

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF **BRIJ BHUSHAN GUPTA**/APPLICANT/ACCUSED
IN CASE FIR No.165/18 POLICE STATION EOW Under Section
409/420/120B of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present **anticipatory bail** application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Sh. Himanshu Garg, Ld. APP for the State.

Sh. Ramesh Gupta, Ld. Senior Advocate for the accused.

Sh. Puneet Bajaj, Ld. Counsel for the complainant.

Submissions heard.

The Id counsel for accused argued that the IO gave notice to the applicant who joined the investigation on 07.01.2019 wherein his detailed statement was also recorded. He argued that applicant was a director in M/s Primrose Infratech Pvt Ltd. which purchased the land from Noida Authority and collected money from many prospective flat buyers on the assurance of handing over the flats to them in 36 months i.e. till 2016 with grace period of 6 months. He argued that the said company entered into an agreement with M/s Realcraft Buildtech Pvt. Ltd. for construction at the site. He argued that the applicant was a director of both the above said companies. He argued that earlier there was a soft launch only, however, all the necessary permissions were obtained in the year 2013. He argued that total 14 towers

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were to be constructed with 754 flats, however, due to financial crunch only 10 towers would be partly started with 69 flats. He argued that till date 430 flats were sold and total 96 crores have been recovered. He contended that the unsold inventory of the company is more than 125 crores. He further contended that there was no dishonest inducement or misrepresentation from the very beginning and no case of cheating is made out. He also argued that Section 409 IPC is not attracted in this case. He contended that in the meanwhile insolvency proceedings also started and UP (RERA) also came into the picture. He also referred to one financial report on record and argued that the project is still viable. He submitted that the applicant would join the investigation as and when required by the IO and prayed that the applicant be granted anticipatory bail.

The Id counsel for the complainants has argued that the flats were to be delivered in the year 2016 and so far not even a single unit has been constructed. He argued that only four floors have been constructed which to his knowledge were to be 13 floors. He argued that the applicant along with his co-accused persons has cheated about 430 victims to the tune of about Rs. 100 crores. He submitted that the alleged financial/forensic report is also doubtful. He contended that co-accused Ashish Naithani was arrested from IGI Airport while he was trying to flee India to Dubai. He contended that proceedings U/s 82 Cr.PC was also initiated against the applicant by the Ld. Trial Court however, it could not be completed due to on going lock down situation. He contended that if applicant is admitted to anticipatory bail then he would impede and hamper the investigation. He prayed that the said application be dismissed.

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Ld. Addl. PP for State argued that the said company was not having any land however, accepted the booking whereas the sanction of building plan was granted only on 11.04.2013. He thus argued that the applicant had intention to cheat from the very inception and hence relevant sections as invoked against the applicant by the IO are attracted in this case. He further argued that so far total 70 complaints have been received and the total cheated amount so far is about Rs. 20 crores. He also argued that process u/s 82 Cr.PC were issued against the applicant, however, could not be completed due to lock down situation. He contended that the custodial interrogation of the applicant is required for unearthing the deep rooted conspiracy and for recovery of the cheated amount.

The fact of the case in nutshell are that initially Sh. Rajesh Gupta along with 20 other victims filed a complaint with the EOW alleging that M/s Primrose Infratech Pvt. Ltd. collected from many prospective flat buyers on the assurance of handing over the flats to them with 36 months from 01.02.2013 with a grace period of 6 months, however, despite passing of more than 7 years the possession of the flats was not given and even superstructure was not completed. It was alleged that the accused persons had diverted the funds for their own use due to which the project could not be completed.

It came out during the investigation that the said project was launched by M/s Realcraft Buildtech Pvt Ltd. without having ownership of land and necessary approval from the concerned authority. The said company continued with the booking of the flats till 31.03.2019 and subsequently

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transferred it to M/s Primrose Infratech Pvt Ltd. The first booking of flat was accepted by M/s Realcraft Buildtech Pvt Ltd. on 02.07.2012 which continued till 31.03.2013. As per report of the IO, as the said company failed to procure land and necessary approvals for developing the project, hence the booking done by M/s Realcraft Buildtech Pvt Ltd. were transferred to M/s Primrose Infratech Pvt Ltd. on 31.03.2013. The said company continued with the bookings of the flats and collecting installments from 01.04.2013. It was only 11.04.2013 that the sanction of building plan was granted to M/s Primrose Infratech Pvt Ltd. by Greater Noida Authority for construction of 754 flats in total 14 towers.

