

IN THE COURT OF MS. SMITA GARG,
ADDITIONAL DISTRICT JUDGE-02, SHAHDARA,
KARKARDOOMA COURTS, DELHI.

Bail Application No./2020
State v. Aman Aggarwal
FIR No. 177/2019
P.S. Farsh Bazar
U/s 302/201/34 IPC

27.04.2020

Present: Sh. Prem Narayan Singh, APP for the State.
Complainant Adesh Aggarwal in person.
Sh. Rohit Bhargava, counsel for the applicant/accused.

1. In view of the office order No. 2155-2175/Judl./SHD/2020 dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in the wake of Corona Virus (Covid-19) pandemic, the present application has been put up before the undersigned and heard through video conference using CISCO WebEx app.
2. This is an application for grant of interim bail moved on behalf of the applicant/accused Aman Aggarwal.
3. Reply to the bail application has been received from IO Insp. Ashok Kumar Singh.
4. Interim bail has been sought on the ground that the mother of the applicant has been advised to undergo surgery. The counsel for the applicant has submitted that the mother of the applicant would be admitted in the hospital today.

Smita
27/4/2020

5. A perusal of the reply filed by IO shows that the same has been filed on merits of the case. Let a verification report be called from IO/SHO concerned regarding the medical record of the mother of the applicant annexed with the application as well as the factum of her admission in the hospital for surgery for the next date.

6. Application be put up for consideration on **28.04.2020**.

7. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O(Judicial), who shall supply the same to the parties in terms of the Office Order No. 2204-2221/D&SJ Shd/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

Original signed order has been retained by the undersigned, which shall be placed on record on reopening of courts after the lockdown ends.


(SMITA GARG)
Duty Judge/Addl. District Judge-02,
Shahdara, Karkardooma Courts,
Delhi:27.04.2020

IN THE COURT OF MS. SMITA GARG,
ADDITIONAL DISTRICT JUDGE-02, SHAHDARA,
KARKARDOOMA COURTS, DELHI.

Bail Application No./2020
State v. Parvesh
FIR No.586/2018
P.S. Vivek Vihar
U/s 392/397/34/411 IPC

27.04.2020

Present: Sh. Prem Narayan Singh, APP for the State.
Sh. Gaurav Singh, Legal Aid Counsel for the applicant/accused.
SI Devi Saran on behalf of IO SI Yogesh.

1. In view of the office order No. 2155-2175/Judl./SHD/2020 dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in the wake of Corona Virus (Covid-19) pandemic, the present application has been put up before the undersigned and heard through video conference using CISCO WebEx app.
2. This application has been received from the Jail. Applicant is seeking interim bail for a period of 45 days on the basis of guidelines/criterion laid down in minutes of Meeting dated 28.03.2020 and 07.04.2020 of High Powered Committee of Hon'ble High Court of Delhi constituted in terms of the directions issued by Hon'ble Supreme Court in Suo Motu Petition (Civil) No. 1/2020 titled as 'In Re. Contagion of COVID-19'.
3. Legal aid counsel has submitted that since the applicant is in custody from 11.01.2019 and the offences alleged are punishable with maximum sentence of 10 years, the applicant is entitled to interim bail for a period of 45 days in terms of the guidelines laid down by the High Powered Committee of Hon'ble High Court of Delhi.
4. SI Devi Saran states that the charge sheet has already been filed. However, Legal Aid Counsel as well as SI Devi Saran have expressed inability to state as to whether the charge has been framed in the matter or not.

Smita
27/4/2020

5. As per the FIR, the allegations against the applicant are that on 30.11.2018 at about 04:00 PM, when the complainant Ishant Bhardwaj and his friend Manu Pratap were sitting on a bench in Surajmal Park, the applicant alongwith co-accused Kush came there, threatened the complainant and his friend with surgical blades and robbed them of their respective wallets. While the co-accused Kush was apprehended with the help of police, the applicant had managed to flee. It is further alleged that during the incident, the applicant also caused hurt to the complainant by giving slaps to him. From the above, the commission of offence under Section 394/34 IPC is also disclosed. Since the said offence is punishable upto life imprisonment, the applicant does not fall within the criteria laid down by the High Powered Committee of the Hon'ble High Court in its minutes of Meeting dated 07.04.2020. Further, as it has nowhere been pleaded that the applicant is suffering from any of the ailments as specified by the High Powered Committee of Hon'ble High Court of Delhi in the minutes of its Meeting dated 18.04.2020, the said criterion would also not apply to the applicant.

In view of above, the application for interim bail is hereby dismissed.

6. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O(Judicial), who shall supply the same to the parties and the concerned Jail Superintendent in terms of the Office Order No. 2204-2221/D&SJ Shd/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

Original signed order has been retained by the undersigned, which shall be placed on record on reopening of courts after the lockdown ends.


(SMITA GARG)
Duty Judge/Addl. District Judge-02,
Shahdara, Karkardooma Courts,
Delhi:27.04.2020

IN THE COURT OF MS. SMITA GARG,
ADDITIONAL DISTRICT JUDGE-02, SHAHDARA,
KARKARDOOMA COURTS, DELHI.

Bail Application No./2020
State v. Faizan
FIR No. 155/2020
P.S. Welcome
U/s 323/506 IPC & 10/21 POCSO Act

27.04.2020

Present: Sh. Prem Narayan Singh, APP for the State.
IO SI Amit Kumar is present.
Sh. Gaurav Singh, Legal Aid Counsel for the applicant/accused.

1. In view of the office order No. 2155-2175/Judl./SHD/2020 dated 15.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi issued in the wake of Corona Virus (Covid-19) pandemic, the present application has been put up before the undersigned and heard through video conference using CISCO WebEx app.
2. This application has been received from the Jail. Applicant is seeking interim bail for a period of 45 days on the basis of guidelines/criterion laid down in minutes of Meeting dated 28.03.2020 and 07.04.2020 of High Powered Committee of Hon'ble High Court of Delhi constituted in terms of the directions issued by Hon'ble Supreme Court in Suo Motu Petition (Civil) No. 1/2020 titled as 'In Re. Contagion of COVID-19'.
3. IO has filed reply and copy of FIR. As per the FIR, the applicant has been booked under Section 6/21 of POCSO Act and Section 323/506 IPC. IO states that

Lita
27/4/2020

Section 6 POCSO Act has now been deleted. The reply filed today is silent on the said aspect. IO seeks time to file a detailed reply. Let the same be filed before the next date.

4. Application be put up for consideration on **29.04.2020**.

5. Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O(Judicial), who shall supply the same to the parties and the concerned Jail Superintendent in terms of the Office Order No. 2204-2221/D&SJ Shd/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

Original signed order has been retained by the undersigned, which shall be placed on record on reopening of courts after the lockdown ends.


(SMITA GARG)
Duty Judge/Addl. District Judge-02,
Shahdara, Karkardooma Courts,
Delhi:27.04.2020