

SC No.
State vs. Amarjeet Singh
FIR No. 18/20
PS Budh Vihar
U/s 376/506 IPC & 4 POCSO Act.

18th June, 2020

This is an application filed on behalf of applicant/accused Amarjeet Singh U/s. 439 Cr. P.C. for grant of interim bail.

In view of the ongoing pandemic COVID-19 situation, the present application has been taken up for urgent hearing through Video Conferencing using CISCO Webex Meetings App, from my Camp Office, with the consent of Id. Addl. P.P and Id. Defence counsel. Copy of the application and reply of the IO have been received through e-mail/Whatsapp. All the stakeholders have joined the video conference.

Present : Ld. Addl. PP for the State.

Sh. Kulbhushan Mehta, Id. Counsel for applicant/accused through Webex Cisco.

Reply to the bail application has been filed by the IO through whatsapp of Sh. Vijender Singh, Naib Court on his mobile number 9868620819. The print out of the same has been taken and annexed alongwith the record.

Heard.

It is submitted by Id. Counsel for applicant/accused that he has not received the copy of the charge-sheet.

Let notice be issued to the IO for supplying the e-copy of the same to the Id. Counsel by way of e-mail. The e-mail shall be provided by the Id. Counsel to the IO.

Re-notify for further proceedings for **22.06.2020**.

Let digitally signed copy of this order be forwarded on official e-mail i.e. rohincourts-dl@nic.in / courtrohini@gmail.com. Further, copy of this order be also sent to IO/SHO for compliance. Be also sent to the Id. Counsel for applicant/accused

by way of whatsapp or e-mail. The Incharge Computer Branch is directed to upload the order on the website of the District Courts.

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Date: 2020.06.18
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(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
18.06.2020

SC No. 171/20
State vs. Amit @ Gunggi
FIR No. 589/19
PS Bharat Nagar

18th June, 2020

The matter is listed for today in terms of orders of Hon'ble High Court and Ld. District and Sessions Judge (North West) passed from time to time for en-bloc adjournment of the matters on account of pandemic of COVID-19.

Present: Ld. Addl. PP for State, through Webex Cisco.

None for the accused.

File perused.

Vide order reference R-77/RG/DHC/2020 dated 15.04.2020, the matter which was earlier listed for 30.04.2020 was ordered to be listed for today i.e. **18.06.2020**.

In terms of Hon'ble High Court Order No. 17/DHC/20 dated 14.06.2020 only urgent matters (except where evidence is to be recorded) are to be taken up through Video Conferencing mode.

No urgency is observed in the present matter. Accordingly, case is adjourned for the purpose fixed for **26.08.2020**.

The order sheet be uploaded on the website under digital signature of undersigned.

**BHUPINDER
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(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
18.06.2020

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SC No. 144/18
State vs. Deepanshu @ Devender
FIR No. 936/16
PS Mangol Puri

18th June, 2020

The matter is listed for today in terms of orders of Hon'ble High Court and Ld. District and Sessions Judge (North West) passed from time to time for en-bloc adjournment of the matters on account of pandemic of COVID-19.

Present: Ld. Addl. PP for State, through Webex Cisco.

None for the accused.

File perused.

Vide order reference R-77/RG/DHC/2020 dated 15.04.2020, the matter which was earlier listed for 30.04.2020 was ordered to be listed for today i.e. **18.06.2020**.

In terms of Hon'ble High Court Order No. 17/DHC/20 dated 14.06.2020 only urgent matters (except where evidence is to be recorded) are to be taken up through Video Conferencing mode.

No urgency is observed in the present matter. Accordingly, case is adjourned for the purpose fixed for **26.08.2020**.

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(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
18.06.2020

SC No. 674/17
State vs. Kamal @ Ballu
FIR No. 271/17
PS Rani Bagh

18th June, 2020

The matter is listed for today in terms of orders of Hon'ble High Court and Ld. District and Sessions Judge (North West) passed from time to time for en-bloc adjournment of the matters on account of pandemic of COVID-19.

Present: Ld. Addl. PP for State, through Webex Cisco.