It would show that M/s Primrose Infratech Pvt Ltd. continued with bookings and collected payments from prospective flat buyers even prior to obtaining necessary approval of building plan. As per report of the IO, the applicant remained director with M/s Primrose Infratech Pvt Ltd since 03.05.2011 till the commission of the offence and was having 45% share holding in M/s Primrose Infratech Pvt Ltd through his another company M/s Pratham Expofeb Pvt Ltd. As per report of the IO, the applicant siphoned off funds from the said company to various other entities/companies without any justification and was actively participating into the day to day activities of the accused company with other directors. It further seems from the report of IO that although earlier applicant joined the investigation at initial stage, however, later on absconded as he could not justify the diversion of funds. It has further been argued that the applicant has absconded and process u/s 82 Cr.PC was issued against him, however, it could not be completed due to present lock down due to Covid-19 disease.

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It has been argued that the applicant along with other co-accused persons have cheated various gullible investors and so far 70 complaints have been received with total cheated amount of Rs. 20 crores. It seems that there are merits in the submissions of the Ld. Addl. PP for State that the custodial interrogation of the applicant is required for unearthing the conspiracy, recovery of the huge cheated amount and for ascertaining the mode by which the cheated amount has been siphoned off by the accused persons for their own benefits.

Keeping in view the above said facts and circumstances of the case and as the custodial interrogation of the applicant is required, hence, the applicant is not entitled to the benefit of the anticipatory bail. In view of said discussion, the present anticipatory bail is dismissed.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF Shiv Kumar @ Shiva/APPLICANT/ACCUSED IN
CASE FIR No.326/16 POLICE STATION Bharat Nagar Under Section
302/307/147/148/34/506 IPC

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail.

Present: Sh. Himanshu Garg, Ld. APP for the State.

None for the applicant/accused.

The present sitting is through video conferencing, however as informed by the supporting court staff, neither the Ld. Defence counsel has filled the urgency form alongwith the application nor has provided her mobile number or e-mail etc. to contact her.

In the said circumstances, none was present for the applicant/accused. The said application stands disposed of accordingly. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF RAJU @ PANKAJ/APPLICANT/ACCUSED IN CASE
FIR No.02/20 POLICE STATION RAJ PARK Under Section
302/307/323/34/147/148/149 of INDIAN PENAL CODE & 25/27 Arms Act.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Sh. Himanshu Garg, Ld. APP for the State.

Sh. Pankaj Verma, Ld. Defence Counsel for the accused.

Submissions heard.

The Ld. Defence counsel submitted that he is praying only for interim bail on the ground that the father of the applicant namely late Sh. Ram Avadh Singh expired on 30.04.2020 and his last ceremonies are fixed for 15.05.2020. He argued that some of the family members are from out of Delhi, they are struck due to lockdown problems, however are coming by foot or other modes to reach Delhi for last ceremonies of the late father of the applicant. He argued that the applicant was earlier also on interim bail vide order dt. 29.02.2020 of the Sessions Court and did not misuse the said liberty. He also referred to the judgment of Hon'ble Delhi High Court in Bail Application No.800/2020 dt. 08.05.2020 in matter titled as **Rakesh Kumar Vs. State NCT of Delhi**. He has prayed that any condition whatsoever may

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be imposed.

The Ld. APP for the state has fairly stated that the father of the accused expired on 30.04.2020 and copy of *Janta Swargwas Ghat* in that regard has been filed by the IO. He stated that in view of abovesaid order of Hon'ble Delhi High Court he has no objection if the applicant is granted interim bail for three days to join the last ceremonies of his late father.

