

FIR No. 129/20
PS: Budh Vihar
State Vs Niraj Bansal
U/s 188/269 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. Vikas Sharma, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-10CK-3404** on superdari. Reply has been filed by IO **HC Yogesh** from PS Budh Vihar and submitted that there is no objection for the release of the aforesaid article to the owner. Heard.

Let the vehicle be released to its rightful owner subject to production of original documents.

The Hon'ble High Court of Delhi has observed in **Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014** as follows:

"Vehicles

- 1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.*
- 2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*
- 3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purpose of evidence.*
- 4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception."*

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In these circumstances the aforesaid vehicle **Vehicle bearing no. DL-10CK-3404** be released to the registered owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine No., Chasis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine no. and the chasis no. of the vehicle;
3. The photographs should be attested and counter signed by the complainant, accused and the rightful owner;
4. IO shall get the vehicle value from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond/ Indemnity bond of appropriate value from the rightful owner, taking into consideration the valuation report;

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 291/20
PS: Subhash Place
Vehicle no. UP22T-9740
19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.
Sh. S.S. Bagga, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **UP-22T-9740** on superdari. Reply has been filed by IO SI Vinod Kumar from PS Subhash Place. However, it is submitted in the application that the vehicle may not be released till the verification of driving license and RC.

Since the verification of driving license and RC is not yet completed and without the same, rightful owner of the vehicle can not be determined, the application can not be allowed at this stage. Accordingly, application stands disposed of as dismissed.

The IO is directed to complete the verification as soon as possible.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 290/20
PS: Sultanpuri
U/s 188/34 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. Deepak Kumar, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-2CAF-3305** on superdari. Reply has been filed by IO **Ct. Rajesh** from PS Sultanpuri and submitted that there is no objection for the release of the aforesaid article to the owner. Heard.

Let the vehicle be released to its rightful owner subject to production of original documents.

The Hon'ble High Court of Delhi has observed in **Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014** as follows:

"Vehicles

- 1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.*
- 2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*
- 3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purpose of evidence.*
- 4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception."*

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In these circumstances the aforesaid vehicle **Vehicle bearing no. DL-2CAF-3305** be released to the registered owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine No., Chasis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine no. and the chasis no. of the vehicle;
3. The photographs should be attested and counter signed by the complainant, accused and the rightful owner;
4. IO shall get the vehicle value from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond/ Indemnity bond of appropriate value from the rightful owner, taking into consideration the valuation report;

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 338/2020
PS: Mangolpuri
State Vs Magan Deep
U/s 188 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. S.K. Sharma, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-8SCS-7221** on superdari. Reply has been filed by IO **ASI Shamsher Singh** from PS Mangolpuri and submitted that there is no objection for the release of the aforesaid article to the owner.

Perusal of record further reveals that copies of documents of the vehicle received, however, FIR No. 338/2020 is wrongly mentioned as 388/2020 on Proforma for urgent hearing.

Submissions heard.

Let the vehicle be released to its rightful owner subject to production of original documents.

The Hon'ble High Court of Delhi has observed in ***Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014*** as follows:

“Vehicles

- 1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.*
- 2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*
- 3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purpose of evidence.*
- 4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.”*

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In these circumstances the aforesaid vehicle **Vehicle bearing no. DL-8SCS-7221** be released to the registered owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine No., Chasis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine no. and the chasis no. of the vehicle;
3. The photographs should be attested and counter signed by the complainant, accused and the rightful owner;
4. IO shall get the vehicle value from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond/ Indemnity bond of appropriate value from the rightful owner, taking into consideration the valuation report;

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 007107/20
PS: Subhash Place
State Vs Sonu
U/s 379/411 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

Accused Sonu S/o Sh. Lal Bahadur Giri stated to be in J.C.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 68/20
PS: Begumpur
State Vs Om Prakash @ Bhagodi & Ors.
U/s 380 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

HC Ram Niwas, 152/RD, PS Begumpur in person.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 63/20
PS: Begumpur
State Vs Ashish @ Golu
U/s 356/379/34 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

HC Ram Niwas, 152/RD, PS Begumpur in person.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

e-FIR No. 00197/20
PS: Budh Vihar
State Vs Sourabh
U/s 392/34 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

Accused Sourabh S/o Sh. Ramdin stated to be in J.C.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 66/20
PS: Bharat Nagar
State Vs Deepal @ Golu
U/s 363/366/376 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 3630/20
PS: Subhash Place
State Vs Inder Bahadur
U/s 379/411 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

Accused Inder Bahadur S/o Late Sh. Harsingh Kukheda stated to be in J.C.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 009570/20
PS: Subhash Place
State Vs Inder Bahadur
U/s 379/411 IPC

19.05.2020

Fresh chargesheet received.

Present : Ld. APP for the State.

