

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Rajan S/o Satpal

FIR No: 569/2019

PS: New Ashok Nagar

Under Section: 394/397/34 IPC and 27, Arms Act.

15.09.2020

Through Video conferencing. Bail application under Section 437 Cr.P.C. through VC. Application for bail has been received on the E-Mail ID of the Court.

Present : Sh. Ramesh, Id. APP for the State through VC.

Sh. Vishal Kumar, Id. Counsel for the applicant/
accused through VC.

HC R.B. Tomar from PS New Ashok Nagar through VC.

Accused is stated to be in JC.

Reply is received from the IO

It is argued by learned counsel for accused/applicant that the applicant/accused has not been named in the FIR. The applicant/accused is a young person who has been falsely implicated in the present case. He is in custody since 22.07.2020. It has been argued that the investigation in the matter has already been completed and no fruitful purpose would be served by keeping the accused/applicant in J/C. The applicant is having clean antecedents and there is no evidence against him on record. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP for the State has opposed the application. LD. APP would argue that allegations against the applicant/accused are very serious in nature. The applicant accused is one of the main conspirator in the present case. Prima facie, offences punishable u/s 394/397 IPC are made out, which provides punishment of life imprisonment. The accused is a flight risk. He was arrested only after proclamation under Section 82, Cr.P.C. was issued against him. He might run away if released on bail. He might also try to influence the victim if released on bail. Hence, it is prayed that bail

application may be dismissed.

I have heard the submissions and perused the record.

The allegations against the applicant/accused as above-mentioned are that he along with his associates had robbed the complainant and while committing the robbery, injuries were also caused to the complainant. The victim is shown to have made specific allegations against the accused. The material collected by the IO during investigation is sufficient to prima facie show the active involvement of the applicant in the crime. Prima facie, offence punishable u/s 394/397, IPC is made out, which provides punishment of life imprisonment. Offence punishable under Section 397 IPC is triable by Court of Sessions. I find merits in the submissions of the LD. APP. The bail application is therefore dismissed and disposed of accordingly.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server. Copy be also sent to the Jail Superintendent for supplying to the accused in jail.

Ld. Counsel for the applicant shall file the original bail application along with documents in the court within 2 days from today.

**DINESH
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by DINESH
KUMAR
Date: 2020.09.15
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(DINESH KUMAR)
ACMM (EAST)/KKD/15.09.2020

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Subhash Chander Mehta

FIR No: 175/2020

PS: Preet Vihar

15.09.2020

Through Video conferencing. Bail application under Section 437

Cr.P.C. through VC. Application for bail has been received on the E-Mail ID of the Court.

Present : Sh. Ramesh, Id. APP for the State.

Sh. Pramod Shankar Tiwari, Id. Counsel for the applicant/
accused through VC.

IO SI Sachin Gulia and HC Manoj from PS Preet Vihar
through VC.

Accused is stated to be in JC.

Reply is received from the IO.

IO seeks some more time to make inquiry relating to the dealings of
the accused in stolen properties.

At request, be listed for filing of fresh reply and arguments on
application on 22.09.2020.

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KUMAR Date: 2020.09.15
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(DINESH KUMAR)
ACMM (EAST)/KKD/15.09.2020

IN THE COURT OF ACMM -EAST KKD DELHI
State vs. Saurabh S/o Suresh
FIR No: 389/2020
PS: New Ashok Nagar
Under Section : 379/356/411/34, IPC
15.09.2020

Through Video conferencing. Bail application under Section 437 Cr.P.C. through VC. Application for bail has been received on the E-Mail ID of the Court.

Present: Sh. Ramesh Bajjiya, Ld. APP for the State through VC.
Sh. Mohd. Imran, Ld. Counsel for accused/
applicant through V.C.
IO ASI Arvind and HC R.B. Tomar from PS New Ashok Nagar through VC.
Accused is stated to be in JC.
Reply is received from the IO.

It is argued by learned counsel for accused/applicant that the accused has been falsely implicated in the present case. Nothing has been recovered from his possession and the alleged recovery has been planted upon the accused. He is minor. He is in custody since 28.08.2020. Hence, it is prayed, that accused/applicant may be granted bail.

Learned APP for the state submits that appropriate order may be passed as per law. The IO submits that the accused had told his age as 18.5 years at the time of his arrest. He did not produce any document of his age.