The death of the father of the applicant has been verified by the IO wherein he expired on 30.04.2020. Although, last rites of the father of the applicant have admittedly already been performed, however he has right to attend the last ceremonies of his late father due to death of his father. My views are substantiated by the abovesaid order in the matter of **Rakesh Kumar (Supra) of Hon'ble Delhi High Court.**

In view of abovesaid submissions and no objection given by the Ld. APP for the State, the applicant/accused is admitted to interim bail from 15.05.2020 till 17.05.2020 on his furnishing a personal bond in the sum of Rs. 40,000/- with one surety of the like amount to the satisfaction of Ld. Duty MM. He has surrendered before the Jail Superintendent on 18.05.2020 and it shall be subject to further conditions:-

1. The applicant shall not flee from justice and shall surrender before the Jail Superintendent on 18.05.2020.
2. The applicant shall not try to influence or threaten any prosecution witness.
3. The interim bail has been granted only to facilitate the applicant to

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attend the last ceremonies of his late father and would not be extended on any other ground.

Application is disposed of accordingly. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

MACT No. 233/17

Suraj Singh vs Sachin Balyan

HEARING THROUGH VIDEO CONFERENCING

THIS IS AN APPLICATION FOR RELEASING OF LOK ADALAT SETTLEMENT AWARD AMOUNT.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing with the consent of Ld. Counsel for applicant to contain the spread of COVID-19.

Present: Sh. Manoj Kumar, Ld. Counsel for the applicant.

Submissions heard.

It is an admitted position that it is not an urgent application as neither the report of the Naib Nazir can be obtained nor the application is supported by any proper documents.

In facts, the said application is disposed of accordingly.

Let the digitally signed copy of this order be supplied to the Ld. counsel. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF SOURABH/APPLICANT/ACCUSED IN CASE FIR No.159/20 POLICE STATION PREM NAGAR Under Section 394/397/411/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Sh. Himanshu Garg, Ld. APP for the State.

Sh. Mohd. Anas, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. Counsel for the applicant/accused has argued that applicant is in custody in this case since 01.05.2020, recovery has already been effected and he is not required for further investigation. He has further argued that the applicant was a passerby only who neither assaulted the complainant nor caused any injury to him. He prayed that applicant be admitted to bail.

Per contra, Ld. APP for the State strongly opposed the bail application submitting that the applicant alongwith his co-accused persons robbed the complainant of his mobile phone and gave 11 knife blows to him while committing robbery. He argued that the robbed mobile phone was also recovered from the applicant. He submitted that there is every possibility that applicant would threaten the complainant and would interfere in the

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investigation. He has prayed that the applicant be not released on bail.

The case of the prosecution is that on 30.04.2020 the applicant alongwith his two co-accused persons robbed the complainant of his mobile phone and while committing robbery voluntarily caused hurt to the complainant by inflicting 11 knife blows on his person. As per report of the IO, the stolen property i.e the mobile phone was also recovered from the possession of the applicant.

The allegations against the applicant are very serious in nature. There is merits in the submissions of Ld. APP for the state that if the accused is released on bail then he may hamper the investigation, flee from justice or threaten the prosecution witnesses including the complainant.

Keeping in view the above said facts and gravity of the offence, the applicant/accused is not entitled to bail and his bail application is dismissed accordingly.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF ROHAN @ PUCCHI @ PREM CHAND
/APPLICANT/ACCUSED IN CASE FIR No.80/20 POLICE STATION
MANGOL PURI Under Section 307/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gaurav, Ld. Proxy counsel for Sh. Zia Afroz, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. Proxy counsel for the applicant seeks adjournment submitting that main counsel is not available today and he is not aware about the complete facts of the case.

Upon request, matter is re-notified for 19.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF NAVEEN @ TONY/APPLICANT/ACCUSED IN CASE FIR No.551/18 POLICE STATION SULTAN PURI Under Section 302/201 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present interim bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Vivek Shokeen, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. APP for the state has not received the reply and he is not in a position to argue.

The report of the IO also does not seem to be proper.

In facts, IO is directed to file a proper report.

Upon request, the application is re-notified for filing of proper reply by the IO and arguments on 19.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF VIKAS @ PEHLWAN/APPLICANT/ACCUSED IN
CASE FIR No.09/17 POLICE STATION RANI BAGH Under Section
392/397/411/120B of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Pawan Gupta, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. Defence counsel for the applicant undertakes to supply the copy of previous bail order and request to adjourn the matter.

In view of above, the matter is renotified for 18.05.2020. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF SURAJ @ BHOLA/APPLICANT/ACCUSED IN CASE FIR No.375/15 POLICE STATION RANI BAGH Under Section 395/397/412/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Kuldeep Singh, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. APP for the state has submitted that he has not received the reply of IO and he is not in a position to argue.

