

FIR No. 173/19
PS Jafrabad
U/s 302/201/202/203 IPC
State Vs. Aneesh Qureshi@Saju, S/o Mohd. Nawab

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)

Sh. Manoj Chauhan, Ld. Counsel for applicant / accused.
(through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 4 weeks in view of the fact that the accused is suffering from high blood pressure, high sugar and is not getting proper treatment.
3. Let report be called regarding medical status of the accused from the Jail Superintendent for tomorrow i.e. 01.05.2020.
4. Bail application be listed on 01.05.2020.
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 in terms of 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.

SHUCHI LALER

(SHUCHI LALER)

Judge on Duty

PO-MACT/SHD/KKD

30.04.2020

FIR No. 99/20
PS Anand Vihar
U/s 302/201/34 IPC
State Vs. Baiju Paswan, S/o Gharati Paswan

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)

Sh. A.L. Manav and Vikas Manav, Ld. Counsel for applicant / accused. (through video conferencing)

IO Inspector Rajan Kumar (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 45 days in view of the guidelines dated 07.04.2020 issued by the Hon'ble High Powered Committee. It is also stated in the application that the accused is the sole bread earner of his family having 3 (three) minor children and illiterate wife and as all the children are school going and they are financial dependent upon the accused.
3. During the course of arguments, it is submitted by Id counsel for the accused that as far as the present accused is concerned he is not involved in offence under Section 302 IPC (Murder) and the allegations against him are only with respect to offence under Section 201 IPC.

4. In reply to the bail application, IO Inspector Satveer Singh has mentioned that the present accused had actively participated in disposing of the dead body inside a sewer near the jungle.
5. In the meeting dated 07.04.2020, Hon'ble High Powered Committee categorically directed to consider the application for grant of interim bail for 45 days, that too on personal bond, of those UTPs who are in custody for more than 15 days and are facing trial in an offence which prescribes a maximum sentence of 7 years or less.
6. Ld. APP for the State submitted that in the present case charge sheet has yet not been filed and the investigation is at initial stage, hence, the role of the accused cannot be ascertained at this stage and it cannot be said that his role is limited to offence under Section 201 IPC and that he was not involved in offence under Section 302 IPC.
7. As per the reply to the bail application, the role of the accused is limited to the aspect of disposal of the dead body and the accused has already remained in custody for more than a month, therefore, as Section 201 IPC is punishable with imprisonment up to 7 years only, hence, the case of the accused / applicant is governed by the directions issued by Hon'ble High Powered Committee in its meeting dated 07.04.2020, moreover, this is only an application for interim bail and not for regular bail on merits of the case.
8. Accordingly, **accused is admitted to interim bail for a period of 45 days upon furnishing of personal bond in the sum of Rs. 25,000/- and a surety in like amount (as the charge sheet is yet not filed) to the satisfaction of Ld. MM / Ld. Duty MM / Ld. Link MM subject to the condition that he shall not leave the country without permission of the court, he shall not change his**

address without intimating the court and he shall attend the court on each and every date of hearing.

9. Nothing stated herein shall tantamount to an expression of opinion of the court on the merits of the case for the purpose of trial.
10. 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 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 94/20
PS Jagat Puri
U/s 376 IPC

State Vs. Kulwinder Singh Sahini@Rajan, S/o Late Jitender Singh

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Gaurav Malhotra, Ld. Counsel for applicant / accused. (through video conferencing)
IO SI Shivani Katyar (through video conferencing)
Complainant (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of anticipatory bail under Section 438 Cr.PC.
3. This is a unique case as prior to the registration of the present FIR, the same complainant lodged another FIR against the same accused / applicant for the offence under Section 376 in the year 2018 bearing FIR No. 311/2018, U/s 376/323/506 IPC.
4. In the bail application it is mentioned that the accused was acquitted in the said FIR No. 311/2018 as the complainant testified before the court in the said case that the FIR was lodged by her as per the directions of the police officials as the police officials asked her to

write the complaint as per their direction and obtained her signatures on the same. The copy of the statement of the complainant in the said case has also been annexed with the present application wherein the complainant testified as under:

“After the dinner, I and accused had a quarrel over some personal issues and there the accused Kulwinder in a fit of anger refused to marry with me. I got apprehensive after hearing the same as all my friends and relatives knew that my rokka has already been performed with the accused Kulwinder and I went to police station Jagat Puri, Delhi where I told to police officials that I have been deceived by the accused but the police officials told me that no case would be made out on what I told them. Police officials told me that on such facts that I disclosed to them I would not be able to marry with the accused and if I wanted to marry with the accused, I have to lodge a strong complaint against him and his family members. Thereafter, the police officials asked me to write the complaint as per their dictations and obtained my signatures on the complaint. The contents of the complaint are totally wrong and incorrect.”

As regards the statement under Section 164 Cr.PC recorded by Ld. MM in the said case, the witness/complainant testified before Ld. Sessions Court as under:

“I made statement at the instance of police officials who told me that if I do not depose as per their dictation, I may also be implicated.”

5. Perusal of the statement further reveals that the witness was cross examined at length by Ld. Additional PP in which she specifically denied the allegations made in the previous FIR and also denied the correctness of the statement given by her under Section 164 Cr.PC.

6. The present FIR was lodged on 16.04.2020 in which complainant reiterated the allegations raised in the previous FIR and made further allegations of rape and alleged that on 01.04.2020, the accused came to the house of complainant and forcibly made physically relations with her.
7. The main argument of Id. Counsel for the accused is that the present FIR has been lodged by the complainant to extort money from the accused and a call recording in this regard was also made by the accused. It is further stated by Id. Counsel that the complainant also made calls and sent whatsapp messages to the accused even after 01.04.2020, the copy of which is annexed with the bail applications, which shows that the allegations made in the present FIR are false, just like the allegations in the previous FIR were admittedly false, even as per the complainant's own testimony.
8. Complainant on the other hand stated that after lodging of the previous FIR the accused had again promised to marry the complainant, but he did not do so, rather, he forcibly made relations with the complainant because of which the present FIR was lodged.
9. Ld APP for the state opposed the bail application on the ground that the statement of the complainant under section 164 Cr.P.C has not yet been recorded, the investigation is at initial stage so accused be declined anticipatory bail.
10. In the unique facts of the present case as the complainant has changed her statements with respect to the allegations against the accused in the past without any regard for the law and without even realizing as to how serious allegations she was making against the accused and then resiling from the same, in the opinion of the court, declining the present application would amount to playing in the hands of the complainant. Considering the unique facts of the present case,

the court needs to exercise its power under Section 438 Cr.PC and grant anticipatory bail to the accused.

11. In light of the aforesaid observations, **accused is admitted to anticipatory bail and it is directed that in case of his arrest he be released on bail upon furnishing of personal bond for a sum of Rs.25,000/- and a surety in like amount subject to the condition that the accused shall join investigation as and when called upon to do so, he shall not change his address without intimating the court, shall not contact the complainant and shall immediately inform the court in case the complainant tries to contact him and shall appear before the court on each and every date of hearing.**
12. 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 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.

SHUCHI LALER
(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 351/16
PS Harsh Vihar
U/s 376 IPC and 6 POCSO Act
State Vs. Madan Lal, S/o Late Dal Chand

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. S.K. Tiwari, Ld. Counsel for applicant / accused. (through video conferencing)
IO ASI Sunita (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 3 months in view of the fact that the applicant's wife Tarawati is suffering from Tumor in her throat and is undergoing treatment in a hospital and is about to have an operation.
3. Medial documents of the wife of the complainant are annexed along with bail application, however, they could not be verified by the IO as the wife of the accused resides at Pilibhit, Uttar Pradesh.
4. IO seeks time to verify the said documents by trying to approach the concerned SHO at Pilibhit, Uttar Pradesh.
5. IO to submit report regarding verification on 02.05.2020.
6. Put up on 02.05.2020.

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 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 69/2010
PS Seemapuri
U/s 307/332/353/394/395/186/147/148/152/412/34 IPC
State Vs. Rafiq

30.04.2020

Order on Bail Application.

