

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR No.144/2020
PS Gokal Puri
State Vs. Ashok @ Akash
U/s. 147/148/149/380 IPC**

23.01.2021

Proceedings conducted through VC.

**This is an application moved on behalf of
applicant for grant of bail.**

Present: Mr. R.C.S. Bhadoria, Ld. SPP for State.
Mr. Rajesh Sharma, Ld. Counsel for applicant.

Ld. Counsel for accused seeks time for arguments.

At request, be listed for arguments on **25.01.2021**.

Order be uploaded on the server.

**Dinesh
Kumar**

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(DINESH KUMAR)

CMM/NE/KKD/DELHI/23.01.2021

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR No. 99/2020
PS Dayal Pur
State Vs. Dildar
U/s. 147/148/149/436 IPC**

23.01.2021

Proceedings conducted through VC.

This is an application moved on behalf of applicant for grant of bail u/s. 437 Cr.P.C.

Present: None for State.
Mr. J.A. Khan, Ld. Counsel for applicant.

Reply is received from the IO. However, IO is absent. **IO be called to assist the court on next date of hearing along with police file.**

Be listed for arguments on **28.01.2021.**

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**Dinesh
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(DINESH KUMAR)

CMM/NE/KKD/DELHI/23.01.2021

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR No. 136/2020
PS Dayal Pur
State Vs. Dildar
U/s. 147/148/149/427/436 IPC**

23.01.2021

Proceedings conducted through VC.

This is an application moved on behalf of applicant for grant of bail u/s. 437 Cr.P.C.

Present: None for State.
Mr. J.A. Khan, Ld. Counsel for applicant.

Reply is received from the IO. However, IO is absent. **IO be called to assist the court on next date of hearing along with police file.**

Be listed for arguments on **28.01.2021.**

Order be uploaded on the server.

**Dinesh
Kumar**  Digitally signed by
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Date: 2021.01.23
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CMM/NE/KKD/DELHI/23.01.2021

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR No. 207/2020
PS Crime Branch
State Vs. Kashish Kumar
U/s. 419/420/471/120-B IPC**

23.01.2021

Proceedings conducted through VC.

**This is an application moved on behalf of applicant
accused for bail u/s. 437 Cr.P.C.**

Present: Mr. Anupam S. Sharma, Ld. Counsel for
applicant.
Mr. Pradeep Kumar, Ld. APP for State.
IO/Inspector Pankaj Arora.
Reply to the application filed.

It is submitted by Ld. Counsel on behalf of the applicant that applicant/accused is innocent and he has been falsely implicated in this case. There is no evidence against the applicant/accused. Applicant/accused is a young boy who has just turned 21 years on 22.12.2020. He has taken his last semester examination of Graduation from University of Delhi. The applicant/accused has impeccable educational record and does not have any previous case or complaint against him. It is further submitted that applicant/accused was arrested in the present case on 03.01.2021 and he had

remained in police custody for nine days. No incriminating evidence has been found against him. Investigation qua him is complete and his further detention would serve no useful purpose. Further detention of applicant/accused shall expose him to hardened criminals in the prison and would result in spoiling of his entire career. It is further submitted that father of applicant is Head Constable in Delhi Police and is involved in secret surveillance of crime and gathering of intelligence, hence, he has incurred animosity of many bad elements. FIR is based on complaint of one Mr. Ajit Singh who addressed himself as a social worker. However, the address of the complainant and the phone number were found not to be correct. Apparently, the FIR is based on a complaint by some disgruntled anti-social element who does not want to reveal his identity, in order to falsely implicate applicant and his family after fabricating evidence against them. It is further submitted that co-accused Vineet Kumar, father of applicant has been granted bail by this court vide order dated 14.01.2021. Hence, it is prayed that applicant/accused may be released on bail.

Ld. APP has opposed the bail application. It has been argued that the present case is highly sensitive in nature, as it pertains to competitive examination held for the post of

Constables in Delhi Police and swapping of candidates with imposters, who wrote/solved examination papers on their behalf. It is further submitted that applicant/accused has played an important role in the present case. Vikas Kumar Banga, who is the bridge between the accused and the imposter candidate, who wrote competitive examination on behalf of applicant/accused, is still at large. It is further submitted that the identity of the person who had taken the exam in personating as applicant accused is yet to be established. There is every possibility & likelihood that if accused is enlarged on bail, he may tamper the evidence, hamper the investigation, alert the absconding accused persons and his associates and influence the witnesses of the present case. It is prayed that applicant accused may not be granted regular bail and his bail application may be dismissed.

I have heard the submissions and perused the record/reply.

The present FIR has been registered on the basis of a complaint forwarded by the Under Secretary, Staff Selection Commission, Ministry of Personnel, Public Grievances & Pensions, Government of India. He had forwarded a complaint dated 07.12.2020 stated to be made by one Mr. Ajit

Singh claiming himself as a Social Worker. The said complaint was regarding fraud in examination for recruitment of constable in Delhi Police being conducted by Staff Selection Commission which involved swapping of candidates with the persons resembling like them to write/solve examination paper on behalf of the actual candidates. He also provided the names of two such candidates. Applicant accused Kashish Kumar was having Roll No. 3205600167 whose examination was held on 27.11.2020.

After conducting an enquiry, the present case was registered and the investigation was taken up by the IO. During investigation the applicant/accused and his father were arrested. The accused was taken on police custody remand.

On inquiry the IO submits that now custodial interrogation of the accused is not required. There is no previous criminal record of the accused. He is a young boy. There are no chances of his absconding. His presence can be secured by seeking a sound surety from him. Investigation qua him is already stated to be complete as his custody is not required by the IO. All the offences alleged to have been committed by the accused provides maximum punishment upto 7 years. The accused has already spent 20 days in

custody. Considering the facts and circumstances of the case, nature of the offences for which the FIR has been registered, the age and social background of the applicant/accused, and his period of custody, the application accused **Kashish Kumar** is hereby allowed. Applicant is admitted on bail on furnishing personal bond in the sum of Rs. 20,000/- with one surety of like amount. Bail application is disposed of accordingly. Original bail application be filed in the Court within 2 days.

Copy of this order be sent to concerned Jail Superintendent for information. The copy be also supplied to the accused in Jail.

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**Dinesh
Kumar**

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(DINESH KUMAR)

CMM/NE/KKD/DELHI/23.01.2021