The report of the IO also does not seem to be proper.

In facts, IO is directed to file a proper report and the Ld. defence counsel has also submitted that in the meanwhile he would also submit copy of some necessary documents.

Upon request, the application is re-notified for filing of proper reply by the IO and arguments on 18.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF BHARAT/APPLICANT/ACCUSED IN CASE FIR No.137/2020 POLICE STATION Raj Park Under Section 376 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Puneet Maheshwari, Ld. Defence counsel for the applicant.

Prosecutrix with IO Inspector Saroj Bala.

Part arguments were addressed by the prosecutrix (in camera) and also by Ld. Defence counsel.

It has been submitted by Ld. APP for the State that the statement of the prosecutrix U/s 164 Cr. PC would be required to be seen keeping in view the peculiar circumstances of the case.

The IO has submitted that she would file it in the court and its copy be also supplied to the Ld. Defence counsel by way of e-mail/whatsapp etc as per rules.

The IO is directed to inform the prosecutrix to join the video conferencing again on the next date of hearing.

Be put up for arguments on the application on 18.05.2020.

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State Vs. BHARAT
FIR No.137/2020
PS Raj Park
U/s 376 IPC

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Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF Sonu @ Rajan/APPLICANT/ACCUSED IN CASE FIR No.231/19 POLICE STATION Ashok Vihar Under Section 307/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application. Ld. Defence Counsel is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gurjender Singh, Ld. Legal Aid Counsel.

Submissions heard.

Report has not been received. IO to file the report and the application be re-notified for 18.05.2020. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF PRASHANJEET @ CHIKNA @ CHINTU /APPLICANT/ACCUSED IN CASE FIR No.114/19 POLICE STATION NORTH ROHINI Under Section 186/353/307/120B/34 IPC & 25/27/54/59 Arms Act.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Ld. Defence Counsel for the accused.

Submissions heard.

Ld. Defence counsel has argued that the case of the applicant is fully covered under the order dt. 07.04.2020 of Hon'ble High Power Committee as the accused is in custody in this case for more than one year and is facing trial in a case which prescribes a maximum sentence of 10 years or less. He has argued that although it is an application for regular bail, however he may be granted interim bail for 45 days.

The Ld. APP for the State has submitted that the offence U/s 307 IPC carries a maximum punishment which may extend to 10 years and as no hurt was caused in this case, hence the punishment does not extend to imprisonment for life. He has fairly admitted that the case of the applicant falls under order dt. 07.04.2020 of Hon'ble High Power Committee.

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The case of the prosecution is that one accused namely Karambir @ Kaju was arrested on 12.04.2019 in FIR No.6/19 PS K.M.K. Marg and was on three days P.C remand and was brought to Dr. BSA Hospital for his medical examination by police officials of said PS. It is the case of the prosecution that when Karambir @ Kaju was coming out of Dr. BSA Hospital emergency gate then the applicant attacked with a pistol upon him in police custody, however the shot misfired as the gun did not function properly. The applicant was apprehended at the spot. It is an admitted position that the applicant is in custody in this case since 12.04.2019 i.e more than one year and as the hurt was not caused to Karambir @ Kaju, hence the maximum punishment U/s 307 IPC would extend upto 10 years. In facts, the case of the applicant/accused falls within the purview of the order dt. 07.04.2020 of Hon'ble HPC and hence the applicant is admitted to interim bail for 45 days on furnishing a personal bond in the sum of Rs. 30,000/- to the satisfaction of concerned Jail Superintendent subject to the following conditions:

1. The applicant/accused shall not flee from justice.
2. The applicant/accused shall not try to tamper with or influence any prosecution witness.

The application is disposed of accordingly.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF UMAR ALI/APPLICANT/ACCUSED IN CASE FIR No.26/2011 POLICE STATION Ashok Vihar Under Section 302/396/412/120B/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present interim bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Anwar Ali Khan, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. APP for the state has submitted that the proper report has not come from IO which might come today late afternoon.

Ld. Counsel for the applicant has submitted that one another application of co-accused is fixed for tomorrow and the present application be taken up for tomorrow.

