

FIR No. 347/18
PS Welcome
U/s 302 IPC
State Vs. Abdul Latif

02.05.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. R.K. Kochhar, Ld. Counsel for accused. (through video conferencing)

1. In view of office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 2 months on the ground that the accused is a senior citizen of about 65 years of age and is suffering from various ailments including stone problem in both his kidneys as well as unregulated cholesterol, uric acid, creatinine, globulin etc. It is also stated that the accused is patient of diabetes and hyper tension and other age related ailments.
3. On the request of Id. Counsel for the accused medical status report of the accused was called from Jail Superintendent vide order dated 25.02.2020. The report was received on 29.04.2020 and as per the said report the accused/ applicant is a known case of diabetes, hypertension, cataract, hepatitis B and vitiligo.

4. On 29.04.2020, Id. Counsel again requested to call for a specific report regarding whether the accused / applicant is HIV positive or not. The said report is received as per which the accused is not HIV positive.
5. Accused is in custody since 21.10.2018 for the offence of murder punishable under Section 302 IPC in the aforesaid FIR and interim bail is sought primarily on the ground that the accused is a senior citizen and suffering from various ailments including diabetes, hypertension, cataract, hepatitis B and vitiligo.
6. The case of the applicant does not strictly fall within the ambit of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by the Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by the Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020. Hon'ble High Powered Committee in its meeting dated 18.04.2020 had extended the benefit of interim bail to UTPs suffering from HIV, Cancer hepatitis B or C, Asthama and T.B. and who are in custody for over 6 months and facing trial in case which prescribes punishment of 10 years upto life imprisonment and not involved in multiple cases. In the present case, the accused is facing trial for the offence of murder which is punishable with imprisonment of life or death, hence, the case of the applicant does not strictly fall within the aforesaid guidelines.
7. However, as the accused is a senior citizen and suffering from various ailments like diabetes, hyper tension, cataract, hepatitis B and vitiligo, hence, the accused is comparatively more prone to catch corona virus. In view of the covid – 19 pandemic, in the opinion of the court, it would meet the ends of justice, if the accused is admitted to interim bail for a period of 45 days upon furnishing of personal bond along with surety bond.

8. In view of the aforesaid discussion, **accused is admitted to interim bail for a period of 45 days upon furnishing of personal bond in sum of Rs.40,000/- and a surety in like amount subject to the condition that the accused shall not change his address without permission of the court, the accused shall surrender before the court upon expiry of the date of interim bail and shall appear before the court on each and every date of hearing while being on interim bail.**
9. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

FIR No. 173/19

PS Jafrabad

U/s 302/201/202/203 IPC

State Vs. Aneesh Qureshi@Saju, S/o Mohd. Nawab

02.05.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)

Sh. Manoj Chauhan, Ld. Counsel for accused. (through video conferencing)

1. In view of office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 4 weeks in view of the fact that the accused is suffering from high blood pressure, high sugar and is not getting proper treatment.
3. On the request of Id. Counsel for the accused medical status report of the accused was called from Jail Superintendent vide order dated 30.04.2020 and 1.5.2020.
4. As per the medical status report received from the jai the accused/ applicant is a known case of diabetes and hypertension.
5. Accused (49 years old) is in custody since 5.4.2019 for the offence of murder punishable under Section 302/201 IPC in the aforesaid FIR and interim bail is sought primarily on the ground that the accused is suffering diabetes and hypertension.
6. The case of the applicant does not fall within the ambit of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by Hon'ble High

Court in W.P. (C) No. 2945/2020 and the directions issued by Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020. Hon'ble High Powered Committee in its meeting dated 18.04.2020 had extended the benefit of interim bail to UTPs suffering from HIV, Cancer hepatitis B or C, Asthama and T.B. and who are in custody for over 6 months and facing trial in case which prescribes punishment of 10 years upto life imprisonment and not involved in multiple cases. In the present case, the accused is facing trial for the offence of murder which is punishable with imprisonment of life or death, hence, the case of the applicant does not fall within the aforesaid guidelines. Moreover, he is not suffering from any of the diseases mentioned in the aforesaid guidelines (i.e. HIV, Cancer hepatitis B or C, Asthama and T.B).

