

Bail application :- Aakash S/o Sh. Shyam Singh

FIR No.109/20

PS: Sultan Puri

State Vs Aakash

U/s.25/54/59 A. Act

01.05.2020

Manual Court Proceedings

Present : Sh. Manish Kaushik, Ld. APP for the State.

Sh. Govind Kant, Ld. LAC for accused is not appearing today.

The present application was initially filed by Ld. LAC Sh. Puneet Kumar Jaiswal Jail visiting counsel for accused Aakash before Mr. Deepak Vats, Ld. Jail Visiting MM for grant of interim bail for 45 days. While dismissing the application for grant of interim bail on the basis of the criteria laid down by the High Power Committee of the High Court of Delhi, the Ld. Jail Visiting MM ordered the application to be made over to the concerned Duty MM at Rohini Courts to be decided on merit. Accordingly, vide a order dated 30.04.2020, the then Ld. Duty MM proceeded to hear the application on merit and called a reply from the IO for today ie. 01.05.2020.

Reply filed by IO ASI Ravinder Tiwari.

Submissions of the Ld. APP heard.

In the reply filed by IO it has been mentioned that the accused has earlier been involved in cases of theft in the years 2015 and 2016. The present FIR pertains to recovery of illegal knife from the accused. The chargesheet in the matter was filed on 22.02.2020 and the accused has remained in J/C for 3 ½ months, however, the trial is in abeyance and the same cannot be proceeded with in wake of the lockdown. It is unclear

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when the lockdown will be lifted and the present matter is a fit case for granting interim bail as no worthwhile purpose is being served by keeping the accused in gaol. Accordingly, the interim bail application is allowed to the effect that the accused is admitted to interim bail for 45 days to be computed from the date of his release on his furnishing a personal bond in the sum of Rs.15,000/- only to the satisfaction of the concerned Jail Superintendent.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be sent forthwith to the concerned Jail Superintendent for information and due compliance.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

Bail application :- Himanshu Kumar S/o Sh. Surender Prasad

e-FIR No.8707/20

PS: Ashok Vihar

State Vs Himanshu Kumar

U/s.379/411 IPC

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.

Sh. Dan Bahadur Yadav, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application u/s 437 Cr.P.C has been moved on behalf of accused Himanshu stating that he has been falsely implicated in the present case. It is submitted by the Ld. Counsel for applicant that the accused / applicant has clean antecedents and he belongs to a poor family. He stated that accused is willing to produce a sound surety and he shall abide by the terms and conditions that the court may impose upon him. He prayed that the accused be enlarged on bail.

Ld. APP vehemently opposed the bail application stating that the accused was caught red handed with the case property and if released on bail, he may commit a similar offence in future. In reply filed by the IO

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HC Vikas Singh, the bail application has been opposed stating that the accused has past criminal antecedents.

I have cogitated over the rival submissions and perused the material available on record. The accused was arrested and thereafter sent to J/C on 22.03.2020, the recovery has already been made, the investigation qua the accused in the matter seems to be complete and no fruitful purpose is being served by detaining the accused in Jail. There is hardly any chance that upon release the accused will tamper with evidence or attempt to threaten the witnesses. Accordingly, the bail application is allowed to the effect that the accused is admitted to bail on his furnishing a personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the concerned MM/Duty MM/Jail Duty MM.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.185/20
PS: North Rohini
State Vs Surrender
U/s.186/353/332/482 IPC 25/27 A. Act

01.05.2020

Present : Sh. Manish Kaushik, Ld. APP for the State.
Sh. Ramesh Chander, Ld. Counsel for the applicant (Through
VC).

Reply not filed by the IO.

Today is the second consecutive date of hearing when no
reply has been received from the IO of the case.

Let previous order be complied with afresh on priority basis
for **02.05.2020 at 12:00 Noon**.

In case no reply is received from the IO then it shall be
presumed that the IO has no submissions to make qua the present
application and the present application shall be decided conclusively
tomorrow.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.111/20
PS: Budh Vihar
State Vs Sohan
U/s.188/269/279 IPC
Vehicle No. (DL 4C AY CF 9098)

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.

Sh. Gaurav Vats, Ld. Counsel for the applicant. Vakalatnama has been filed and the same is taken on record.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant/ owner for release of Vehicle No.DL-4C AYCF-9098 on superdari. Reply has been filed by IO/HC Tribhuwan Jha from PS Budh Vihar and submitted that there is no objection for the release of the aforesaid article to the owner. Heard.