I have heard the submissions and perused the record.

The accused is shown to be in custody since 28.08.2020. The recovery has already been effected. The custody of the accused is not required for further investigation. There is no previous involvement of the accused. This is a period when there is need of decongestion of jails due to COVID-19 Pandemic. Considering the circumstances, nature of offence in question, and the age of the accused/applicant, accused/applicant is hereby granted bail on furnishing bail bond in the sum of Rs. 5,000/- with one surety of like amount.

The IO is also directed to conduct an age inquiry of the accused as per law as soon as possible and to file a report in this regard in the Court.

Copy of this order be sent to Jail Superintendent concerned for necessary information and compliance, if any and to supply the copy to the accused.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server. Copy be also sent to the IO/SHO for necessary compliance.

Ld. Counsel for the applicant is directed to file the original bail application along with documents in the court within 2 days from today.

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ACMM (EAST)/KKD/15.09.2020

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Shivam

FIR No: 391/2020

PS: New Ashok Nagar

15.09.2020

Through Video conferencing. Bail application under Section 437

Cr.P.C. through VC. Application for bail has been received on the E-Mail ID of the Court.

Present : Sh. Ramesh, Id. APP for the State.

Sh. Maneesh Vashisht, Id. Counsel for the applicant/
accused through VC.

HC RB Tomar from PS New Ashok Nagar through VC.

Accused is stated to be in JC.

Reply is received from the IO. IO has shown previous involvement of the accused in various cases. Ld. Counsel submits that all the cases have been planted upon him after his arrest in the present case.

The IO is directed to file a detail reply in this regard on next date of hearing. He shall also join the proceedings on next date of hearing.

At request, be listed for filing of fresh reply/report and arguments on application on 17.09.2020.

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KUMAR Date: 2020.09.15
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(DINESH KUMAR)
ACMM (EAST)/KKD/15.09.2020

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Shah Alam and Anr.

FIR No: 394/2020

PS New Ashok Nagar

U/s 364A/365/323/342/506/120B/34, IPC

15.09.2020

Through Video conferencing.

Application for seeking permission for taking the Voice samples of accused Shah Alam, and Sh. Satbir Singh (father of the victim) moved by the IO.

Presnet : Sh. Ramesh, Id. APP for the State.

IO ASI K.P. Singh in person through VC.

Proceedings are conducted through VC.

IO submits that demand of ransom money was made by accused Shah Alam from Sh. Satbir Singh, father of the victim, over phone. Therefore, voice samples of the accused as well as father of the victim are required to be taken for the purpose of further investigation. Accordingly, it is prayed that the accused and father of the victim may be directed to provide their voice samples.

Heard on the aforesaid application.

The matter is under investigation. Accused Shah Alam is in JC. As per the law, Court can direct a person to give his/her voice sample, if required during the investigation. Hence, it directed that accused Shah Alam shall provide his voice samples to the Expert at the FSL, Rohini on the date and time fixed. Sh. Satbir Singh, father of victim shall also provide his voice samples at the FSL Rohini on the date and time fixed.

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IO shall approach the FSL Rohini for the aforesaid purpose and he shall take an appointment from the expert. Thereafter, he can move an application before Ld. Jail Duty M.M for production of the accused at FSL, Rohini on the date and time fixed by the FSL authorities.

The application is hereby allowed and disposed of, accordingly.

Copy be provide to the IO dasti.

This application and order be tagged with the challan as and when filed in the Court.

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ACMM (EAST)/KKD/15.09.2020

IN THE COURT OF ACMM-EAST KKD DELHI

FIR no. 103/2020

PS: Preet Vihar

State vs Saleem Khan and Ors.

15.09.2020

Application seeking Transfer of investigation from IO SI Lalit Kumar to some other IO.

Present: Sh. Sunil Sehrawat, Ld. Counsel for the
applicant/complainant.

HC Manoj from PS Preet Vihar.

The proceedings have been conducted through VC.

HC Manoj submits that the IO SI Lalit is on leave and therefore he is unable to join the proceedings. The matter is adjourned.

IO SI Lalit be informed to join the proceedings through VC on NDOH. Copy of the order be sent to the IO for compliance.

Be listed on 22.09.2020.

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ACMM (EAST)/KKD/15.09.2020