7. The court finds no reason to grant interim bail to the accused, who is 49 years of age, merely because he is known case of diabetes and hypertension. **Bail application is accordingly dismissed.**
8. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER
(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

**FIR No. 61/2017
PS Jagat Puri
U/s 392/397/411/34 IPC
and 25/27 Arms Act
State Vs. Imran, S/o Islamuddin**

02.05.2020

Bail Application has been directly received from jail.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
IO SI Rakesh Malik (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This bail application under Section 439 Cr.PC for grant of interim bail for a period of 45 days has been received from the jail on the ground that the accused has completed one year custody in an offence punishable with imprisonment upto 10 years.
3. The question before the court is *whether the case of accused / applicant falls within the ambit of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020?*
4. In the opinion of the court the case of the applicant does not fall within the ambit of the orders passed by Hon'ble Apex Court in W.P.

(C) No. 1/2020, by Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020. Accused is facing trial for offence under Section 392 IPC which is punishable with imprisonment for 10 years in simple robbery cases and with 14 years in cases where the robbery is committed on the highway after sunset and before sunrise. In the present case as per the reply filed by the Investigating Officer, the robbery was committed at 12.30 AM (midnight) on road, as the robbery was committed by stopping a TSR.

5. The bail application has been opposed by Ld. APP for the State on the ground that the case of the applicant does not fall within the directions issued by Hon'ble High Powered Committee in its meeting dated 07.04.2020 and also on the ground that accused is vagabond having no permanent address.
6. Hon'ble High Powered Committee in its meeting dated 07.04.2020 issued directions as per which interim bail is not permissible to an accused who is facing trial in a case which prescribes punishment for more than 10 years. Even as per the directions issued in subsequent meeting dated 18.04.2020, interim bail was permissible only to those UTPs who were suffering from some illness and who were in custody for more than 6 months and facing trial in a case which prescribes punishment of 10 years upto life imprisonment.
7. The case of the applicant does not fall within the ambit of the directions issued by Hon'ble High Powered Committee on 07.04.2020 or on 18.04.2020. Moreover, the accused is a vagabond, having no permanent address and if released on bail it might be difficult to ensure his presence during trial.
8. The bail application is accordingly dismissed.

9. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

FIR No. 272/18
PS Jagat Puri
U/s 395/397/120B/412/34 IPC
State Vs. Indal S/o Brij Lal

02.05.2020

Order on Bail Application

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Kanhiya Singhal, Ld. Counsel for accused (through video conferencing)
IO SI Rakesh Malik (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is a bail application under Section 439 Cr.PC for grant of interim bail for a period of 3 months in light of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020.
3. It is stated in the application that the accused is in custody for over 1 year 7 months and his interim bail is sought on the ground that the mother of the accused / applicant is a chronic heart patient and suffering from dyspepsia. It is stated that the mother of the accused is receiving treatment at G.B. Pant Hospital but after the lockdown due to corona outbreak she is not being provided the required

medical treatment and she needs to be taken proper care by the applicant. It is further stated in the application that in view of covid – 19 pandemic, social distancing needs to be maintained which is not possible in prisons because of over crowding of jails, therefore, the accused is entitled to interim bail.

4. The medical documents of the mother of the accused are yet to be verified. IO seeks time to verify the same. Let the same be duly verified by 05.05.2020.
5. **Bail application be listed on 05.05.2020.**
6. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

FIR No. 524/2018
PS Welcome
U/s 392/397/411/34 IPC
State Vs. Kishor@Shetty, S/o Bharat Prasad

02.05.2020

Order on bail application

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
IO SI Nishant (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This bail application under Section 439 Cr.PC for grant of interim bail for a period of 45 days has been received from the jail on the ground that the accused has completed one year custody in an offence punishable imprisonment upto 10 years.
3. The question before the court is whether the case of accused / applicant falls within the ambit of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020?
4. In the opinion of the court the case of the applicant does not fall within the ambit of the orders passed by Hon'ble Apex Court in W.P. (C) No. 1/2020, by Hon'ble High Court in W.P. (C) No. 2945/2020

and the directions issued by the Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020. The accused is facing trial for offence under Section 412 IPC as per report filed by the IO. The said offence is punishable with imprisonment for life or with rigorous imprisonment for a term which may extend to 10 years.

