

Proceedings conducted through Video Conferencing

e-FIR No. 2200/2020
PS: Aman Vihar
State vs. Irshad @ Shukar Ali
Under Section 379/411 IPC

A bail application filed on behalf of the accused Irshad @ Shukar Ali is taken up today through video conferencing.

28.04.2020

Present : Ms. Tanya Uppal, Ld. APP for State.

Ld. Counsel for the applicant / accused.

An application for grant of bail under Section 437 Cr.P.C is moved on behalf of accused Irshad on the ground that he is falsely implicated and therefore he be released on regular bail. During arguments, Ld. Counsel for the accused has submitted that the accused deserves to be released interim bail if not on regular bail.

Heard. Reply perused.

In view of the order passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition (C) No. 1/2020. in RE contagion of Covid-19 Virus in prisons and that of Hon'ble High Court of Delhi in W.P © 2945/2020 in the matter of Shobha Gupta vs. Union of India & Ors dated 23.03.2020 as well as in view of resolution dated 07.04.2020 adopted by the Committee chaired by Hon'ble Justice Ms. Hima Kohli, the accused Irshad @ Shukar Ali is admitted to interim bail for a period of 45 days from today subject to furnishing of personal bonds in the sum of Rs. 10,000/- to the satisfaction of concerned Jail Superintendent. It is clarified that the present order of interim bail is passed without going into the merits of the case or otherwise but in view of the exigency as mentioned above.

Application is disposed off accordingly.

Copy of this order be given dasti to the Jail Superintendent concerned and be sent to the concerned Court for information and necessary action.

This bail order shall be treated as release warrant.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

Particulars of the accused (details available as per the reply of the bail application)

Name of accused – Irshad @ Shukar Ali

S/o Sh. Mohd. Salim

R/o B-3 Sehari No. 1. J.J Colony, Bawana, Delhi.

Proceedings conducted through Video Conferencing

FIR No. 340/2020

PS: Raj Park

State vs. Mansa

A bail application filed on behalf of the accused Mansa is taken up today through video conferencing.

28.04.2020

Present : Ms. Tanya Uppal, Ld. APP for State.

Ld. Counsel for the applicant / accused.

An application for grant of bail under Section 437 Cr.P.C is moved on behalf of accused Mansa. It is stated by the counsel for the accused that the accused is a poor lady who is falsely implicated in the present case and she is in JC since 24.04.2020, therefore, she be released on bail.

Ld. APP for the State has vehemently opposed the present bail application.

Heard. Perused.

As per reply received on the bail application, the recovery has already been effected and no further recovery is to be effected from the accused. The accused is a woman and is in JC since 24.04.2020, therefore as the accused is no more required for further investigation, she is admitted to bail on furnishing personal bond of Rs.10,000/- to the satisfaction of the Jail Superintendent concerned.

Application is disposed off accordingly.

Copy of this order be sent to the Jail Superintendent concerned and to the concerned Court for information and necessary action.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

Particulars of the accused (details available as per the reply of the bail application)

Name of accused – Mansa

W/o Sh. Manjeet

R/o H. No. B-730, Mangol Puri, Raj Park, Delhi

e-FIR No. 005316/2020
PS: Raj Park
State vs. Sanjay

Manual court proceedings.

28.04.2020

Present : Ms. Tanya Uppal, Ld. APP for State.

IO HC Narender Kumar is present with case file.

As per reply filed by the IO, the accused Sanjay is in JC in case bearing e-FIR No. 005316/2020, PS Raj Park and he was never in custody in case bearing e-FIR No. 05316/19 PS Raj Park.

Vide order dated 03.04.2020, the accused Sanjay was granted interim bail for the period of 45 days in case e-FIR No. 5316/19, PS Raj Park under Section 379/411, however, an objection was raised by the concerned Jail Superintendent, Tihar Jail to the effect that as per the custody warrants the correct e-FIR no. 5316/2020

The perusal of the police file and the reply of the IO make it clear that the accused Sanjay is running into JC in case e-FIR No. 05316/2020, PS Raj Park, therefore, the order dated 03.04.2020 passed by the Ld. Duty MM is accordingly rectified and the same shall be read as e-FIR No. 05316/2020 PS Raj Park.

Copy of this order be sent to the Jail Superintendent concerned for immediate compliance of this order as well as order dated 03.04.2020.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

Particulars of the accused (details available as per the reply of the bail application)

Name of accused – Sanjay

S/o Sh. Jagdish Prasad Sharma

R/o H. No. A343, Khasra No. 3415 Kotla Vihar Phase-II, Nangloi, Delhi

Proceedings conducted through Video Conferencing

FIR No. 169/17

PS: EOW

State vs. Akhil Jain

U/s 419/420/4676/471/120B IPC

This is an interim bail application filed on behalf of the accused Akhil Jain is taken up today through video conferencing.

28.04.2020

Present : Ld. APP for State.

Ld. Counsel for the accused.

The reply to the bail application is received. Same be tagged

Part arguments on the bail application heard. It is submitted by the Ld. counsel for the accused that the co-accused in the present case is already granted interim bail and therefore on the basis of parity accused Akhil Jain should also be granted interim bail, however, to support his contention the relevant interim bail order is not filed and to file the same two days time has been sought. Accordingly time is granted.

List for consideration on 30.04.2020 at 2:00 pm.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

e-FIR No. 05179/2020
PS: Bharat Nagar,
State vs. Shanu & Anr.

Manual court proceedings.

28.04.2020

Fresh charge-sheet received.

Present : Ms. Tanya Uppal, Ld. APP for State.

IO HC Pooran is present.

Accused Sunil and Shanu are stated to be in J.C.

