

FIR No. 342/19
PS: Subhash Place
State Vs. Vikas Kumar
U/s 420/467/468/471/120B IPC

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.
Sh. Vikas Kumar, Ld. counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

The present application has been filed for extension of earlier interim bail granted to the accused vide order dt. 27.03.2020 with the next date of hearing.

It is settled a proposition of law that the grounds of cancellation of bail and grant of bail are different and the burden on the prosecution is more strict in cases for cancellation of bail. In the present case, nothing has come from the record to show that the applicant has violated any condition on which interim bail was granted to him in the light of the same no case is made out against the extension of interim bail granted to the applicant.

Therefore, the application of the applicant for extension of interim bail is hereby allowed and he is granted interim bail for a period of 45 days on furnishing personal bond to the satisfaction of the Jail Superintendent concerned, the bail application of accused is allowed subject to him furnishing personal bond to the extent of Rs.20,000/- to the satisfaction of the Jail Superintendent concerned, who

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(Jail Superintendent concerned) is directed not to insist on the production of surety. Moreover, the co-accused have already on bail.

At this stage, it would be pertinent to state that the said order has been made without going into the merits of the case and interim bail has been granted in light of the prevailing Covid-19 situation and directions of Hon'ble Apex Court for taking of appropriate steps for decongestion of jail complexes.

Accused shall however be bound by directions as given by Hon'ble Delhi High Court in this regard.

Application is disposed of accordingly.

Copy of this order be sent to the Jail Superintendent for compliance.

A copy of this order be mark to the Computer Incharge, Rohini Courts for uploading the same on the Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.631/17
PS: S.P
State Vs. Karan @ Parcha
U/s 25/54/59 A. Act

Online Proceedings

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.
Sh. Dinesh, Ld. counsel for the applicant.

Ld Counsel for accused has been contacted through video conferencing on Webex Meeting App.

Reply filed by ASI Ravinder. Same is taken on record.

Arguments heard from both sides on the aspect of bail.

From the perusal of the case record alongwith the reply filed, it becomes apparently clear that investigation in the present case has been completed and the charge sheet has already been filed. It is also apparently clear that the accused is in JC since 11.03.2020 i.e. for a period of more than 2 months.

In light of the decision of the Apex Court in Writ Petition 1/2020 and directions of High Power Committee of Hon'ble High Court wherein persons in judicial custody for a period of more than 15 days in offences punishable under a term of upto 7 years have been directed to be released on interim bail for a period of 45 days on furnishing personal bond to the satisfaction of the Jail Superintendent concerned, the bail application of accused is allowed subject to him furnishing personal bond to the extent of Rs.20,000/- to the satisfaction of the Jail Superintendent concerned, who (Jail Superintendent concerned) is directed not to insist on the production of surety. Moreover, the co-accused have already on bail.

At this stage, it would be pertinent to state that the said order has been

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FIR No.631/17
PS: S.P
State Vs. Karan @ Parcha
U/s 25/54/59 A. Act

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made without going into the merits of the case and interim bail has been granted in light of the prevailing Covid-19 situation and directions of Hon'ble Apex Court for taking of appropriate steps for decongestion of jail complexes.

Accused shall however be bound by directions as given by Hon'ble Delhi High Court in this regard.

Application is disposed off accordingly.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

Original order and bail application be sent to concerned Court.

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

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.320/19
PS: V.V
Hisabuddin Sheikh Vs. State
U/s 406 IPC

Online court proceedings.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

Sh. Manish Kaushik, Ld. Counsel for accused.

Ld Counsel for accused has been contacted through video conferencing on Webex Meeting App.

Reply filed by SI Vineet. Same is taken on record.

Arguments heard from both sides on the aspect of bail.

From the perusal of the case record alongwith the reply filed, it becomes apparently clear that investigation in the present case has been completed and the charge sheet has already been filed. It is also apparently clear that the accused is in JC since 04.03.2020 i.e. for a period of more than 2 months.

In light of the decision of the Apex Court in Writ Petition 1/2020 and directions of High Power Committee of Hon'ble High Court wherein persons in judicial custody for a period of more than 15 days in offences punishable under a term of upto 7 years have been directed to be released on interim bail for a period of 45 days on furnishing personal bond to the satisfaction of the Jail Superintendent concerned, the bail application of accused is allowed subject to him furnishing personal bond to the extent of Rs.20,000/- to the satisfaction of the Jail Superintendent concerned, who (Jail Superintendent concerned) is directed not to insist on the production of surety.

At this stage, it would be pertinent to state that the said order has been

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FIR No.320/19
PS: V.V
Hisabuddin Sheikh Vs. State
U/s 406 IPC

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made without going into the merits of the case and interim bail has been granted in light of the prevailing Covid-19 situation and directions of Hon'ble Apex Court for taking of appropriate steps for decongestion of jail complexes.

Accused shall however be bound by directions as given by Hon'ble Delhi High Court in this regard.

Application is disposed off accordingly.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

Original order and bail application be sent to concerned Court.