5. The bail application has been opposed by Ld. APP for the State on the ground that the case of the applicant does not fall within the directions issued by Hon'ble High Powered Committee in its meeting dated 07.04.2020 and also has previous involvements.
6. Hon'ble High Powered Committee in its meeting dated 07.04.2020 issued directions as per which interim bail is not permissible to an accused who is facing trial in a case which prescribes punishment for more than 10 years. Even in subsequent meeting dated 18.04.2020, as per the directions interim bail was permissible only to those UTPs who were suffering from some illness and who were in custody for more than 6 months and facing trial in a case which prescribes punishment of 10 years upto life imprisonment.
7. The case of the applicant does not fall within the ambit of the directions issued by Hon'ble High Powered Committee on 07.04.2020 or on 18.04.2020 as he is facing trial for offence under Section 412 IPC for which maximum punishment prescribed is imprisonment for life. Moreover, the accused is previously involved in other cases.
8. In view of the aforesaid reasons, the bail application of the accused is dismissed.
9. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office

order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the
Ld. District & Sessions Judge, Shahdara District, Karkardooma
Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

**FIR No. 351/16
PS Harsh Vihar
U/s 376 IPC and 6 POCSO Act
State Vs. Madan Lal, S/o Late Dal Chand**

02.05.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. S.K. Tiwari, Ld. Counsel for applicant / accused. (through video conferencing)
IO ASI Sunita (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 3 months in view of the fact that the applicant's wife Tarawati is suffering from Tumor in her throat and is undergoing treatment in a hospital and about to have an operation.
3. Medial documents of the wife of the complainant are annexed along with bail application, however, they could not be verified by the IO from the hospital at Pilibhit, Uttar Pradesh, though the same were verified from the mother of the accused / applicant.
4. IO seeks time to verify the said documents from the concerned hospital.
- 5. Accordingly, matter be listed on 06.05.2020.**

6. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

FIR No. 06/19
PS Welcome
U/s 302 IPC and 27 Arms Act
25/27 Arms Act
State Vs. Mehtab

02.05.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Vikas Gautam, Ld. Counsel for accused. (through video conferencing)
IO SI Nishant (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is fourth bail application under Section 439 Cr.PC for grant of interim bail for a period of 5 weeks to the accused / applicant on the ground that the accused met with an accident while he was taking food for his wife and sustained internal injury on his previously fractured leg. That due to the accident the rod inside the said leg has got misplaced and the doctors have suggested him to get the said rod removed. It is also stated that due to the accident the spinal cord of the accused / applicant was also affected. Hence, interim bail is sought by the accused.
3. The IO has verified the fact that the accused met with an accident, however, in his report he has also mentioned that the accused has 18 previous involvements and that there are chances that he may intimidate witnesses in the present case.

4. Ld. APP for the State has opposed the bail application on the ground that the interim bail application is not maintainable as the accused has not surrendered.
5. The accused was granted interim bail by Ld. ASJ on 22.04.2020 till 28.04.2020, however, as the accused was released only on 25.04.2020, therefore, on 28.04.2020, the Session Court further extended the period of interim bail till today i.e. 02.05.2020.
6. Though, it is correct that interim bail is granted only upon surrender of the accused, however, in the present case there are exceptional circumstances as the accused met with an accident while being out on interim bail, which fact has been verified by the IO.
7. Accordingly, in these exceptional circumstances, it would be justified in the opinion of the court, if the interim bail of the accused is further extended by 2 weeks.
8. Accordingly, the interim bail of the accused / applicant is extended for 2 weeks and he is directed to surrender on 16.05.2020 at 2 pm before the Jail Superintendent concerned.
9. Copy of order be sent to Jail Superintendent for information.
10. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER
(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020

FIR No. 562/18
PS Jafrabad
U/s 324/326/326B/394/397/34 IPC
State Vs. Nitin Rawal

02.05.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. P.P. Singh Bhati, Ld. Counsel for accused. (through video conferencing)

1. In view of the office order no. 2155-2175/Judl./SHD/2020, dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is bail application under Section 439 Cr.PC for grant of interim bail for a period of 1 month to the accused / applicant on the ground that father of accused is diagnosed with liver cancer and is in critical condition.
3. Reply of IO has not been received. Medical documents be filed and same be verified for next date of hearing. Reply of IO be also called.
4. **Re-list the bail application on 05.05.2020.**
5. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
02.05.2020