Let the vehicle be released to its rightful owner subject to production original documents.

The Hon'ble High Court of Delhi has observed in *Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014* as follows:

“Valuable articles

- 1. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or*

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dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

2. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewelery articles valued from a government approved valuer.

3. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

4. Where such articles are not handed over either to the complainant or to the person from whom such articles were seized or to its claimant, then the Court may direct that such articles be kept in a locker.

5. If required, the Court may direct that such articles be handed back to the Investigating Officer for further investigation and identification. However, in no circumstance, the Investigating Officer should keep such articles in custody for a longer period for the purposes of investigation and identification.

6. If articles are required to be kept in police custody, the SHO shall, after preparing proper panchnama, keep such articles in a locker.

In these circumstances the aforesaid article i.e. vehicle be released to the rightful owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, registered owner and other necessary details of the articles.
2. IO shall take the colour photographs of the aforesaid articles from different angles
3. The photographs should be attested and counter signed by the complainant, accused and the applicant;
4. IO shall get the articles valued from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond of appropriate value from the applicant, taking into consideration the valuation report;

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The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

Bail Application :- Tarun @ Parvesh Chand S/o Sh. Parkash Chand

e-FIR No.000752/20

PS: Aman Vihar

State Vs Tarun

U/s.379/356/323/411/34 IPC

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.

Sh. B.K. Singh, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application u/s 437 Cr.P.C has been moved on behalf of accused Tarun stating that he has been falsely implicated in the present case. It is submitted by the Ld. Counsel for applicant that the accused / applicant has clean antecedents and is the only bread earner of his family. He stated that accused is willing to produce a sound surety and he shall abide by the terms and conditions that the court may impose upon him. He prayed that the accused be enlarged on bail.

Ld. APP vehemently opposed the bail application stating that the accused is involved in other cases also and if released on bail, he may commit a similar offence in future. In reply filed by the IO ASI Bhagwan

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Sahay, the bail application has been opposed stating that one of the co-accused is still at large.

I have cogitated over the rival submissions and perused the material available on record. The accused was arrested and thereafter sent to J/C on 08.04.2020, though, it has been mentioned in the reply filed by the IO, that the accused has criminal antecedents but the details of past involvements have not been furnished. Furthermore, the accused has remained in J/C for 22 days now and till date the co-accused Toufik has not been apprehended by the police, the inability of the police to arrest co-accused Toufik should not become an impediment for granting bail to accused Tarun especially when there is nothing on record to suggest that Tarun will aid Toufik in absconding. Consequently, the bail application is allowed to the effect that the accused is admitted to bail on his furnishing a personal bond in the sum of Rs.25,000/- with two sureties in like amount to the satisfaction of the concerned MM/Duty MM/Jail Duty MM.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.174/20
PS: Sultan Puri
State Vs Deepak
U/s.379/356/411 IPC

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.
Sh. Suraj Parkash Sharma, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application u/s 437 Cr.P.C has been moved on behalf of accused Deepak stating that he has been falsely implicated in the present case. It is submitted by the Ld. Counsel for applicant that the accused / applicant has clean antecedents and he is willing to produce a sound surety. Moreover, the accused is reportedly willing to abide by the terms and conditions that the court may impose upon him. He prayed that the accused be enlarged on bail.

In reply filed by the IO ASI Jaswant Singh, it has been categorically stated that no one has been arrested in the aforementioned FIR No.174/20 PS Sultan Puri.

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In view of the reply filed by the IO, the present bail application is dismissed being infructuous and the counsel for the applicant is directed to be careful in future and applications shall be filed after duly verifying the case particulars.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

Bail Application :- Irshad @ Shukar Ali S/o Mohd. Salim

FIR No.83/20

PS: Begum Pur

State Vs Irshad

U/s.356/379/34 IPC

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.

Mr. Suraj Parkash Sharma, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application u/s 437 Cr.P.C has been moved on behalf of accused Irshad stating that he has been falsely implicated in the present case. It is pointed out by the Ld. Counsel for applicant that the accused has been arrested only on the basis of his disclosure and there is no material available with the police to link the accused with the present case. He submitted that accused is willing to produce a sound surety and he shall abide by the terms and conditions that the court may impose upon him. He prayed that the accused be enlarged on bail.

Ld. APP vehemently opposed the bail application stating that the accused is involved in other cases also and if released on bail, he may commit a similar offence in future. In reply filed by the IO, the bail

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application has been opposed stating that the TIP of the accused has yet not been conducted and he is required to be kept in J/C for conducting his TIP.

