

State vs. Sandeep
FIR No. 282/20
P.S. Mayur Vihar
U/s: 363 IPC

30.06.2020


This application has been taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P.P. for the State through video conferencing.

Reader of the Court informed that he has contacted with the Ld. Counsel for the applicant/accused, who has informed that she is admitted in the hospital, therefore, she is unable to argue the matter through video conferencing.

IO has sent the reply but in the reply it is not clear whether applicant/accused has joined the investigation as directed by this court, therefore, IO is also directed to file the status report whether the applicant/accused has joined the investigation interms of order dated 26.06.2020 or not and further he will file the detailed report as on what basis the father of the prosecutrix has given the age of the prosecutrix as 16 years.

In these circumstances, bail application is adjourned for 02.07.2020.


(SANJEEV/KUMAR-I)
ASJ(SFTC), East/KKD
Courts, Delhi/30.06.2020

State vs. Ashok Dureja
FIR No. 384/19
P.S. Mandawali
U/s: 307/120B/201/34 IPC

30.06.2020

This application has been taken up from video conferencing via Cisco Webex meeting.


Present: Sh. Sanjay Kumar, Ld. Addl. P.P. for the State through video conferencing.
Sh. Siddharth Singh, Ld. Counsel for applicant/accused through video conferencing.
IO SI Sandeep Kumar in person through video conferencing.

This is an application u/s 439 Cr.P.C. moved on behalf of the applicant/accused for grant of regular bail.

Reply has been filed by the IO.

Ld. Counsel for the accused submits that he is not pressing the bail application at this stage as the accused is already on interim bail and all interim bail been extended by the Hon'ble High Court of Delhi.

Considering the submissions of Ld. Counsel for the applicant/accused, bail application is hereby dismissed as withdrawn. Application stands disposed off and be consigned to Record Room.


(SANJEEV KUMAR-I)
ASJ(SFTC), East/KKD
Courts, Delhi/30.06.2020

State vs. Sonu and Ram Surat
FIR No.322/2020
P.S. Mayur Vihar
U/s: 308/34 IPC

30.06.2020

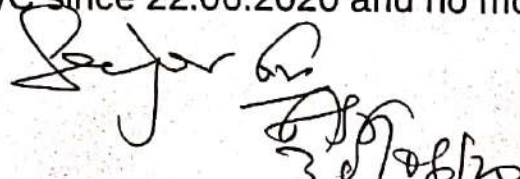
This application has been taken up from video conferencing via Cisco Webex meeting.

Present: Sh. Sanjay Kumar, Ld. Addl. P.P. for the State through video conferencing.
Sh. Pankaj Bhushan, Ld. Counsel for applicant/accused Sonu and Sh. Durgesh Pal, Ld. Counsel for applicant/accused Ram Surat through video conferencing.

These are two applications u/s 439 Cr.P.C. moved on behalf of the applicants/accused persons for grant of regular bail.

Reply has been received from the IO.

It is stated by the Ld. Counsel for applicant/accused Sonu that he is 20 years of age and is not previously involved in any crime. He argued that as per own version of the prosecution, the applicant/accused is also injured but he has not been medically examined by the IO and arrested falsely in this case. Hence even if quarrel has taken place, the FIR should have been registered on the complaint of the applicant/accused. He also submits that injuries caused to the victim as per reply is simple and the injured was discharged on the same day. He also submits that the father of the applicant/accused is suffering from fourneir's gangrene and got operated in the year 2019 and since then he is bed ridden and there is no one in the family to lookafter him. He further submits that the applicant/accused is in J/C since 22.06.2020 and no more



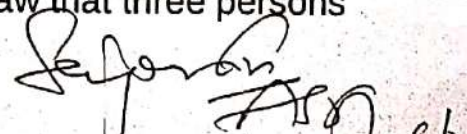
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wanted for the purpose of investigation and he is ready to abide any condition imposed upon him and due to current covid-19 situation also the applicant/accused Sonu may be granted bail as the virus is spreading in the jail and effected many inmates and the jail staff.

Ld. Counsel for accused Ram Surat has argued that the applicant/accused is in J/C since 22.06.2020 and has been falsely implicated in this case as he was not present at the spot and he is not involved in the quarrel. He further submits that the applicant/accused is not previously involved in any crime.

On the other hand, Ld. Addl. P.P. for the State submits that on 22.06.2020, the complainant was going to 26 Block liquor shop for purchasing liquor and when he reached 26 Block, Trilok Puri, Delhi then he met with his known person i.e. the applicant/accused Sonu, who oftenly met him at the shop of liquor and they started talking and after some time applicant/accused Sonu started abusing the complainant and quarreling with him as he was in drunken condition. At that time another person Ram Surat @ Munshi was called by the applicant/accused Sonu for help and then Ram Surat gave a brick to Sonu to hit the complainant and the applicant/accused Sonu hit the complainant behind his head with that brick and then Ram Surat also picked another brick and hit the complainant with the brick on his right ear. He further submits that at that time SI Mohit, who was coming towards the police station after attending the PCR call, saw that three persons



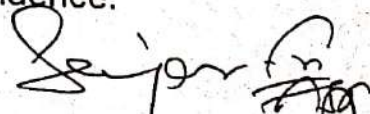
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were quarreling with each other and caught the complainant and the applicant/accused Sonu with the help of staff and after interrogation name of other person is revealed as Ram Surat, who abscond from the place of occurrence. He further submits that as per guidelines of High Power Committee constituted by the Hon'ble High Court of Delhi, the applicants/accused persons are not entitled for bail on the ground of covid-19 situation as for this a person must be in J/C for more than six months and he prays that bail applications may be rejected.

I have considered the submissions and gone through the reply filed by the IO. From the reply, it appears that the complainant and the applicants/accused persons had entered into quarrel in which the complainant got injury on his head through brick and it appears to be spontaneous quarrel. Injury is simple and injured has already been discharged from the hospital on the same day and both the applicants/accused persons are in J/C since eight days. Hence, considering all the facts and circumstances, I allow the applications and order to release the applicants/accused persons namely Sonu and Ram Surat on bail on furnishing of a personal bond in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with one surety of the like amount to the satisfaction of Ld. MM/Link MM/Duty MM with the following conditions:

- (i) The applicants/accused persons shall not threaten the witnesses or tamper with the evidence.



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(ii) The applicants/accused persons shall not leave the Country without prior permission of this Court.

(iii) The applicants/accused persons shall intimate on record any change of their residential address within 30 days of such change.

All discussions in this order have solely been done for the purpose of the determination of the application under consideration and no part of this order shall be construed as a final expression of opinion on the merits of the *lis* or any matter incidental or ancillary thereto.

Application stands disposed off and be consigned to Record Room.


(SANJEEV KUMAR-I)
ASJ(SFTC), East/KKD
Courts, Delhi/30.06.2020