Accused Inder Bahadur S/o Late Sh. Harsingh Kukheda stated to be in J.C.

Chargesheet be sent to the concerned Court through Facilitation Centre for 15.06.2020 or for any other day when the Court resumes normal functioning.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

e-FIR No. 014497/2018

PS: Kanjhawala

U/s 379 IPC

Vehilce No. DL-8CZ-9548

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. D. Patnaik, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

Reply has been filed by the IO. However, it is submitted by Ld. APP for the State that as per the mandate of Section 61 of Delhi Excise Act, 2009, regular Courts do not have the jurisdiction to release the vehicles involved in violation of the provisions of Delhi Excise Act and only the Excise Commissioner has the jurisdiction to do so.

In view of the above, application for superdari is disposed of as dismissed. The applicant is at liberty to file the same before appropriate authority.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

e-FIR No. 256/2020
PS: Vijay Vihar
State v. Akash
U/s 188 IPC & 33/58 Delhi Excise Act

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.
Sh. Pradeep Kumar, Ld. Counsel for the accused.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

This is an application for grant of regular bail moved on behalf of accused Akash.

As per the contents of the application, the accused is in judicial custody since 08.05.2020 and recovery has already been effected. It is claimed in the application that the accused has been falsely implicated in the matter and mother of the accused is diabetic and hypertension patient and the accused is only one to take care of her in this pandemic of COVID-19. Ld.Counsel for the applicant submitted that the investigation qua accused is complete and he is no more required to be detained in judicial custody. He prayed that the accused be enlarged on bail.

Application is highly opposed by Ld. APP for the state and stated that offences under the Excise Act have socio-economic implications whereby the offender plays with the health of the prospective buyers of the illicit liquor apart from huge loss to the government exchequer especially in the present circumstances when the governments are faced with severe financial crunch. In the present case, the accused has been found in possession of illicit liquor in huge quantity i.e. 63 carton boxes running into more than 3000 quarter bottles.

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It is further submitted that now-a-days almost every fifth person above the age of 50 is suffering from one or the other ailment including hypertension and diabetes and the accused has not furnished any document suggesting that the mother of the accused is suffering from diabetes or hypertension or requiring any immediate medical aid or the assistance or the help of the accused in the treatment of the above said ailments. The bail should not be granted to the accused in the present scenario.

Submissions heard. Report of IO perused.

IO has opposed the bail application on the ground that the accused has been found in possession of illicit liquor i.e. 63 carton boxes running into 3150 quarter bottles and therefore, the bail should not be granted to him.

In view of the submissions and facts is on record, the Court is in agreement with the submissions advanced by Ld. APP for State that no grounds for medical urgency, as stated in the present application to grant interim bail, are made out in this case. Further, due to the high quantity of the liquor recovered from the accused and in view of the aforesaid discussion as well as in overall facts & circumstances of the case, I am not inclined to grant bail to the accused at this stage. Accordingly, the present application stands dismissed. Proceedings be sent to the concerned Court.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 277/20
PS: Subhash Place
U/s 279/337 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. Shushant Yogi, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-1LO-5533** on superdari. Reply has been filed by IO **SI Suresh Hiwarkar** from PS Subhash Place and submitted that there is no objection for the release of the aforesaid article to the owner. Heard.

Let the vehicle be released to its rightful owner subject to production of original documents.

The Hon'ble High Court of Delhi has observed in **Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014** as follows:

"Vehicles

- 1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.*
- 2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*
- 3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purpose of evidence.*
- 4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception."*

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In these circumstances the aforesaid vehicle **Vehicle bearing no. DL-1LO-5533** be released to the registered owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine No., Chasis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine no. and the chasis no. of the vehicle;
3. The photographs should be attested and counter signed by the complainant, accused and the rightful owner;
4. IO shall get the vehicle value from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond/ Indemnity bond of appropriate value from the rightful owner, taking into consideration the valuation report;

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 192/20
PS: Ashok Vihar
State Vs Som Nath
U/s 188 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. M.K. Srivastava, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-1RN-2182** on superdari. Reply has been filed by IO **HC Sanjeet Dahiya** from PS Ashok Vihar and submitted that there is no objection for the release of the aforesaid article to the owner. Heard.

Let the vehicle be released to its rightful owner subject to production of original documents.

The Hon'ble High Court of Delhi has observed in **Manjit Singh Vs. State CRL. M.C.4485/2013 and CRL.M.A. NO. 16055/2013 decided on 10.09.2014** as follows:

"Vehicles

- 1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.*
- 2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*
- 3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purpose of evidence.*
- 4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception."*

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In these circumstances the aforesaid vehicle **Vehicle bearing no. DL-1RN-2182** be released to the registered owner subject to the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine No., Chasis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine no. and the chasis no. of the vehicle;
3. The photographs should be attested and counter signed by the complainant, accused and the rightful owner;
4. IO shall get the vehicle value from a proper valuer and shall take a valuation report in this regard from the valuer;
5. IO shall take the security bond/ Indemnity bond of appropriate value from the rightful owner, taking into consideration the valuation report;

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

Challan No. 154259
PS: Maurya Enclve
State Vs Nikhil Mahajan

19.05.2020

Manual Proceedings conducted

Present : Ld. APP for the State.