**Charge-sheet be sent to the concerned Court through
Facilitation Centre for 04.05.2020 at 2.00 p.m., or for any other day when the
Court resumes normal functioning.**

**(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020**

e-FIR No. 005316/2020

PS: Raj Park

State vs. Sanjay

Manual court proceedings.

28.04.2020

Fresh charge-sheet received.

Present : Ms. Tanya Uppal, Ld. APP for State.

IO HC Narender is present.

Accused Sanjay stated to be in J.C.

Charge-sheet be sent to the concerned Court through Facilitation Centre for 04.05.2020 at 2.00 p.m., or for any other day when the Court resumes normal functioning.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

e-FIR No. 036187/2019
PS: South Rohini
State vs. Amit @ Happy & Anr.

Manual court proceedings.

28.04.2020

Fresh charge-sheet received.

Present : Ms. Tanya Uppal, Ld. APP for State.

IO is present.

Accused Amit @ Happy and Rohit @ Chinu are stated to be in J.C.

**Charge-sheet be sent to the concerned Court through
Facilitation Centre for 04.05.2020 at 2.00 p.m., or for any other day when the
Court resumes normal functioning.**

**(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020**

e-FIR No. 07095/2020
PS: Raj Park
State vs. Sanjay

Manual court proceedings.

28.04.2020

Fresh charge-sheet received.

Present : Ms. Tanya Uppal, Ld. APP for State.

IO HC Narender is present.

Accused Sanjay is stated to be in J.C.

Charge-sheet be sent to the concerned Court through Facilitation Centre for 04.05.2020 at 2.00 p.m., or for any other day when the Court resumes normal functioning.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

e-FIR No. 07098/2020
PS: Raj Park
State vs. Sanjay

Manual court proceedings.

28.04.2020

Fresh charge-sheet received.

Present : Ms. Tanya Uppal, Ld. APP for State.

IO HC Narender is present.

Accused Sanjay is stated to be in J.C.

Charge-sheet be sent to the concerned Court through Facilitation Centre for 04.05.2020 at 2.00 p.m., or for any other day when the Court resumes normal functioning.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

FIR No. 93/2019
PS: Rohini North
State vs. Rohit Kumar

Manual court proceedings.

28.04.2020

Present : Ms. Tanya Uppal, Ld. APP for State.
Sh. Govind Kant, Ld. LAC for the accused.

An application for grant of interim bail has been moved on behalf of accused Rohit who is running into JC since 24.03.2019 on the ground that the accused is suffering from hepatitis B and as per the minutes of the meeting dated 18.04.2020 chaired by Hon'ble Justice Ms. Hima Kohli it was considered to release the UTP on interim bail if they are suffering from HIV, Cancer, Chronic ailments Hepatitis B and C.

Heard. The medical certificate issued by office of the Senior Medical Officer Central Jail, Tihar, highlighting that accused is suffering from Hepatitis C, perused.

In view of the minutes of the meeting dated 18.04.2020 chaired by Hon'ble Justice Ms. Hima Kohli, it was considered by the committee that "the UTPs who are suffering from HIV, Cancer, Chronic kidney dysfunction (UTPs requiring dialysis) Hepatitis B or C, Asthama and TB may be considered for interim bail for a period of 45 days if they are in custody for a period of 6 months or more and facing trial in a case which prescribes punishment of 10 years upto life imprisonment and are not involved in multiple cases. Thus, let a notice be issued to the IO of the case to present the previous antecedents / involvements report of the accused for 29.04.2020.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020

Proceedings conducted through Video Conferencing

FIR No. 88/15

PS: EOW

State vs. Navendu Babbar

U/s 420/467/468/471/120B IPC

28.04.2020

The second bail application under Section 437 Cr.P.C filed on behalf of accused Navendu is taken up today through video conferencing.

Present : Ms. Tanya Uppal, Ld. APP for State.

Sh. Swapnil Aeron, Ld. Counsel for the accused.

Ld. Counsel for the accused submits that the first bail application is pending in the court of Ld. CMM North West and this subsequent bail application is moved in view of the outbreak of pandemic Covid-19 as the accused is running into JC. It is argued by the Ld. Counsel for the accused that as per the latest guidelines dated 18.04.2020 issued by the Committee chaired by Hon'ble Justice Ms. Hima Kohli, the accused deserves to be released on bail

Ld. APP for the State has vehemently opposed the present bail application.

Heard. Reply to the bail application perused.

As per the reply filed by the IO, accused Navendu did not cooperate in the investigation of the case and later on evaded arrest. The co-accused Sheetal Garg is also absconding and has been declared a proclaimed offender in this case.

On the perusal of the resolution dated 18.04.2020, adopted by the Committee chaired by Hon'ble Justice Ms. Hima Kohli, it is clear that the members of the Committee considered that the UTPs who are suffering from HIV, Cancer, Chronic kidney dysfunction (UTPs requiring dialysis) Hepatitis B or C, Asthama and TB may be considered for interim bail for a period of 45 days if they are in custody for a period of 6 months or more and facing trial in a case which prescribes punishment of 10 years upto life imprisonment and are not involved in multiple cases.

In the present matter the reply filed by the IO clearly indicates that as many as 5 cases in similar sections are pending for adjudication against the accused and there is no averment in the bail application regarding the suffering of any of the abovementioned disease nor is there any medical certificate. Therefore, the present bail application does not fall within the ambit of the Consideration for release of UTPs suffering from abovementioned diseases. Therefore, there is no ground to release the accused on bail at this stage.

Accordingly, the application is dismissed and is disposed off.

Copy of this order be given to the Ld. Counsel for the accused, as prayed.

Copy of this order be given to the IO.

The Incharge of Computer Branch is directed to upload this order on website today itself.

(Sanya Dalal)
Duty MM: North-West
Rohini: Delhi/28.04.2020