

FIR No.14/20
PS YDM
Applicant: Nitin Singhania
28.10.2020

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 bail application is taken up for hearing through video conferencing using the App Cisco WebEx.

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

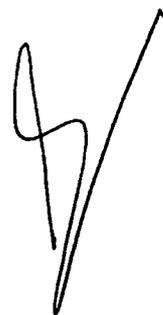
Vide this order, I shall dispose of the application moved by accused Nitin, seeking bail.

Reply filed by the IO. Same is perused.

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

It is submitted that accused is in JC since 10.10.2020 and the accused was falsely implicated in the present case as nothing incriminating has been recovered from him. It is further submitted that accused has no previous criminal involvement and he is ready to abide by all terms and conditions imposed upon him, if he is granted bail.

On the other hand, Ld. APP for the state strongly opposed the bail application stating that the investigation is at initial stages and therefore the accused may tamper or hamper the evidence and may jump the bail.



Considering the fact that accused in JC since 16.10.2020 and accused is no more required for custodial interrogation, no useful purpose would be served to keep him behind the bar.

Hence, unless required in any other case, accused Nitin Singhania is admitted to bail on furnishing personal bond and surety bond in sum of Rs. 20,000/-each with one local surety subject to the following conditions:

1. That he shall not indulge in commission of any similar or other offence upon his release;
2. That he shall not tamper with the evidence in any manner;
3. That he shall not make any inducement, threat or promise to any witness(es) involved in case;
4. That he shall furnish his complete residential address and intimate the Court if and when there is any change thereto;
5. That he shall appear before the Court/IO if and when called upon.

The application stands disposed of.

Copy of this order be sent to Jail Superintendent concerned and Ld. Counsel for applicant through electronic mode.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/28.10.2020

FIR No.348/20,
PS Laxmi Nagar
Applicant: Chupua Ravidas
28.10.2020

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 abovesaid matter is taken up for hearing through video conferencing using the App Cisco WebEx.

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

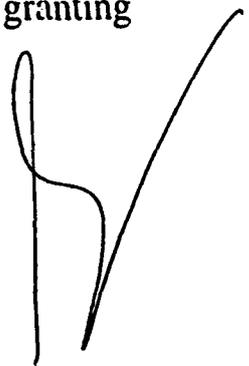
Vide this order, I shall dispose of the application moved by accused Chiku Ravi Das seeking bail.

It is pertinent to mention here that inadvertently the name of the accused has been wrong mentioned as Chiku Ravi Das instead of Chupua Ravidas in the present bail application. On oral request, the name of the accused stands corrected as Chupua Ravidas.

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 is in JC since 05.10.2020 and he was falsely implicated in the present case by the other accused Shahzad and was arrested upon his disclosure statement. It is further submitted that there is no previous criminal involvement of the applicant. Hence, it is prayed that bail be granted to the applicant as he is the sole bread earner of his family and is ready to abide by all terms and condition to be imposed upon him while granting bail.



On the other hand, Ld. APP for the state strongly opposed the bail application submitting that investigation is at initial stage and other co-accused persons are yet to be apprehended. It is further submitted that allegations are grave and serious as the accused persons alongwith his associates had cheated the complainant on the pretext of changing currency. It is further submitted that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the 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 investigation is at initial stages, allegations are grave and serious and co-accused persons are yet be apprehended, 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 Chupua Ravidas 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)
MM-04/East/KKD/Delhi/28.10.2020

FIR No.397/19
PS Laxmi Nagar

28.10.2020

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 abovesaid matter is taken up for hearing through video conferencing using the App Cisco WebEx.

Present: Sh. Imran Alam, Ld. Counsel for applicant (through video conferencing).
IO Vijay Dutt is present (through video conferencing).

This is an application moved on behalf of complainant/applicant for calling status report of the investigation from the IO/SHO concerned.

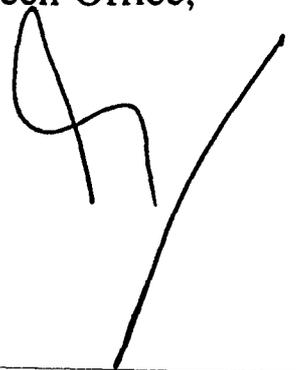
It is stated that pursuant to the directions of the Court, FIR was registered bearing no. 397/19 dated 13.11.2019, U/Sec.406/420/120B IPC against the accused persons and till date the IO has not completed the investigation.

Hence, the present application is filed seeking direction to the IO/SHO concerned to file status report.

Heard.

Status report filed by the IO. Same is perused.

It is stated that during the investigation of the case, documents regarding complaint and agreement between the complainant and accused were received and a notice U/Sec.91 Cr.P.C. was issued to Supertech Office,



Noida, U.P. but no reply has been received because of COVID-19 situation.

Heard.

IO is directed to expedite the investigation and file further report.

Copy of status report be provided to the Ld. Counsel for applicant through electronic mode.

Application stands disposed of accordingly.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/28.10.2020

FIR No.302/17
PS Shakarpur
Prabhu Lal Vs. Neha Jewellers Pvt. Ltd.

28.10.2020

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 abovesaid matter is taken up for hearing through video conferencing using the App Cisco WebEx.

Present: None.

This is an application moved on behalf of complainant/applicant for calling status report from the IO/SHO concerned.

None is present for applicant.

Report not filed by IO.

Request for adjournment received through Naib Court stating that the IO is on leave.

At request, be listed on 07.11.2020.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/28.10.2020