an application moved for accused/applicant Saurab Singh Thakur under Section 439 Cr.P.C., for grant of bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.
Sh. Anurag Sharma, Ld. Counsel for applicant through VC.

Present application has been received in pursuance of order dated 14.09.2021 of Ld. Principal District & Sessions Judge (HQ). Order dated 14.09.21 of Ld. Principal District & Sessions Judge perused.

It is submitted by the Naib Court that the chargesheet of the present case has not been committed to Ld. Sessions Court. Let TCR be requisitioned for NDOH.

Notice be issued to the IO to appear on NDOH.

List for argument on the application on 18.09.2021.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021

**IN THE COURT OF SH. ARUL VARMA, ADDL. SESSIONS JUDGE/
SPECIAL JUDGE, ELECTRICITY, COURT NO. 2, CENTRAL, THC**

Bail Application No. 2357/21

FIR No. 223/21

U/s 392/411/34 IPC

P.S. Bara Hindu Rao

State Vs. Md. Imran

14.09.2021

Vide order No. 887/37133-168/Bail Power/Gaz/2021 dated 01.07.2021 issued by Ld. Principal District & Sessions Judge (HQs), Delhi, the undersigned has been authorized to dispose of bail / urgent criminal applications pertaining to the PS Pratap Nagar (Gulabi Bagh), Civil Lines, Roop Nagar, Timarpur, Burari, Subzi Mandi, Bara Hindu Rao, Maurice Nagar, Crime Branch of Central Police District and Wazirabad Video Conferencing Mode.

Present application u/s 439 Cr.P.C. has been filed on behalf of accused Mohd. Imran for grant of regular bail.

Present: Sh. Balbir Singh, Ld. Addl. PP for State through VC.

Sh. Amit Kumar and Sh. R.K. Singh, Ld. Counsel for applicant through VC.

IO/SI Ganga Pal, PS Bara Hindu Rao through VC.

Reply of IO has been received.

ORDER ON BAIL APPLICATION

1. Vide this order, this Court shall adjudicate upon the bail application filed on behalf of the accused. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.
2. Ld. Counsel for applicant/accused contended that applicant has been falsely implicated in the present case. Further, it was submitted that accused is in J/C since 05.08.2021, and chargesheet has already filed

and accused is no more required for investigation. It was further submitted that accused is not named in the FIR, and recovery, if any, has already been effected. Thus, he ought to be granted bail.

3. *Per contra*, Ld Addl. PP for the State alongwith with the IO, vehemently opposed the anticipatory bail application as per law. It was submitted that recovery has been effected from the accused. Further, it was submitted that the applicant has been previously involved in one another similar case. Therefore, he should not be granted bail.
4. Before advertng to the rival contentions of the parties, the facts of the present case, as alleged by the prosecution, are hereby succinctly recapitulated: The case of the prosecution is that the present FIR was registered on the complaint of complainant Sh. Jagdish Prasad wherein he had alleged that two persons robbed him when he came back to his house from his shop situated at Teliwada, Qutub Garh Road, Delhi on 30.07.2021 at 8 :30 p.m. Therefore, the present FIR came to be registered.
5. Advertng to the rival contentions of both sides, a perusal of the record reveals that allegations of committing robbery of Rs.1000/-, Aadhar Card and other documents have been levelled against the applicant. It is matter of record that the robbed money, Aadhar card and other documents have already been recovered from the possession of the applicant. Thus, recoveries have already been effected. With respect to the contentions of the State qua previous involvements of the applicant herein, a perusal of SCRB report reveals that the applicant has been involved in one another case in which he has already been granted bail. The chargesheet has already been filed in the present matter.

6. Under these circumstances, this Court is of the considered view that no purpose would be served in keeping the accused in custody any longer. Accordingly, the accused Mohd. Imran is admitted on bail on furnishing bail bond and surety bond of Rs. 10,000/- with one surety of like amount to the satisfaction of Ld CMM/Ld. MM/Ld. Link MM/Ld. Duty MM as the case may be, subject to the following conditions:
- i. He shall not establish any contact with the complainant or any other witness, nor try threaten influence, intimidate etc. any witness.
 - ii. He shall not hamper the trial or investigation in any manner.
 - iii. He shall furnish his present and permanent address with supporting documents alongwith affidavit/undertaking to inform about any change qua the same, without any delay, to the IO/Court.
 - iv. He shall join the investigation/attend trial without default.
7. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the bail application stands disposed off.
8. Copy of the order be uploaded on the website of the District Court.

(Arul Varma)
ASJ/Special Judge, Electricity
Court No. 02, Central
Tis Hazari/Delhi/14.09.2021