

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Makkhan Lal Jain

FIR No: 114/2020

PS Preet Vihar

U/s 387/506/201/120-B/34 IPC.

09.07.2020

A bail application under Section 437 Cr.P.C. through VC.

Present: Sh. Ramesh, Ld. APP for the State through VC

Sh. Kashmir Singh, ld. Counsel for the applicant.

SI Lokesh from PS Preet Vihar through VC.

Further reply received from SI Lokesh.

Accused is stated to be in JC.

Submissions on bail application heard.

Reply of IO perused.

It is stated by learned counsel for accused/applicant through VC that the accused is a senior citizen having old aged ailments and he has been falsely implicated in the present case and he is in custody since 21.06.2020. It has been argued that investigation in the matter has already been completed and no fruitful purpose would be served by keeping the accused/applicant in J/C. Nothing has been recovered from his possession and the alleged recovery has been planted upon the accused. Hence, it is prayed, that accused/applicant may be granted bail.

Per contra, ld. APP has submitted that there are six criminal cases shown to be filed against the accused. The accused is having previous criminal background, hence, it is prayed that accused may not be granted bail.

: 2 :

I have heard the submissions and perused the record.

The accused is an old aged person aged around 61 years. He is shown to be in custody since 21.06.2020. His custody is not required for further investigation. This is a period when there is need of decongestion of jails due to COVID-19 Pandemic. Considering the circumstances, nature of offence in question and the age of the accused/applicant, accused/applicant is hereby granted bail on furnishing bail bond in the sum of Rs. 20,000/- with one surety of like amount and subject to verification of address of accused as well as his surety, with the following directions : -

1. He shall not change his address without intimation to the Court.
2. He will not try to influence the witnesses.
3. He will not leave the country without prior permission of the court.
4. He will not involve in similar type of offences after releasing on bail. If he is found indulge in similar such type of offences in future, State shall be at liberty to move an application for cancellation of his bail.

With above directions, bail application of accused stands disposed of.

Copy of this order be sent to Jail Superintendent concerned for necessary information and compliance, if any and to supply the copy to the accused.

: 3 :

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original bail application along with documents within 7 days of the opening of the court.

**DINESH
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(DINESH KUMAR)
ACMM (EAST)/KKD/09.07.2020

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Rashid
FIR No: 00766/2020
PS New Ashok Nagar
U/s 379/411/34 IPC

09.07.2020

Application for rectification in the bail order dated 23.06.2020

Present: Sh. Ramesh, Ld. APP for the State through VC
Sh. Sanjeev Kumar Sherwal, ld. Counsel for the applicant
through VC.

HC Rambharose Tomar from PS New Ashok Nagar.

Aforesaid application has been moved seeking
rectification in the bail order dated 23.06.2020 passed by this court.

Ld. Counsel for the applicant submits that vide order dated 23.06.2020, accused Rashid was granted bail by this Court in case FIR no. 00766/2020, PS New Ashok Nagar. In the bail order, only Section 379 IPC was mentioned. Surety bond was furnished on behalf of the accused before Ld. Duty MM East, and a release warrants were issued by Ld. Duty M.M mentioning Section 379 IPC thereon. However, the accused was not released by the Jail official and the release warrants were returned to Ld. Duty MM with the endorsement that Sections 411/34 IPC were not mentioned in the release warrants. The Duty M.M. concerned thereafter rejected the surety bond. Hence, the present application has been moved seeking rectification in the said order.

: 2 :

HC Rambharose Tomar, on inquiry has told that the accused is in custody in the present case for offences u/s 379/411/34 IPC.

In these circumstances, it is hereby clarified that the accused has been granted bail in the present case for offences punishable u/s 379/411/34 IPC. **Hence, it is directed that in the bail order dated 23.06.2020 in case FIR no. FIR No: 00766/2020 PS New Ashok Nagar titled State vs. Rashid words "Section 379 IPC" would be read as "Section 379/411/34 IPC". This order shall be considered as part of order dated 23.06.2020.**

The application stands disposed of.

Copy of order be sent to the Jail Superintendent concerned, and Ld. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original application along with documents within 7 days of the opening of the court.

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(DINESH KUMAR)
ACMM (EAST)/KKD/09.07.2020.

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Raja Gaur
FIR No: 455/2018
PS New Ashok Nagar

09.07.2020

Application for calling report from the concerned Jail Superintendent.

Present: None.

There are no signatures on this application. There is no Vakalatnama attached with the application. However, considering the nature of urgency as mentioned in the application, it is taken up for hearing.

The status report be called from the Jail Superintendent concerned for 10.07.2020.

Ahlmad is directed to put up the entire case file of this case on 10.07.2020.

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(DINESH KUMAR)
ACMM (EAST)/KKD/09.07.2020

IN THE COURT OF A.C.M.M. -EAST KKD DELHI

[CC no. 618/2018, Poonam Singh vs. Dushyant Kumar]

09.07.2020

Through Video Conferencing

Present : Sh. Maneesh Kumar, Id. Counsel for the complainant

Vide order no. 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, suspension of the functioning of the Courts has been further extended till 15.07.2020.

Arguments on summoning heard.

Written arguments have also been received on the E-mail ID of the court.

Put up for order/clarifications, if any, on 14.07.2020, at 2.00 pm.

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