Present:- Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Ld. Counsel for accused / applicant (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. The present bail application was directly received from Jail No. 13, Mandoli by Deputy Jail Superintendent. In the bail application accused Rafiq, S/o Ahara who is in custody in the aforesaid FIR since 05.08.2017 has sought interim bail for a period of 45 days in view of orders passed by Ld. Apex Court in W.P. (C) No. 1/2020, by the Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by the Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020.
3. As per the previous involvement report received with respect to the present accused, he was also involved in FIR No. 121/2013, U/s 323/341/34 IPC, PS Seemapuri. As per report of the Jail Superintendent the accused is in custody only in the aforesaid FIR and not in any other case.

4. Further, as per the application duly forwarded by Deputy Jail Superintendent, Jail No. 13, Mandoli, the accused is suffering from HIV and therefore seeks interim bail specifically in view of the directions issued by Hon'ble High Powered Committee in meeting dated 18.04.2020.
5. In the meeting dated 18.04.2020, Hon'ble High Powered Committee categorically directed to consider the application for grant of interim bail for 45 days, that too on personal bond, of those UTPs who are suffering from HIV and are in custody for a period of 6 months and more and are facing trial in a case which prescribes punishment of 10 years upto life imprisonment and are not involved in multiple cases.
6. In the present case, accused / applicant is in custody since 05.08.2017 i.e. for more than 2 (two) years in the aforesaid FIR, accordingly, he is admitted to interim bail for 45 days upon furnishing of personal bond in the sum of Rs. 15,000/- to the satisfaction of Jail Superintendent concerned and subject to the condition that he shall not leave the country without permission of the court, he shall not change his address without intimating the court and he shall attend the court on each and every date of hearing.
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 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 107/19
PS Shahdara
U/s 498A/304B/34 IPC
State Vs. Ramesh Kumar Sagar

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Ld. Counsel for accused (through video conferencing)
IO SI Kaushik (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is bail application for grant of interim bail for a period of 2 months on medical grounds as it is stated that accused / applicant is 65 years of age and is suffering from knee problem and that there is no movement because of the same and that the uric acid in the body of the applicant has also increased substantially.
3. Vide order dated 28.04.2020, a detailed report was called from Jail Superintendent regarding ailments suffered by the applicant, treatment being provided to him in jail and his current medical condition, duly verified by Jail Visiting Doctor, however, the same has not been received.

4. Let the report be called afresh for tomorrow with directions to the Jail Superintendent to send the report positively by tomorrow.
5. The bail application be listed on 01.05.2020.
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 in terms of 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 78/19
PS Crime Branch
U/s 21 NDPS Act
State Vs. Sanjay, S/o Badri Prasad

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Subhash Ghai, Ld. Counsel for applicant / accused. (through video conferencing)
IO ASI Abdul (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of interim bail under Section 439 Cr.PC for a period of 2 months in view of the fact that the applicant's father is suffering from kidney and liver problem and remains admitted in Dr. Vatsa Hospital in day care for treatment. That the presence of the accused is required for the purpose of taking care of his 71 years old and ailing father.
3. Along with the application medical documents of the father of applicant were filed which need to be verified.
4. IO is directed to verify the same and file report on 01.05.2020.
5. Application be listed on 01.05.2020.

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 in terms of 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 66/20
PS Jafrabad
U/s 147/148/149/452/436/427/34 IPC and 27 Arms Act
State Vs. Shoaib, S/o Mohd. Ali
30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Rahul Kumar, Ld. Counsel for accused (through video conferencing)
IO SI Rakesh Kumar (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application under Section 439 Cr.PC for grant of interim bail to the accused filed on behalf of accused by his brother Zuhaib Khan.
3. In the application it has been stated that the accused has been falsely implicated in the aforesaid FIR and that he has deep roots in the society and was trying to establish his business as commercial photographer. That the applicant had filed an interim bail application on 22.04.2020 which was dismissed by Ld. Duty MM, therefore, the present application is filed for grant of interim bail before this court. It is further stated in the application that the accused was arrested on 02.04.2020 in FIR No. 72/2020, PS Jafrabad and subsequently he was arrested in other FIRs including the present FIR. Accused was granted interim bail by Ld. Duty MM for 45 days in FIR No, 72/2020 and he was also granted

interim bail in FIR No. 75/20 and FIR No. 122/20 on 23.04.2020. However, his application for interim bail in the present FIR was dismissed by Ld. Duty MM on the ground that Section 436 IPC is punishable with imprisonment for life.