In view of above submissions, re-notify the application for tomorrow i.e 15.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF MOHAN KUMAR @ MOHAN CHAUDHARY/APPLICANT/ACCUSED IN CASE FIR No.1160/18 POLICE STATION MANGOL PURI Under Section 392/397/411/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. J.P. Singh, Ld. Defence Counsel for the accused.

Submissions heard.

Part arguments heard.

During the arguments the reference was made to Section 392 IPC, however Ld. APP for the State and the Ld. Defence counsel for the applicant made rival submissions submitting that the place of offence was a highway or not a highway so that the offence carries punishment of 10 years or 14 years.

Upon the request of Ld. APP for the state, let a report in that regard be called from IO and the application be renotified for 18.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF SAURAV/APPLICANT/ACCUSED IN CASE FIR No.80/20 POLICE STATION MANGOL PURI Under Section 307/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Rishipal Singh, Ld. Defence Counsel for the accused.

Submissions heard.

The present application is U/s 439 Cr. PC and among other grounds Ld. Counsel for the applicant is also praying for default bail U/s 167 Cr. PC as the charge sheet has not been filed within a mandatory/stipulated period of 90 days.

The report of the IO would show that the applicant was arrested in this case on 28.01.2020 and so far the charge sheet has not been filed in this case despite lapse of mandatory period of 90 days.

Ld. APP for the state upon inquiry has admitted that the mandatory period of 90 days has expired and the charge sheet has not been filed in this case.

In view of above said submissions and as the charge sheet has not

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been filed within the mandatory period of 90 days, hence the applicant/accused is admitted to bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount to the satisfaction of the Ld. Duty MM subject to the following conditions:

1. The applicant/accused shall join the investigation as and when required by the I.O.
2. The applicant/accused shall not try to influence or threaten any prosecution witness and shall not leave India without prior permission of the court.

Accordingly, the application is disposed of.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF KUNDU SWAMI/APPLICANT/ACCUSED IN CASE FIR No. 326/16 POLICE STATION BHARAT NAGAR Under Section 302/307/147/148/506/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of extension of interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Pradeep Rana, Ld. Defence Counsel for the accused.

This is an application for extension of interim bail for two months.

Submissions heard.

Ld. Counsel for the applicant has submitted that the applicant was earlier granted interim bail vide order dt. 13.03.2020 on the ground that his wife had undergone an operation, however as per documents sent on mobile phone of the Ahlmad of the court, the applicant has been home quarantined by the concerned doctor for 14 days. He has prayed that the said document be verified from the IO.

In facts, let the said document be verified from the IO and a report be filed in that regard.

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State Vs. KUNDU SWAMI
FIR No. 326/16
PS BHARAT NAGAR
U/s 302/307/147/148/506/34 IPC

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Be put up for further consideration on 15.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF SALIM/APPLICANT/ACCUSED IN CASE FIR
No.121/19 POLICE STATION Crime Branch Under Section 21/25/29 NDPS
Act of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Arun Sharma, Ld. Defence Counsel for the accused.

Submissions heard.

Ld. Counsel for the applicant has submitted that the wife of the applicant is suffering from hepatitis, however upon inquiry from the Ld. defence counsel, he has submitted that no such medical documents showing that she is suffering from hepatitis has been filed in support of the application.

At this stage, Ld. Counsel for the applicant wants to withdraw the application with liberty to file a proper application alongwith all the necessary medical documents.

In view of above said submissions the said application is dismissed as withdrawn with liberty as prayed for as per law.

It is clarified here then that observations made herein pertain to the

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disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF HARISH ARORA/APPLICANT/ACCUSED IN CASE
FIR No. 23/16 POLICE STATION EOW Under Section 420/120B/34 of
INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Abdul Kalam Azad, Ld. Defence Counsel for the accused.

Submissions heard.

The applicant is praying for interim bail and the Ld. Defence counsel for the applicant has submitted that the applicant is suffering from severe migraine pain and is a single parent of two children one of whom is studying in 12th and another is studying in 5th class.

The reply of the IO would show that it is on merits of the case, whereas the application is for interim bail and nothing has been mentioned about the children or the health status of the accused.

In facts, IO is directed to file a proper reply and the application is re-notified for 15.05.2020.