I have cogitated over the rival submissions and perused the material available on record. The accused was arrested sometimes in March, 2020. Till date the IO has not been able to get concluded the TIP proceedings. Though, there is a lockdown but the TIP proceedings are nevertheless being conducted as and when application for the same is moved by the IO. The accused cannot be endlessly kept in J/C merely on the pretext that the TIP of the accused has yet not been conducted. The impetus to complete the investigation is on the IO. The accused has already been admitted to Interim Bail for 45 days in E-FIR No. 2200/20 PS Aman Vihar on 28.04.2020. Keeping the accused in J/C in the present matter would defeat the very purpose of the aforementioned order especially when in the absence of TIP there is no material available on record against the accused in the present case. Accordingly, the bail application is allowed to the effect that the accused is admitted to bail on his furnishing a personal bond in the sum of Rs.15,000/- with one surety in like amount to the satisfaction of the concerned MM/Duty MM/Jail Duty MM.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

e- FIR No.28255/19
PS: Bharat Nagar
State Vs Pawan
U/s. 379/411/34 IPC

01.05.2020

Proceedings conducted through Video Conferencing

Present : Sh. Manish Kaushik, Ld. APP for the State.
Ms. Swapna Sinha, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application u/s 437 Cr.P.C for grant of interim bail has been moved on behalf of accused Pawan stating that he has been falsely implicated in the present case. It is submitted by the Ld. Counsel for applicant that the chargesheet in the matter has already been filed and the accused is in J/C for the past 8 months. She stated that the trial will take a long time to conclude and the accused is willing to produce a sound surety and he shall abide by the terms and conditions that the court may impose upon him. She prayed that the accused be enlarged on interim bail for a period of 45 days.

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Ld. APP vehemently opposed the bail application stating that the accused is involved in other cases also and if released on bail, he may commit a similar offence in future. In reply filed by the IO ASI Amar Singh, the bail application has been opposed stating that the accused may abscond in case he is released on bail.

I have cogitated over the rival submissions and perused the material available on record. The chargesheet has already been filed. The accused has remained in J/C for 8 months and the trial is in abeyance and the same cannot be proceeded with in wake of the lockdown. It is unknown when the lockdown will be lifted and the present matter is a fit case for granting interim bail as no worthwhile purpose is being served by keeping the accused in gaol. Accordingly, the interim bail application is allowed to the effect that the accused is admitted to interim bail for 45 days to be computed from the date of his release on his furnishing a personal bond in the sum of Rs.15,000/- only to the satisfaction of the concerned Jail Superintendent.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be sent forthwith to the concerned Jail Superintendent for information and due compliance.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.76/20
PS: Aman Vihar
State Vs Deepak Dabas @ Titter
U/s. 387/506 IPC

Fresh Chargesheet received.

01.05.2020

Present : Sh. Manish Kauhsik, Ld. APP for the State.

IO SI Anil Kumar in person.

Accused Deepak Dabas is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **12.05.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.119/20
PS: Subhash Place
State Vs Vicky
U/s. 411 IPC

Fresh Chargesheet received.

01.05.2020

Present : Sh. Manish Kauhsik, Ld. APP for the State.

IO ASI Vinod Kumar in person.

Accused Vicky is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **12.05.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

e-FIR No.7073/20
PS: Raj Park
State Vs Sanjay
U/s. 411 IPC

Fresh Chargesheet received.

01.05.2020

Present : Sh. Manish Kauhsik, Ld. APP for the State.

Ct. Kavinder on behalf of IO HC Rajesh Kumar in person.

Accused Sanjay is stated to be in J/C but not being produced today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **12.05.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020

FIR No.36/20
PS: Keshav Puram
State Vs Aasif Ali & Ors.
U/s. 394/395/397/412/34 IPC

Fresh Chargesheet received.

01.05.2020

Present : Sh. Manish Kauhsik, Ld. APP for the State.

IO SI Sunil Kumar in person.

Accused Dilip @ Rinku, Radhavallabh Sharma @ Buntty, Asif @ Fahim @ Sayied Asif Ali, Azzu @ Chand Mohammad @ Matru, Abid @ Thekedar @ Zahid, Mohd. Idris, Mohd. Shehjad @ Sajjid, are stated to be in J/C but not being produced today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **12.05.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(ANURAG THAKUR)
Duty MM: North West
Rohini: Delhi/01.05.2020