Ms. Geeta Sharma, Ld. Counsel for the applicant.

No reply filed by the IO despite the direction of the court and only challan has been received by this court. Accordingly, IO is directed to file a reply positively by **20.05.2020** when the application shall be next taken up. Information be sent to the IO through proper channel.

IO is also directed to file the maximum challan amount under which the accused has been fined alongwith the reply.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

e-FIR No. 0236/19
PS: Shalimar Bagh
State Vs Kanhaiya
19.05.2020

Present : Ld. APP for the State.
Ms. Seema Mehta, Assistant Ahlmad in the court of Ms. Pooja
Aggarwal, Ld. MM, North-West, Rohini Courts.

Perusal of record reveals that bail was granted to the accused namely Kanhaiya vide order dated 16.05.2020 of Ld.Duty MM and release warrant of accused Kanhaiya S/o Sh. Laxmi Sahu was received back from Central Jail no. 10 Rohini with the report that the address of the accused available with the jail authority is different from the address mentioned in the release warrant and the release warrant does not mention any section of law.

It is stated by Ms. Seema Mehta, Assistant Ahlmad that due to heavy work load, inadvertently the section under which the accused was charged was not mentioned in the bail bonds. Further, the address of the accused is the one which was written by the accused in Muchalka and RC and therefore, Ms.Seema Mehta wrote the same in the release warrant. Ms.Seema Mehta has apologized and stated that the same mistake has happened inadvertently and not intentionally. She will not repeat the same in future.

Submissions heard. Record is perused.

Ms.Seema Mehta has been informed that due to this technical error on her part, a person who was supposed to be duly released is still languishing in jail and the same is a matter of serious concern. She is directed to be careful in future.

Since the address of the accused still needs to be verified, the concerned IO is directed to verify the address of the accused provided by him in his bail bonds as well as the address of the accused provided by the jail authority on 22.05.2020.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

DD No. 43B dated 15.04.2020

PS: Maurya Enclave

Vehicle No. DL-8CAN-6231

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.

Sh. Vinay Kaushik, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for release of Vehicle No. **DL-8CAN-6231** on superdari. Reply has been filed by IO SI Satwant Singh from PS Maurya Enclave.

IO is directed to file the maximum challan amount under which the accused has been fined on **22.05.2020** when the application shall be next taken up. Information be sent to the IO through proper channel.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 631/17
PS: Sultanpuri
State Vs Karan Parcha
U/s 25/54/59 Arms Act

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.
Sh. Sanjeev Tomar, Ld. Counsel for the accused.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

This is an application for grant of regular bail moved on behalf of accused Karan Parcha.

As per the contents of the application, the accused is in judicial custody since 11.03.2020 and that the accused has been falsely implicated in this case. It is claimed in the application that the accused wants interim bail due to the fear of COVID-19 and prayed that the accused be enlarged on bail.

Application is highly opposed by Ld. APP for the state and stated that the accused is a habitual offender and as per the previous involvement record, he is involved in more than 12 cases. The accused was found in possession of an illegal weapons at the time of his apprehension and was apprehended when proceedings under section 82 of Cr.P.C. were pending against him. Moreover, spreading of COVID-19 in the jail can not be a sole ground to release the applicant/accused on bail. The bail should not be granted to the accused in the present scenario.

Submissions heard. Report of IO perused.

IO has opposed the bail application on the ground that one *desi katta*, one revolver, and one live cartage and therefore, the bail should not be granted to him.

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In view of the submissions and facts is on record, the Court is in agreement with the submissions advanced by Ld. APP for State that no reasonable grounds, as stated in the present application to grant interim bail, are made out in this case. Therefore, in view of the aforesaid discussion as well as in overall facts & circumstances of the case, I am not inclined to grant bail to the accused. Accordingly, the present application stands dismissed. Proceedings be sent to the concerned Court.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 765/18
PS: Aman Vihar
State Vs Shiv Kumar
U/s 420/468/471/34 IPC

19.05.2020

Proceedings conducted through Video Conferencing

Present : Ld. APP for the State.
Sh. Jitender Singh, Ld. Counsel for the applicant.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

This is an application for grant of interim bail to the accused moved on behalf of accused Shiv Kumar.

As per the contents of the application, the accused is in judicial custody since 25.11.2019 and that the accused has been falsely implicated in this case. It is further submitted that the accused/applicant is not more required for the purpose of investigate as charge sheet has already been filed on the case and therefore, prayed that the accused be enlarged on bail.