4. During the course of argument, Id. Counsel for the accused admitted that the case of the applicant does not fall within the ambit of the orders passed by Honourable Apex Court in W.P. (C) No. 1/2020, by the Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by the Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020.
5. Ld. Counsel submitted that he has filed the present bail application on humanitarian grounds in view of the illness of father of accused. IO submits that he has not received medical documents regarding illness of father of the applicant.
6. **IO be supplied with the copy of medical documents regarding illness of father of the applicant. He shall verify the same and submit the report by tomorrow.**
7. **The bail application be listed on 01.05.2020.**
8. 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 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.

SHUCHI LALER
(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 56/20
PS Jafrabad
U/s 147/148/149/436 IPC
State Vs. Shoaib, S/o Mohd. Ali

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)

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

IO SI Rakesh Kumar (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application under Section 439 Cr.PC for grant of interim bail to the accused filed on behalf of accused by his brother Zuhaib Khan.
3. In the application it has been stated that the accused has been falsely implicated in the aforesaid FIR and that he has deep roots in the society and was trying to establish his business as commercial photographer. That the applicant had filed an interim bail application on 22.04.2020 which was dismissed by Ld. Duty MM, therefore, the present application is filed for grant of interim bail before this court. It is further stated in the application that the accused was arrested on 02.04.2020 in FIR No. 72/2020, PS Jafrabad and subsequently he was arrested in other FIRs including the present FIR. Accused was granted interim bail by Id.

Duty MM for 45 days in FIR No, 72/2020 and he was also granted interim bail in FIR No. 75/20 and FIR No. 122/20 on 23.04.2020. However, his application for interim bail in the present FIR was dismissed by Ld. Duty MM on the ground that Section 436 IPC is punishable with imprisonment for life.

4. During the course of argument, Id. Counsel for the accused admitted that the case of the applicant does not fall within the ambit of the orders passed by Honourable Apex Court in W.P. (C) No. 1/2020, by the Hon'ble High Court in W.P. (C) No. 2945/2020 and the directions issued by the Hon'ble High Powered Committee in the meetings held on 28.03.2020, 07.04.2020 and 18.04.2020.
5. Ld. Counsel submitted that he has filed the present bail application on humanitarian grounds in view of the illness of father of accused. IO submits that he has not received medical documents regarding illness of father of the applicant.
6. IO be supplied with the copy of medical documents regarding illness of father of the applicant. He shall verify the same and submit the report by tomorrow.
7. The bail application be listed on 01.05.2020.
8. 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 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.

SHUCHI LALER
(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD

30.04.2020

FIR No. 239/19
PS Shahdara
U/s 307/354/34 IPC
State Vs. Surender Verma

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Vikram Singh, Ld. Counsel for applicant / accused.
(through video conferencing)
IO SI Kaushik Ghosh (through video conferencing)

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is an application for grant of regular bail under Section 439 Cr.PC filed by the aforesaid accused who along with his sons was arrested in the aforesaid FIR in view of the dispute with neighbors.
3. Charge sheet in the present case has already been filed and copy of the same has been annexed along with the bail application. The FIR was lodged on the complaint of Sh Rimpay Bansal and as per the FIR the dispute started when the complainant was giving food to street dogs in the street and the present accused came out of the house along with his pet dog and those dogs who were being so feeded by the complainant ran after the pet dog of the accused / applicant. The quarrel started between the two and it is alleged that the complainant threw the utensil having food which was in the hands of complainant and thereafter, he went to his home and came back with his sons

and tried to stab the complainant with kitchen knife and when the wife of complainant tried to save him, she suffered from stabbed wound in her stomach.