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

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. R-5486/18

PS:

Sunder Marketing Associates Pvt. Ltd. Vs. SBO Export Pvt. Ltd.

U/s 138 N.I. Act

Online Proceedings

11.05.2020

Present : Sh. Rakesh Chander, Ld. Counsel for the applicant.

Ld. counsel for applicant was contacted over the mobile phone.

This application has been moved on behalf of the applicant praying for release of the applicant on personal bond.

Perusal of the case file shows that the applicant was granted bail vide order dt. 11.10.2019 and he has been languishing in bail since then due to none furnishing of surety by him.

In the light of the recent decision of Hon'ble Delhi High Court in Writ Petition Criminal No. 779/2020 (court on its own motion) Vs. State wherein it has been stated in para No.6 of the order as under:

“Thus, all bail orders passed by this Court or by the Courts subordinate to it, on or before 7th April 2020, in pursuance where to the under-trial prisoners have not been bail owing to failure to satisfy the condition of furnishing surety bond, are modified and be read as granting bail without the condition of furnishing surety bond and instead allowing such under-trial prisoners to be released on their furnishing personal bond to the satisfaction of Superintendent of Jail”.

FIR No. R-5486/18

PS:

Sunder Marketing Associates Pvt. Ltd. Vs. SBO Export Pvt. Ltd.

U/s 138 N.I. Act

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In the light of the said directions of Hon'ble Delhi High Court the condition of furnishing of surety bonds by the accused is done away with and he is directed to be released on furnishing personal bond to the extent of Rs. 90,000/- to the satisfaction of Jail Superintendent.

Application is disposed of accordingly.

A copy of this order be sent to the Jail Superintendent of compliance.

Copy of this order be marked to Computer Incharge to upload the same on official Website by today.

(PRITU RAJ)

Duty MM: North West

Rohini: Delhi/11.05.2020

FIR No. 380/20

PS: Raj Park

State Vs. Bunty

U/s 33/38 DEA & 188/269/270 IPC & 3 Epidemic Act.

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

Sh. Udai Pratap, Ld. Counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

This is an application for grant of bail moved by the Ld. counsel for the applicant/accused.

Arguments heard on behalf of the applicant.

Perusal of the case record shows that the applicant has been arrested for offences U/s 33/38 DEA & 188/269/270 IPC & 3 Epidemic Act.

Perusal of the reply filed by the prosecution makes it amply clear that the liquor was recovered from the possession of the applicant and nothing remains to be recovered in connection with the present case.

Perusal of reply also shows that no previous involvement has been attributed to the applicant. Hence his case is distinguished from habitual offenders.

In the light of the abovesaid circumstances, the application of the accused for grant of bail is hereby allowed subject to furnishing personal bond to the extent of Rs. 20,000/- alongwith a surety of like amount. The following conditions have also imposed upon the applicant and shall remain in force during the tenure of bail period:-

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1. The accused shall not interfere in the investigation at any point of time.
2. The accused shall not intimidate or threaten the witnesses during the pendency of the investigation/
3. The accused shall cooperate with the investigating agencies during the course of investigation.
4. The accused shall make himself available at all times during the course of investigation for purposes linked with the investigation.
5. The accused shall furnish his mobile number to the investigating officer and shall inform him about his whereabouts once a week.

Application is disposed of accordingly.

A copy of this order be sent to the Jail Superintendent of compliance.

Copy be marked to the Computer Incharge, Rohini Courts for uploading the same on Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.9813/2020
PS Begampur
State Vs. Rahul @ Deepak
U/s 379/411 IPC
11.05.2020

Fresh application has been received on behalf of the applicant/accused from
Jail Superintendent.

Present : Sh. Pramod Kumar, Ld. APP for the State.

Report not received from IO.

Let, report be called from the IO on 12.05.2020 in terms of previous
order dt. 09.05.2020.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.94/20
PS: North Rohini
State Vs. Kapil Mann @ Kallu
U/s 387/120B IPC

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 118/2020
PS: Subhash Place
State Vs. Rahul @ Suraj
U/s

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.226/2020
PS: Sultan Puri
State Vs. Prince
U/s

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.5054/20
PS: Shalimar Bagh
State Vs. Shanu etc.
U/s

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused are stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.162/20
PS: Bhalswa Dairy
State Vs. Brijesh
U/s 25/54/59 Arms Act

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO/ in person in person.

Accused Brijesh is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.2200/20
PS: Aman Vihar
State Vs. Irshad @ Sukor Ali
U/s 411 IPC

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused Irshad @ Sukor Ali is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.137/20
PS: Raj Park
State Vs. Bharat
U/s

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO in person in person.

Accused Prmod @ Ganja is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.017925/18
PS: Maurya Enclave
State Vs. Farukh
U/s 411 IPC

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO/HC Amarjeet in person in person.

Accused Farukh is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.31505/19
PS: North Rohini
State Vs. Pramod @ Ganja & Others
U/s 379/411/34 IPC

Manual court proceedings.

