

E. FIR No.9800/2020  
PS. Shakarpur

14.07.2020

Present: Sh. Harshit Saxena, Ld. Counsel for applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by applicant, seeking release of vehicle bearing No. DL-7SBM-4532.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the said application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. counsel for the applicant for a conference call scheduled for 11.30 a.m today.

Reply filed by the IO. Same is perused.

As per the reply of IO, the vehicle bearing registration no. DL-7SBM-4532 is lying in the Malkhana PS Jagatpuri. IO has sought some time to get the same to Malkhana PS Laxmi Nagar.

Accordingly, time is granted to the IO to do the needful at the earliest and file report before next date of hearing.

Put up on 17.07.2020.

Copy of this order be sent to Ld. Counsel for applicant through electronic mode.

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MM-04/East/KKD/Delhi/14.07.2020

FIR No.153190/20  
PS. Laxmi Nagar  
**Applicant: Momin**

14.07.2020

Present: Sh. Vijay Goswami, Ld. Counsel for applicant/accused (through video conferencing).

Vide this order, I shall dispose of the application moved by applicant, seeking bail.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the said application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. counsel for the applicant for a conference call scheduled for 12.30 p.m today.

Reply filed by the IO. Same is perused.

Ld. Counsel for the applicant/accused submits that he wants to withdraw the present application due to some technical ground.

Heard.

In view of the abovesaid reason, the present application stands disposed of as withdrawn.

Copy of this order be sent to Ld. Counsel for applicant/accused through electronic mode.

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MM-04/East/KKD/Delhi/14.07.2020

FIR No.382/19

PS. Laxmi Nagar

**Applicant: Kayum**

14.07.2020

Present: Ld. APP for the State (through video conferencing).

Sh. Mohit Bhardwaj, Ld. Counsel for accused/applicant Kayum  
(through video conferencing).

Vide this order, I shall dispose of the application moved by accused Kayum, seeking bail.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the bail application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. APP for the State and Ld. counsel for the applicant/accused for a conference call scheduled for 12.00 noon today.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since long time. It is further stated that nothing has been recovered from the possession of accused and that accused is the only bread earner of his family. It is further prayed that considering the prevailing situation on account of COVID-19 pandemic, the accused be granted bail in the present case as he is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

33/2/19

2/2

On the other hand, the application has been vehemently opposed by Ld. APP for the state stating that accused was arrested in FIR No. 330/19 and during the course of investigation, accused disclosed commission of offence in the present case and thereafter, recovery was affected. He further stated that accused is a habitual offender and he may tamper or hamper the evidence and jump the bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, accused was involved in other criminal activities of similar nature and the allegations against the applicant/accused are grave and serious. Therefore, there is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Kayum is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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MM-04/East/KKD/Delhi/14.07.2020

FIR No.277/19

PS. Laxmi Nagar

**Applicant: Kayum**

14.07.2020

Present: Ld. APP for the State (through video conferencing).

Sh. Mohit Bhardwaj, Ld. Counsel for accused/applicant Kayum  
(through video conferencing).

Vide this order, I shall dispose of the application moved by accused Kayum, seeking bail.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the bail application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. APP for the State and Ld. counsel for the applicant for a conference call scheduled for 11.30 a.m today.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since long time. It is further stated that nothing has been recovered from the possession of accused and that accused is the only bread earner of his family. It is further prayed that considering the prevailing situation on account of COVID-19 pandemic, the accused be granted bail in the present case as he is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

27/19

2/2

On the other hand, the application has been vehemently opposed by Ld. APP for the state stating that accused was arrested in FIR No. 330/19 and during the course of investigation, accused disclosed commission of offence in the present case and thereafter, recovery was affected. He further stated that accused is a habitual offender and he may tamper or hamper the evidence and jump the bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, accused was involved in other criminal activities of similar nature and the allegations against the applicant/accused are grave and serious. Therefore, there is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Kayum is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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MM-04/East/KKD/Delhi/14.07.2020

FIR No.604/18

PS. Laxmi Nagar

**Applicant: Kayum**

14.07.2020

Present: Ld. APP for the State (through video conferencing).

Sh. Mohit Bhardwaj, Ld. Counsel for accused/applicant Kayum  
(through video conferencing).

Vide this order, I shall dispose of the application moved by accused Kayum, seeking bail.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the bail application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. APP for the State and Ld. counsel for the applicant/accused for a conference call scheduled for 11.45 a.m today.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since long time. It is further stated that nothing has been recovered from the possession of accused and that accused is the only bread earner of his family. It is further prayed that considering the prevailing situation on account of COVID-19 pandemic, the accused be granted bail in the present case as he is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

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On the other hand, the application has been vehemently opposed by Ld. APP for the state stating that accused was arrested in FIR No. 330/19 and during the course of investigation, accused disclosed commission of offence in the present case and thereafter, recovery was affected. He further stated that accused is a habitual offender and he may tamper or hamper the evidence and jump the bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, accused was involved in other criminal activities of similar nature and the allegations against the applicant/accused are grave and serious. Therefore, there is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Kayum is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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MM-04/East/KKD/Delhi/14.07.2020

FIR No.167/18

PS. Laxmi Nagar

**Applicant: Kayum**

14.07.2020

Present: Ld. APP for the State (through video conferencing).  
Sh. Mohit Bhardwaj, Ld. Counsel for accused/applicant Kayum  
(through video conferencing).

Vide this order, I shall dispose of the application moved by accused Kayum, seeking bail.

In view of the order passed by Ld. District & Sessions Judge, East District, Karkardooma Courts, Delhi issued in wake of COVID-19 Pandemic, the bail application has been placed before the undersigned to be heard through Video Conferencing using CISCO WEBEX application.

Link was sent to the Ld. APP for the State and Ld. counsel for the applicant/accused for a conference call scheduled for 12.15 p.m today.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since long time. It is further stated that nothing has been recovered from the possession of accused and that accused is the only bread earner of his family. It is further prayed that considering the prevailing situation on account of COVID-19 pandemic, the accused be granted bail in the present case as he is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

On the other hand, the application has been vehemently opposed by Ld. APP for the state stating that accused was arrested in FIR No. 330/19 and during the course of investigation, accused disclosed commission of offence in the present case and thereafter, recovery was affected. He further stated that accused is a habitual offender and he may tamper or hamper the evidence and jump the bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, accused was involved in other criminal activities of similar nature and the allegations against the applicant/accused are grave and serious. Therefore, there is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Kayum is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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