

FIR No.232/19
PS Laxmi Nagar
29.09.2020

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: None.

An application has been moved on behalf of the accused Subhash Kumar Sharma to provide the copy of all the orders issued in the bail application since 21.08.2019.

None is present on behalf of the applicant. Hence, the present application is dismissed in default for non-prosecution.

Application is disposed of accordingly.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/29.09.2020

FIR No.0367/20

PS Laxmi Nagar

Applicant: Fahad Ansari

29.09.2020

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. Tarun Soni, Ld. LAC for applicant/accused (through video conferencing)

Report not filed by the Jail Superintendent concerned.

Let the report be filed in compliance of order dated 25.09.2020 at the earliest.

Be listed on 01.10.2020.

Copy of this order be sent to Jail Superintendent concerned for information and compliance.

Non-compliance of the order will be viewed strictly.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/29.09.2020

FIR No.310/20
PS Laxmi Nagar
Applicant: Sameer Khan
29.09.2020

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. Vijay, Ld. Counsel for accused (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Sameer Khan 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 he is in JC since 08.07.2020. It is further stated that charge-sheet has been filed and investigation has been completed. 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 was caught by the complainant at the spot while he was trying to flee away after stealing complainant's wallet and recovery was effected from the accused. It is further submitted that accused is involved in numerous other



criminal activities including several cases of robbery and he is a habitual offender. It is further submitted that earlier bail applications have been dismissed vide order dated 14.08.2020, 19.08.2020 and 23.08.2020 and 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 allegations against the applicant/accused are grave and serious and accused is involved in other criminal activities. 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 Sameer Khan 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/29.09.2020

FIR No.330/20
PS Laxmi Nagar
Applicant: Kalu @ Rajender
29.09.2020

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. Rajeev Kumar, Ld. Counsel for accused (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Kalu @ Rajender 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 he is in JC since 09.09.2020. 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 in JC since 11.09.2020 in the present case and initially accused was arrested in case bearing FIR No.366/20, PS Kalyan Puri. It is further submitted that accused is involved in several other criminal cases including 5 cases of robbery and he is a habitual offender. 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 allegations against the applicant/accused are grave and serious and accused is involved in other criminal cases including robbery cases. 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 Kalu @ Rajender 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/29.09.2020