Application is highly opposed by Ld. APP for the state and stated that the accused is a habitual offender and as per the previous involvement record, he is involved in POCSO Act matter. The bail should not be granted to the accused in the present scenario.

Submissions heard. Report of IO perused.

IO has opposed the bail application on the ground that the accused has been involved in many matters including POCSO Act matter and therefore, the bail should not be granted to him.

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In view of the submissions and facts is on record, the Court is in agreement with the submissions advanced by Ld. APP for State that no urgent grounds, as stated in the present application to grant interim bail, are made out in this case. Therefore, in view of the aforesaid discussion as well as in overall facts & circumstances of the case, I am not inclined to grant bail to the accused at this stage. Accordingly, the present application stands dismissed. Proceedings be sent to the concerned Court.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 162/20
PS: Kanjhawla
State Vs Deepak Kumar
U/s 354/354A IPC

19.05.2020

Present : Ld. APP for the State.
Sh. Deepak Kumar, Ld. Counsel for the applicant/accused.

Due to outbreak and spread of novel Corona Virus (COVID -19) pandemic as well as the nationwide lockdown imposed by the Government, the hearing of present matter has been conducted through Video-Conferencing using CISCO WEBEX Meeting App after taking consent of the parties concerned in terms of directions issued by the Ld. District & Sessions Judge, North-West, Rohini Courts.

An application has been filed by the applicant for granting the permission to the applicant as to provide the copy of FIR and statement of victim recorded u/s. 164 of Cr.P.C. for further proceeding as such to file the bail application on behalf of the accused.

It is submitted by Ld. Counsel for the applicant/accused that as per the judgment of Hon'ble Allahabad High Court in case titled as **Raju v. State of U.P. & Ors.** as reported in [2012 Law Suit (ALL) 723], it is the duty of the court to provide a copy of statement of the victim recorded u/s. 164 of Cr.P.C. to the applicant subject to payment of charges. It is further submitted by Ld. Counsel that despite request, IO has not supplied to him the copy of FIR and in the absence of the same, he is unable to exercise his statutory rights.

Ld. APP for the State fairly submits that he has no objection to the grant of copy of FIR to the applicant/accused at this stage, however, the application qua the copy of statement u/s. 164 of Cr. P.C. is highly opposed by Ld. APP for the state on the ground that as per the mandate of Hon'ble Supreme Court in **State of Karnataka v. Shivanna @ Tarkari Shivanna**, [2014(8)SCC 913], copy of statement u/s. 164 of Cr.P.C. is to be handed over only to the Investigating Officer and the same should not disclose to any person till the filing of chargesheet/report u/s. 173 Cr.P.C. is filed.

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It is further submitted that the issue of fair investigation and the privacy of the prosecutrix is also to be secured by not giving the copy of statement u/s. 164 of Cr.P.C. as the same may compromise the investigation apart from the safety and privacy of the prosecutrix. It is further submitted that keeping in view the above said judgment of Hon'ble Supreme Court, the judgment of Hon'ble Allahabad High Court in case titled as **Raju v. State of U.P. & Ors.** as reported in [2012 Law Suit (ALL) 723] will be of no assistance to the applicant to seek the copy of statement u/s. 164 of Cr.P.C.

Submissions heard. Report of IO perused.

Based on aforesaid submissions, IO is directed to provide the copy of FIR to the accused whereas copy of statement u/s. 164 of Cr.P.C. will be provided to the accused at the appropriate stage.

Application stands disposed of accordingly.

Proceedings be sent to the concerned Court.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020

FIR No. 769/20
PS: Aman Vihar
State Vs Trilok
U/s 356/379/411/34 IPC

19.05.2020

This is the interim bail application moved on behalf of the accused by concerned Jail Authorities.

Present : Ld. APP for the State.
Sh. Gopal Sharma, Ld. LAC for the accused.

The concerned case record/reply to the said application could not be called in view of closure of the court due to outbreak of Covid-19 in India.

Heard.

In view of order passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition (C) No.1/2020, in RE: contagion of Covid-19 Virus in prisons and that of Hon'ble Delhi High Court Decision in W.P.(C) No. 2945/2020 in the matter of Shobha Gupta v. Union of India & Ors. Dated 23.03.2020 and minutes of the meeting of HPC dated 18.05.2020, the accused Trilok S/o Sh. Bajrung is admitted to interim bail for a period of 45 days from today, subject to furnishing of personal bond in the sum of Rs.15,000/- to the satisfaction of Jail Superintendent concerned. It is clarified that the present order of interim bail is passed without going into the merits of the case or otherwise but in view of exigency as mentioned above.

Application is disposed off accordingly.

Copy of this order be sent to concerned Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
Duty MM: North West
Rohini: Delhi/19.05.2020