None for the accused.

File perused.

Vide order reference R-77/RG/DHC/2020 dated 15.04.2020, the matter which was earlier listed for 30.04.2020 was ordered to be listed for today i.e. **18.06.2020**.

In terms of Hon'ble High Court Order No. 17/DHC/20 dated 14.06.2020 only urgent matters (except where evidence is to be recorded) are to be taken up through Video Conferencing mode.

No urgency is observed in the present matter. Accordingly, case is adjourned for the purpose fixed for **26.08.2020**.

The order sheet be uploaded on the website under digital signature of undersigned.

**BHUPINDER
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(Bhupinder Singh)
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Rohini/Delhi
18.06.2020

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SC No.
State vs. Ratnesh
FIR No. 56/20
PS Rani Bagh
U/s. 363/376 IPC & 6 POCSO Act

18th June, 2020

This is 2nd application filed on behalf of applicant/accused Ratnesh U/s. 439 Cr. P.C. for grant of bail.

In view of the ongoing pandemic COVID-19 situation, the present application has been taken up for urgent hearing through Video Conferencing using CISCO Webex Meetings App, from my Camp Office, with the consent of Id. Addl. P.P and Id. Defence counsel. Copy of the application and reply of the IO have been received through e-mail/Whatsapp. All the stakeholders have joined the video conference through Webex Cisco.

Present : Ld. Addl. PP for the State.

Sh. Kuldeep Singh, Id. Counsel for applicant/accused.

Prosecutrix in person.

Reply to the bail application has been filed by the IO through whatsapp of Sh. Vijender Singh, Naib Court on his mobile number 9868620819. Also 'no objection' has been received from the victim, through Whatsapp. The print out of the same has been taken and annexed alongwith the record.

Arguments have been heard through Webex Cisco.

It is submitted by Id. Counsel for applicant/accused that the accused has been falsely implicated in the present case and is in J.C. since 08.02.2020. It is submitted that the investigation has been completed qua the accused in the present case and the applicant/accused is no more required for custodial interrogation. It is submitted that the prosecutrix has no objection if the accused is admitted to bail. It is submitted that the present FIR was got lodged by the prosecutrix due to some misunderstanding. It is prayed that he be released on bail.

Per Contra, Id. Addl. PP has vehemently opposed the same stating that the

allegations against the accused are serious in nature and submits that no ground of interim bail is made out and prays that the interim bail application of the accused/applicant be dismissed.

Considered.

This is not the first bail application moved on behalf of accused/applicant. Earlier also, the bail applications moved on behalf of accused have been dismissed when the same grounds were taken by the Id. Counsel. He has failed to show any change in circumstances since the last bail was dismissed.

In ***Kalyan Chandra Sarkar Vs. Rajesh Ranjan @ Pappu Yadav (2004) 7 SCC 528***, Hon'ble Supreme Court observed that successive bail applications are restricted on the ground of judicial discipline, unless there exists fresh grounds which persuades the Court to take a different view from the one taken in the earlier applications.

In view of the application disposed off on 13.05.2020, 18.05.2020 and 27.05.2020, I find no reasons as to why this application should be entertained. Needless to say, keeping in view, the age of the victim i.e 14 years and the accused being her relative, even otherwise on merits, the accused deserves no leniency.

As such, the application in hand is disposed off as dismissed, being devoid of any merits.

Let digitally signed copy of this order be forwarded on official e-mail i.e. rohnicourts-dl@nic.in / courtrohini@gmail.com. Further, copy of this order be also sent to IO/SHO for information and record and also to the Id. Counsel for applicant/accused by way of whatsapp or e-mail. The Incharge Computer Branch is directed to upload the order on the website of the District Courts.

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(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
18.06.2020

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SC No.
State vs. Rudal
FIR No. 398/2020
PS Shalimar Bagh
U/s. 354/323/341/506 IPC & 8 POCSO Act

18th June, 2020

This is an application filed on behalf of applicant/accused Rudal U/s. 439 Cr. P.C. for grant of bail.

