

**Bail Application No.
State vs. Ahmal Khan
FIR No. 434/19
PS Ashok Vihar
U/s. 363/376 IPC & 6 POCSO Act**

23rd June, 2020

This is an application filed on behalf of applicant/accused Ahmal Khan 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. Vishal Arun Mishra and Sh. Birender Kumar Pandey, Id. Counsels for applicant/accused.

Ms. Madhu Hooda, Id. Counsel for DCW.

IO SI Sumedha alongwith the prosecutrix.

All have joined 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.

Arguments heard.

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 16.12.2019. It is submitted that the victim had gone out of her house of her own free will. Further, she had denied her medical checkup and had married the accused/applicant. It is submitted that there have been no sexual intercourse between the prosecutrix and

the accused/applicant as has been stated in the charge-sheet. While relying upon the judgment of Hon'ble Supreme Court titled as **Siddharam Satlingappa Mhetre Vs. State of Maharashtra, 2011 (1) SCC 694** and that of Hon'ble High Court of **Bombay titled as Anirudh Radheyshyam Yadav Vs. State of Maharashtra**, in bail application no. 2632/2019, it is prayed that accused/applicant 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 bail is made out and prays that the bail application of the accused/applicant be dismissed.

Considered.

The prosecutrix has stated that she has no objection if the accused/applicant is admitted to bail. Perusal of the statement U/s. 164 Cr. P.C. also reveals that she herself had left her house. Further, her parents have promised her to get married to the accused/applicant when she attains the majority. As per the statement, she has shown her inclination to live with accused/applicant only.

Though, the prosecutrix is stated to be sixteen years of age, however, keeping in view the statement U/s. 164 Cr. P.C., her having no objection to the bail application and the fact that charge-sheet has been filed and the accused is in J.C. for the last more than six month, the application is allowed with the direction that accused/applicant shall not approach the prosecutrix in any manner whatsoever.

Application stands disposed off accordingly.

The accused/applicant is admitted to bail on his furnishing Personal Bond in the sum of Rs. 50,000/- with one surety of like amount to the satisfaction of Ld. CMM/ Ld. M.M./Ld. Duty M.M.

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 information (who is also directed to send a copy to the complainant) 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.

(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
23.06.2020

**BHUPIN
DER
SINGH** Digitally signed
by BHUPINDER
SINGH
Date: 2020.06.23
15:44:30 +05'30'

**Bail Application No.1525/20
State vs. Aniket @ Aashiq
FIR No. 367/19
PS Ashok Vihar
U/s. 376 (2n), 376 (3) IPC**

23rd June, 2020

This is an application filed on behalf of applicant/accused Aniket @ Aashiq 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.

Present : Ld. Addl. PP for the State.

Sh. Ravindra Kumar Singh, Id. Counsel for applicant/accused.

Ms. Madhu Hooda, Id. Counsel for DCW.

SI Sumedha for IO SI Laxmi.

All have joined 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.

Arguments heard.

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 30.08.2019. It is submitted that the accused/applicant is otherwise also minor on the date of commission of alleged offence. It is stated that the complainant in the present case

is not the family of the prosecutrix but her school teacher, for some ulterior motive. It is submitted that the mother of the prosecutrix had refused her medical examination which shows that there have been some manipulations. It is submitted that another FIR bearing no. 366/19 PS Ashok Vihar was also registered against the accused/applicant in which he has been released on bail. It is prayed that he be released on bail in this case as well.

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 bail is made out and prays that the bail application of the accused/applicant be dismissed.

Considered.

As per the submissions made by SI Sumedha, on behalf of IO SI Laxmi, the prosecutrix is not present in Delhi and shall be available after 2-3 days.

As such, application stands adjourned, awaiting appearance of the prosecutrix for **03.07.2020**.

Date is given at request and convenience of Id. Counsel for accused/applicant who is also directed to file the copy of the order vide which the previous bail application was dismissed.

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 information (who is also directed to send a copy to the complainant) 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.

(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
23.06.2020

**BHUPINDER
SINGH**

Digitally signed
by BHUPINDER
SINGH

Date: 2020.06.23
15:47:09 +05'30'

**State vs. Sachin
FIR No. 64/2020
PS Budh Vihar
U/s. 376 IPC & 4 POCSO Act**

23rd June, 2020

Fresh charge-sheet filed. It be checked and registered.

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

Copy of the report U/s. 173 Cr. P.C. and annexed documents have been sent through Whatsapp, by the Ahlmad.

Accused is stated to be on court bail.

Perused.

Put up for consideration on **02.09.2020**.

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

(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
23.06.2020

BHUPINDER SINGH Digitally signed by
BHUPINDER SINGH
Date: 2020.06.23
15:50:10 +05'30'

**Bail Application No.
State vs. Sunil Singh
FIR No. 198/2020
PS Ashok Vihar
U/s. 363/376 IPC & 6 POCSO Act**

23rd June, 2020

This is an application filed on behalf of applicant/accused Sunil Singh 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.

Present : Ld. Addl. PP for the State.

Sh. Manoj Kumar, Id. Counsel for applicant/accused.

Ms. Madhu Hooda, Id. Counsel for DCW.

IO SI Sumedha alongwith prosecutrix.

All have joined 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.

Arguments heard.

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 22.04.2020. It is submitted that the prosecutrix had left her house on her own without any inducement/pressure from the accused/applicant. It is submitted that it is a

matter of love affair between the accused/applicant and the prosecutrix and they planned to get married. It is submitted that the prosecutrix is at the verge of majority. Further, the applicant/accused is the sole bread earner of the family and nobody is there to take care his widow mother. 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 bail is made out and prays that the bail application of the accused/applicant be dismissed.

Considered.

The prosecutrix has stated that she has no objection if the accused/applicant is admitted to bail. Perusal of the statement U/s. 164 Cr. P.C. also reveals that she herself had left her house after she was scolded by her mother when she told them that she had married the accused/applicant.

Though, the prosecutrix is stated to be fifteen years of age, however, keeping in view the statement U/s. 164 Cr. P.C., her having no objection to the bail application and the accused is in J.C. for the last more than two months, the application is allowed with the direction that accused/applicant shall not approach the prosecutrix in any manner whatsoever.

Application stands disposed off accordingly.

The accused/applicant is admitted to bail on his furnishing Personal Bond in the sum of Rs. 50,000/- with one surety of like amount to the satisfaction of Ld. CMM/ Ld. M.M./Ld. Duty M.M.

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 (who is also directed to send a copy to the

complainant) 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.

BHUPINDER SINGH

(Bhupinder Singh)
ASJ-01/NW
Rohini/Delhi
23.06.2020

Digitally signed by BHUPINDER
SINGH

Date: 2020.06.23 15:52:26 +05'30'