

FIR No.294/20
PS Laxmi Nagar
Applicant: Mohd. Wasim
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through video conferencing).
Sh. Jagbir Singh, Ld. Counsel for accused (through video conferencing).

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since 11.09.2020. It is further stated that accused is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

On the other hand, it is submitted by Ld. APP for the state that accused is previously involved in criminal activities of similar nature and the custody period is too short. It is further submitted that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the bail. Hence, accused doesn't deserve bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of

investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, the allegations against the applicant/accused are grave and serious and accused is involved in other criminal activities of similar nature. Therefore, there is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Mohd. Wasim is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

**RENU
CHAUDHARY**

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MM-04/East/KKD/Delhi/24.09.2020

FIR No.367/20
PS. Laxmi Nagar
Applicant: Fahad Ansari
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through video conferencing).
Sh. Parmanand Jaint, Ld. Counsel for accused/applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Fahad Ansari, seeking bail.

Reply filed by the IO. Same is perused.

As per reply, the accused/applicant has already been granted bail in this case FIR by the Court of Ld. ASJ vide order dated 22.09.2020.

Hence, the present bail application becomes infructuous and is hereby dismissed.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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MM-04/East/KKD/Delhi/24.09.2020

FIR No.379/20
PS Laxmi Nagar
Applicant: Fahad Ansari
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through video conferencing).
Sh. Parmanand Jain, Ld. LAC for accused (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Fahad Ansari, seeking bail.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and nothing has been recovered from the possession of accused. It is further stated that accused is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

On the other hand, it is submitted by Ld. APP for the state that accused is a habitual offender and case property is yet to be recovered. It is further submitted that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the bail. Hence, accused doesn't deserve bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

It is pertinent to mention here that the earlier bail application moved on behalf of the accused was dismissed by this Court vide order dated 31.08.2020. Thereafter, there has been no change of circumstances from the date of dismissal of the last bail application and the filing of the present application. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Fahad Ansari is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/24.09.2020

FIR No.382/20
PS Laxmi Nagar
Applicant: Fahad Ansari
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through video conferencing).
Sh. Parmanand Jain, Ld. LAC for accused (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Fahad Ansari, seeking bail.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and nothing has been recovered from the possession of accused. It is further stated that accused is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

On the other hand, it is submitted by Ld. APP for the state that accused is a habitual offender and case property is yet to be recovered. It is further submitted that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the bail. Hence, accused doesn't deserve bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

It is pertinent to mention here that the earlier bail application moved on behalf of the accused was dismissed by this Court vide order dated 31.08.2020. Thereafter, there has been no change of circumstances from the date of dismissal of the last bail application and the filing of the present application. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Fahad Ansari is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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MM-04/East/KKD/Delhi/24.09.2020

FIR No.381/20
PS. Laxmi Nagar
Applicant: Rashid
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through video conferencing).
Sh. Dinesh Yaduvanshi, Ld. Counsel for accused/applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Rashid, seeking bail.

Reply filed by the IO. Same is perused.

As per reply, no arrest has been made in the present case FIR.

In view of the report filed by the IO, Ld. Counsel for accused seeks liberty to withdraw the bail application due to technical reasons.

Heard.

In view of the aforesaid reason, the present bail application is dismissed as withdrawn.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

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(RENU CHAUDHARY)

MM-04/East/KKD/Delhi/24.09.2020

E. FIR No.024090/19
PS. Laxmi Nagar
24.09.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Present: Sh. Vijender Singh, Ld. Counsel for applicant i.e. Mohd. Faisal, AR of ICICI, Lombard General Insurance Co. (through video conferencing).

Vide this order, I shall dispose of the application moved by applicant for release of vehicle bearing No. DL-1SAE-0219 (Royal Enfield) on superdari.

Reply filed. However, the IO has not clearly mentioned whether the registered owner of the vehicle Sh. Ankur Singh has been paid the claim amount by the applicant i.e. ICICI, Lombard General Insurance Co. Ltd. Let the same be verified by the IO and a further report be filed.

Put up on 26.09.2020.

Copy of this order be sent to Ld. Counsel for applicant through electronic mode.

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