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State vs. Islam
 FIR No. 472/19
 P.S. Kalyan Puri
 U/s 308 IPC

https://docs.google.com/document/d/1hCE7n6Akg_5AW7R4HhRjBx0CE7yCBcpXkd152zCaIqWzksYedk

22.06.2020

This application is taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P. P. for the State through video conferencing.
 Sh. Rajni Kant, Ld. Counsel for the applicant/accused from DLSA through video conferencing.

This is an application u/s 439 Cr.P.C. moved on behalf of applicant/accused for grant of interim bail.

It is submitted by the Ld. Counsel for the applicant/accused that he is in J/C since 12.10..2019 hence he is in JC for more than 6 months, therefore he is entitled for grant of interim bail for 45 days as per the guidelines issued by High Power Committee constituted by the Hon'ble High Court of Delhi.

On the other hand, Ld. Addl. P.P. submits that on 12.10.2019 at about 6:00 PM, the applicant/accused demanded apples from the complainant who has fruit shop/ rehri without any money and when the complainant refused for the same, the applicant/accused hit the complainant with an iron rod on his head with intention to commit culpable homicide not amount to murder. He further submits that as per reply received from the IO, accused is involved in three other cases i.e FIR No. 618/05 PS Kalyan Puri u/s 25/54/59 Arms Act, FIR No. 457/06 PS New Ashok Nagar u/s 302 IPC and FIR No. 288/04 PS Kalyan Puri u/s 302 IPC.

Sanjay
 Ld.
 AS
 22/06/20

<https://docs.google.com/document/d/1E6xmIRd23Jq7Kdx-Z3fAxtnhpUPExqozEZsSOcClvek/edit>


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Hence case of accused does not fall in the guideline issued by High Power Committee which prescribe that accused should not be involve in any other case. He further submits that he may threatened the witness and cause threat to their life if released on interim bail hence the applicant/accused may not be granted interim bail.

I have considered the submissions and gone through the record. Considering the gravity of the offence and the fact that the applicant/accused is involved in three other cases out of which two are cases of murder, therefore, his case does not fall in the guidelines issued by High Power Committee constituted by the Hon'ble High Court of Delhi, hence the bail application is dismissed.

Application stands disposed off and be consigned to Record Room.


(SANJEEV KUMAR-I)
ASJ (SFTO), East, KKD
Courts, Delhi/22.06.2020

State vs. Kanchan
FIR No. 439/17
P.S. Mandawali
U/s 302 IPC

22.06.2020

This application is taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P. P. for the State through video conferencing.
Sh. Rajni Kant, Ld. Counsel for the applicant/accused from DLSA through video conferencing.

This is an application u/s 439 Cr.P.C. moved on behalf of applicant/accused for grant of interim bail.

It is submitted by the Ld. Counsel for the applicant/accused that she is in J/C since 28.09.2017 and completed two years in J/C and she is entitled for interim bail interms of guidelines issued by the High Power Committee constituted by the Hon'ble High Court of Delhi. He further submits that applicant/accused is also having a minor child, who is living with her in the jail and there is apprehension that her child may get infected from corona virus in the jail. He further submits that applicant/accused is a female and she is entitled for consideration of bail on sympathetic grounds and prays for bail.

On the other hand Ld. Addl. P.P. for the State submits that the applicant/accused has committed the murder of her mother in law and has committed a grave offence of murder thus she may not be granted bail


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State vs. Kanchan
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I have considered the submissions and gone through the record. As per guideline issued by the High Power committee to jail authorities bail application can be file in case of murder where accused is in JC for more than two year, is not involved in any other case and conduct in jail is good.


Since the applicant/accused is in J/C from more than two years, is not having any other criminal case, and as per jail report her conduct is good as per report of jail authorities dt. 06/06/2020 and further she is a female and is also having minor child who is living with her and may get infected with corona virus, therefore, considering the above facts and circumstances, I allow the application and grant the interim bail for 45 days to the applicant/accused on furnishing of personal bond in the sum of Rs.50,000/- (Rs. Fifty thousand) with one surety of like amount to the satisfaction of concerned court on the following conditions:-

(i) That the applicant/ accused shall not make any attempt to contact the prosecution witnesses either directly or indirectly.

(ii) The applicant/accused shall not threaten the witnesses.

(iii) The applicant/accused shall not leave the Country without prior permission of this Court.


(iv) The applicant/accused shall surrender before the concerned jail superintendent after expiry of her interim bail period.


A.P.R.
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All discussions in this order have solely been done for the purpose of the determination of the application under consideration and no part of this order shall be construed as a final expression of opinion on the merits of the *lis* pending before this Court or any matter incidental or ancillary thereto.

Application stands disposed off and be consigned to Record Room.


(SANJEEV KUMAR-I)
ASJ (SFTC), East, KKD
Courts, Delhi/22.06.2020

State vs. Netrapal
FIR No. 679/15
P.S. Krishna Nagar

U/s 392/395/397/120-B/34 IPC

22.06.2020

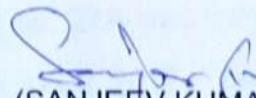
This application is taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P. P. for the State through video conferencing.
Sh. K. K. Sharma, Ld. Counsel for the applicant/accused from DLSA through video conferencing.

This is an application u/s 439 Cr.P.C. moved on behalf of applicant/accused for grant of interim bail.

Reply received from the IO. However, in the reply, nothing is mentioned regarding previous involvement of the applicant/accused in criminal cases. Hence, IO is directed to file the status report regarding the previous involvement of the applicant/accused in criminal cases. Further notice be issued to the concerned Jail Superintendent to file the conduct report of the applicant/accused whether same is good or not.

Application is adjourned for 25.06.2020.


(SANJEEV KUMAR-I)
ASJ (SFTC), East, KKD
Courts, Delhi/22.06.2020

State vs. Sohail Khan
FIR No. 10/14
P.S. Gazipur
U/s 302/34 IPC

22.06.2020


This application is taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P. P. for the State through video conferencing.
Sh. Rajni Kant, Ld. Counsel for the applicant/accused from DLSA through video conferencing.

This is an application moved on behalf of applicant/accused for reduction of surety amount.

It is submitted by the Ld. Counsel for the applicant/accused that the applicant/accused was granted bail by this court on 08.06.2020 on furnishing of personal bond and surety bond in the sum of Rs.50,000/-, however, applicant/accused is not a position to furnish the personal bond and surety bond in the sum of Rs.50,000/- since he is in custody for the last years and he can furnish the personal bond and surety bond in the sum of Rs.15000/-.


I have enquired from the Ld. Counsel for the applicant/accused. Admittedly personal bond and surety bond have not been furnished before the concerned Court. In my view, without furnishing personal bond and surety bond it cannot be said that same would be accepted by the court or not and if the same are rejected due to surety amount being higher


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accused can approach the court for reduction of surety amount, therefore,
application is dismissed.

Application stands disposed off and be consigned to Record
Room.


(SANJEEV KUMAR-I)
ASJ (SFTC), East, KKD
Courts, Delhi/22.06.2020