4. As per the MLC of complainant and his wife, both of them suffered several inside wounds, both the patients were found to be fit to give statement. The accused is in custody since 25.09.2019.
5. On 28.04.2020, Id. Counsel for the accused had sought time to file documents with respect to the age and ailments of father of the accused, which were so filed and also verified by the IO. In the bail application it is stated that the applicant has 86 years old father who is completely bed ridden and as the applicant and both his sons are in custody in the present case, hence, there is no one except the wife of the applicant to take care of the aged father of the applicant and further due to lockdown because of covid – 19, the family is facing great difficulty to arrange funds as well as to take care of the aged father as there is no able bodied male member present in the family.
6. Ld. APP for the State on the other hand, submitted that the bail applications of both co accused persons, who are sons of the accused / applicant, have already been dismissed and that no ground for bail is made out as far as the present accused is concerned. He further submitted that there are other sons and grand children to take care of father of the accused.
7. As per the application, this is the first bail application filed under Section 439 Cr.PC by the present accused for grant of regular bail and as per the age documents and medical record filed by Id. Counsel for the accused, in the family of accused there are two sons, wife and father. The father in the ration card is shown to be born in 1934 so he is considerably old suffering from various age -

related ailments. As per the Ration Card, the submission of Id. Counsel for accused that there is no other male member present in the family is found to be correct.

8. In view of the fact that the accused is in custody since 25.09.2019 i.e. for over 7 months in the present case and presently, during the period of lockdown, there is no male member in the family of the accused to take care of his old / ailing father, the accused is entitled to be admitted to bail. He is further entitled to be admitted on bail in light of the fact that there is no previous involvement and that the incident took place at the spur of moment, without any premeditation, owing to a minor conflict.
9. Accused / applicant, **Surender Verma is admitted to bail upon furnishing of personal bond in the sum of Rs. 15,000/- and a surety in like amount to the satisfaction of Ld. MM / Ld. Duty MM / Ld. Link MM subject to the condition that he shall not leave the country without permission of the court, he shall not change his address without intimating the court and he shall attend the court on each and every date of hearing.**
10. Nothing stated herein shall tantamount to an expression of opinion of the court on the merits of the case for the purpose of trial.
11. 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 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020

FIR No. 343/19
PS Shahdara
U/s 392/397 IPC
State Vs. Tasleem

30.04.2020

Order on Bail Application.

Present: Sh. Vikas Kumar, Ld. Additional PP for the State. (through video conferencing)
Sh. Zakir Hussain, Ld. Counsel for applicant / accused. (through video conferencing).

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 wake of corona virus pandemic (covid – 19), the present application has been put up before the undersigned and heard through video conferencing using Cisco Webex Application.
2. This is application for grant of interim bail for 45 days on the ground that the mother of accused is suffering from various ailments i.e. high blood pressure, diabetes, abdomen infection, enlarged liver and kidney and doctor has advised her bed rest. It has been submitted that the accused needs to look after his ailing mother.
3. On the last date of hearing i.e. 28.04.2020, the IO was directed to verify the medical documents of mother of accused and file report.
4. The IO, namely, ASI Amarchand has filed report as per which the medical documents have been verified from St. Stephen's Hospital.
5. Ld. APP for State has opposed the bail application on the ground that mother of the accused is not seriously ill, therefore, no ground for interim bail is made out.

6. The court has perused the medical documents as per which the mother of the accused is receiving treatment at St. Stephen's Hospital regularly, moreover, **keeping in view the fact that the accused / applicant is in custody since 30.12.2019, is admitted to interim bail for a period of 45 days upon furnishing of personal bond in the sum of Rs. 15,000/- and a surety in like amount to the satisfaction of Ld. MM / Ld. Duty MM / Ld. Link MM subject to the condition that he shall not leave the country without permission of the court, he shall not change his address without intimating the court, he shall join investigation as and when called upon and he shall attend the court on each and every date of hearing.**
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 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.

SHUCHI LALER

(SHUCHI LALER)
Judge on Duty
PO-MACT/SHD/KKD
30.04.2020