In view of the ongoing pandemic COVID-19 situation, the present application has been taken up for hearing through Video Conferencing using CISCO Webex Meetings App, from my Camp Office.

Present : Ld. Addl. PP for State.

Record perused.

Arguments were advanced by Id. Counsel for accused on last date.

Arguments have been advanced by Ld. Addl. Public Prosecutor.

It has been conceded by Ld. Addl. PP that no offence U/s. 8 POCSO is made out against the accused/applicant Rudal. However, it is submitted that in view of the allegations against the accused, he deserves no leniency.

Considered.

The reply to the bail application filed by the IO no where reflects the specific allegations against the accused/applicant. By invoking Sec 34 IPC, it has been tried to portray that the accused/applicant is also accused of offence under POCSO Act , along with accused Kamlesh. However ,as per the prosecutrix , accused/applicant Rudal came in picture only when the alleged incident was brought to the notice of her family, by the prosecutrix.

The reply of the IO mentions half baked facts which makes it difficult for the courts to decide the bail application. It does not even mention the status of other accused persons , namely Rahul and Markandi. Only on asking did the IO tell that one of them has gone to his native village and other has been given notice u/s 41- A Cr.P.C.

On the basis of facts in hand, so far only offences u/s 323/341/506/34 IPC can be said to attracted against the accused/applicant, which are all bailable. **It was the right of the accused/applicant to be offered bail by the IO/SHO but he was denied of his statutory right to bail and had to suffer incarceration for more than a month.** The reply to the bail has been drafted in such a manner which takes courts no where but to infer that offence u/s 8 POCSO Act has also been invoked against the accused/applicant which resulted in dismissal of his earlier bail applications. The same has not been forwarded by the SHO as well.

The court has serious reservations on such kind of biased treatment offered to different accused persons that one is not arrested , against other no coercive steps are taken and accused/applicant is not offered bail in bailable offences.

Earlier also DCsP ,North West, Rohini and Outer have been impressed upon to sensitize the SHOs to file relevant facts in the reply to the bail application, mentioning specific accusations against the applicant . If it were so , the accused/applicant would not have suffered such treatment.

Let an inquiry be conducted by DCP ,North West on the above observations and submit a report by next date.

Needless to say the application stands allowed.

Accused/Applicant is admitted to bail on his furnishing personal bond in sum of Rs. 10,000 to the satisfaction of the concerned Jail Superintendent.

Application stands disposed off.

Let digitally signed copy of this order be forwarded on official e-mail i.e. rohincourts-dl@nic.in / courtrohini@gmail.com. Further, copy of this order be also sent to DCP, North West for compliance, IO/SHO for information/ record and also to the Id. Counsel for applicant/accused by way of whatsapp or e-mail. The Incharge Computer Branch is directed to upload the order on the website of the District Courts.

Re-notify, awaiting inquiry report from DCP, North West for **25.06.2020**.

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Date: 2020.06.18 16:27:47 +05'30'
(Bhupinder Singh)
ASJ-01/NW/Rohini
18.06.2020

SC No. 301/2018
State vs. Shri Kishan and Ors.
FIR No. 79/18
PS Shalimar Bagh

18th June, 2020

The matter is listed for today in terms of orders of Hon'ble High Court and Ld. District and Sessions Judge (North West) passed from time to time for en-bloc adjournment of the matters on account of pandemic of COVID-19.

Present: Ld. Addl. PP for State, through Webex Cisco.

None for the accused.

File perused.

Vide order reference R-77/RG/DHC/2020 dated 15.04.2020, the matter which was earlier listed for 30.04.2020 was ordered to be listed for today i.e. **18.06.2020**.

In terms of Hon'ble High Court Order No. 17/DHC/20 dated 14.06.2020 only urgent matters (except where evidence is to be recorded) are to be taken up through Video Conferencing mode.

No urgency is observed in the present matter. Accordingly, case is adjourned for the purpose fixed for **26.08.2020**.

The order sheet be uploaded on the website under digital signature of undersigned.

**BHUPINDER
SINGH**
(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
18.06.2020

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