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State Vs. Harish Arora
FIR No. 23/16
PS EOW
U/s 420/120B/34 IPC

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Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF Subhang @ Subhanker/APPLICANT/ACCUSED IN CASE FIR No.2306/14 POLICE STATION Mangol Puri Under Section 302/364/471/201/120B/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Dhan Mohan, Ld. Defence Counsel for the accused.

Part arguments have been heard on behalf of the Ld. Defence counsel, however Ld. APP for the State has submitted that he has not received any reply from the IO.

Upon joint request, the application is re-notified for 22.05.220.

Specific date given at request of Id defence counsel.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF Anil Marwah/APPLICANT/ACCUSED IN CASE FIR
No.476/18 POLICE STATION Begumpur Under Section 498A/304B/34 of
INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Baldev Raj, Ld. Counsel for the applicant/accused.

This is an application for preponment of the regular bail application.

Heard.

At the very outset, Ld. Counsel for the applicant has submitted that the applicant is on interim bail till 14.06.2020. After addressing some arguments, Ld. Counsel for the applicant wants to withdraw the said application with a liberty to move the application afresh, if required.

In view of above, the abovesaid application is dismissed as withdrawn with the above said liberty.

The application is disposed of accordingly.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case.

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State Vs. Anil Marwah
FIR No.476/18
PS Begumpur
U/s 498A/304B/34 of INDIAN PENAL CODE.

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Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF KAILASH/APPLICANT/ACCUSED IN CASE FIR No.521/18 POLICE STATION BHARAT NAGAR Under Section 302/307/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gajraj Singh, Ld. Defence Counsel for the accused.

Part arguments have been heard on behalf of the Ld. Defence counsel, however Ld. APP for the State has submitted that he has not received any reply from the IO.

Upon joint request, the application is re-notified for 15.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF SUDHIR @ BUNTY/APPLICANT/ACCUSED IN CASE FIR No.196/19 POLICE STATION BHARAT NAGAR Under Section 302 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gajraj Singh, Ld. Defence Counsel for the accused.

Part arguments have been heard on behalf of the Ld. Defence counsel, however Ld. APP for the State has submitted that he has not received any reply from the IO.

Upon joint request, the application is re-notified for 15.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF PUNEET RANA/APPLICANT/ACCUSED IN CASE FIR No.427/18 POLICE STATION KANJHAWALA Under Section 302/323/379/356/34 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Pradeep Rana, Ld. Defence Counsel for the accused.

Submissions heard.

This is an interim bail application for two months as filed by the applicant Puneet Rana in the said case.

Ld. Counsel for the applicant has argued that the mother of the applicant is aged about 68 years who was operated in the year 2009 for her right knee, in the year 2015 for cataract in the right eye and in the year 2017 for Hernia. He has submitted that now the doctor has advised her total knee replacement of right knee and there is no one to lookafter her except her husband, who is a senior citizen. He has thus prayed that interim bail may be granted to the applicant.

Ld. APP for the state has strongly opposed the grant of interim bail to applicant submitting that as per the report of the IO, the wheat crop of the

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applicant has already been harvested, the allegations against the applicant are very serious in nature and there is no mention about any schedule of treatment i.e surgery and urgency of treatment. He has further submitted that the complainant and his mother were also threatened by the accused persons for which their matter was referred to the Witness Protection Committee for proper protection to the witnesses.

Ld. Defence counsel has submitted that PW2 & PW3 have already been examined in this case.

The allegations against the accused are serious in nature U/s 302/323/379/356/34 IPC. This is an application for interim bail only, however as per report of the IO, the wheat crop has already been harvested, however, there is no mention about the schedule of treatment i.e surgery and urgency of the treatment. It has also been submitted that there is a threat of witnesses from the side of the accused persons. In the said circumstances and as there is no urgency of treatment, hence the present interim bail application is without any merits and is dismissed accordingly.

It is clarified here that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)
Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF NIRMALA/APPLICANT/ACCUSED IN CASE FIR No. 224/18 POLICE STATION PITAMPURA Under Section 302 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application. Ld. Defence Counsel at the very beginning of the meeting and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gurtender Singh, Ld. Legal Aid counsel for the accused.

Submissions heard.

This is an application for interim bail of 30 days as filed on behalf of the applicant submitting that the applicant has four children and there is no one to look after them however nothing has been mentioned about the age, marriage status etc. of the children of the accused.

Ld. Counsel for the applicant at this stage wants to withdraw the application.

In view of said submissions, the said application is dismissed as withdrawn.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF POOJA YADAV/APPLICANT/ACCUSED IN CASE FIR No.763/15 POLICE STATION BEGAMPUR Under Section 302 of INDIAN PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gurtender Singh, Ld. Legal Aid counsel for the accused.

Submissions heard.

This is an application for interim bail as filed on behalf of the applicant.

A report be called from the IO for the next date of hearing i.e 16.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Legal Aid counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF ANMOL/APPLICANT/ACCUSED IN CASE FIR
No.196/19 POLICE STATION Budh Vihar Under Section 394/34 of INDIAN
PENAL CODE.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Gurtender Singh, Ld. Legal Aid counsel for the accused.

Submissions heard.

This is an application for interim bail of 30 days as filed on behalf of the applicant submitting that mother of the applicant has been recently operated at RML Hospital.

The legal aid counsel for the applicant has submitted that a report be called from the concerned jail as the application was filed from the jail through DLSA.

In facts, let a report be called from jail on the application and the application be re-notified for 16.05.2020.

Let the digitally signed copy of this order be supplied to the Ld. Legal Aid counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF HEMRAJ @ LALA/APPLICANT/ACCUSED IN CASE
FIR No.75/20 POLICE STATION Bharat Nagar Under Section 376 IPC

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing from my camp office with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Ld. APP for the State.

Sh. Narender Mukhi, Ld. Defence Counsel for the accused.

Submissions heard.

The accused is in J.C for the offence under section 376 IPC. At the very outset, during arguments the Ld. Defence counsel wants to withdraw the present bail application U/s 439 Cr. PC as the supplementary charge sheet is still left to be filed in the matter.

In view of said submissions, the said application is dismissed as withdrawn.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020

14.05.2020

HEARING THROUGH VIDEO CONFERENCING

BAIL APPLICATION OF **BHIM SAIN ARORA**/APPLICANT/ACCUSED IN CASE FIR No.70/19 POLICE STATION EOW Under Section 406/409/420/120B IPC & Section 4, 5 & 6 of the Price Chits and Money Circulations Schemes (Banning) Act, 1978.

In view of the imminent threat of pandemic of COVID 19 and the lockdown declared by the Government of NCT of Delhi, the present bail application has been taken up for hearing through video conferencing with the consent of Ld. Additional Public Prosecutor and Ld. Defence Counsel to contain the spread of COVID-19.

I have received the advance copy of the interim bail application as well as the reply of I.O of my official e-mail. Ld. Defence Counsel at the very beginning of the meeting has apprised me that he has already gone through the reply of the I.O and is ready for argument.

All the stake-holders of the present bail application have now joined the video conference.

Present: Sh. Himanshu Garg, Ld. APP for the State.

Sh. Rajiv Kumar, Ld. Counsel for the applicant/accused.

Submissions heard.

At the very outset, the Ld. Counsel for the applicant/accused has prayed for interim bail on the ground that the wife of the applicant has undergone heart bypass.

The Ld. APP for the state has submitted that no proper documents have been attached with the application and that the applicant is involved in a serious offence.

Upon inquiry by the court, the Ld. Counsel for the applicant has admitted that he has not placed on record any document to show that the wife of the applicant has undergone bypass surgery and its date.

For the relief of interim bail, no proper medical documents such as the date of operation of alleged bypass surgery of the wife of the applicant

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State Vs. Bhim Sain Arora

PS EOW

FIR No.70/20

U/s 406/409/420/120B IPC & Section 4, 5 & 6 of the Price Chits and Money Circulations Schemes
(Banning) Act, 1978

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have been shown.

Accordingly, the prayer of the accused for release on interim bail is declined.

It is clarified here then that observations made herein pertain to the disposal of the present bail application and have no bearing on the merits of the case. Let the digitally signed copy of this order be supplied to the Ld. Defence counsel as well as to the I.O. The signed copy be placed on the record.

(Amit Bansal)

Duty Judge/PO MACT /(N-W)
Rohini Courts, Delhi/14.05.2020