Fresh Chargesheet received.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

IO/HC Suresh in person in person.

Accused Pramod @ Ganja is stated to be in J/C but not appearing today.

Charge-sheet be sent to the concerned Court through Facilitation Centre for **05.06.2020 at 02:00 PM** or for any other day when the Court resumes normal functioning, whichever is later.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 869/19
PS: Mangol Puri
State Vs. Sunny
U/s 25/54/59 of Arms Act

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : Sh. Ravi Kumar, Ld. APP for the State in person.

Ld. Counsel for accused.

Ld Counsel for accused has been contacted through video conferencing on Webex Meeting App.

It has brought to the notice of undersigned that the bail has been granted in the present matter but inadvertently the order of acceptance of bail as well as of its rejection has been typed by the steno which has already been uploading on the official website.

In view of above, the order regarding rejection of bail is stands cancelled and the order regarding granting of bail to the accused on 08.05.2020 be read as correct.

A copy of the order sheet alongwith the case record be sent to the court concerned.

Copy be marked to the Incharge of computer branch for uploading the order on Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 335/20
PS: R.P
State Vs. Albela
U/s 188/269/270/34 IPC

Online Proceedings

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the state.
Sh. Ashish Kumar, Ld. counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

Ld. counsel for the applicant seeks time to file letter of authorization tomorrow.

In view of above submissions, the matter be listed on 12.05.2020.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.33346/19
PS: N.R
State Vs. Raj Kumar @ Raju
U/s 379/411 IPC

Online Proceedings

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

None for the applicant.

Perusal of order sheets shows that the present application is pending for filing of compliance report regarding receipt of interim bail orders by Jail Superintendent, Meerut. Perusal of case file also shows that no compliance report has been filed by Jail Superintendent, Meerut nor has reply of show cause issued by this court vide order dt. 06.05.2020 been filed by the SHO concerned.

The question of liberty of an individual is sacrosanct in our judicial system and no person should be made to suffer on account of administrative omissions. In the present case, the applicant has been granted bail vide order dt. 07.04.2020 and despite the fact that multiple reminders/notices/communication in this regard being issued to the concerned authority, no satisfactory reply or in fact reply of any kind have been received regarding the status of the applicant.

Such being the case, let a fresh show cause notice be issued to the SHO concerned and the same be served upon him through the DCP concerned. Keeping in view the fact that no communication/reply was received in pursuance of the previous such order being made by this court, let the show cause be forwarded by the office of Ld. District & Sessions Judge, North West District, Rohini Courts, Delhi to the Office of DCP concerned for the filing of compliance report in terms of order dt. 03.05.2020.

Be listed for 13.05.2020.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.334/13
PS: BPR
State Vs. Subhash Jain
U/s 420/467/471/468/34 IPC

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : None for the State.

Sh. Pushpender Kumar, Ld. Counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

1. The present application has been filed for extension of interim bail granted to the accused vide order dt. 20.04.2020 with the next date of hearing (stated to be 12.05.2020).
2. It is pertinent to note that the accused/applicant has been accused for offence U/s 467 IPC which is punishable with imprisonment for life/imprisonment of upto 10 years.
3. Admittedly the case of the accused does not fall within the guidelines by Hon'ble High Powered Committee of Hon'ble Delhi High Court nor does it fall within the guidelines/orders of Hon'ble Delhi High Court in WPC/3080/2020 (Court on its own motion Vs. Government of NCT of Delhi & Anr.). However, the court of Ld. Duty MM vide his order dt. 20.04.2020 had granted interim bail to the accused on grounds that he is a senior citizen of more than 65 years of age and has been in J.C for about two years.

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4. In view of the said facts, this court, inconformity with the stand taken by the court of Ld. Duty MM in his order dt. 20.04.2020, takes a lenient view and extends the interim bail, granted earlier, to the applicant for a period of 45 days/till the next date of hearing, which ever is earlier.

It is clarified that the present order for extension of interim bail has been made without going into the merits of the case and only in light of the exigency as mentioned above.

Previous conditions imposed upon the applicant in terms of previous bail order dt. 20.04.2020 shall remain applicable for the entire duration of interim bail.

Application is disposed of accordingly.

Copy of this order be sent to the Jail Superintendent for compliance.

A copy of this order be mark to the Computer Incharge, Rohini Courts for uploading the same on the Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.765/18
PS: A.V
State Vs. Shiv Kumar
U/s 420/468/471/34 IPC

Online Proceedings

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the state.
Sh. Jitender Singh, Ld. counsel for the applicant/accused.

At this stage, Ld. counsel for the applicant states that he wishes to withdraw the present application.

At his request, the present application is dismissed as withdrawn.

Copy of the present order be marked to Computer Incharge, Rohini Courts, for uploading on Website today.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.9813/20
PS: BPR
State Vs. Rahul
U/s 379/411 IPC

Online Proceedings

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the state.

Sh. Raj Kapoor, Ld. counsel for the applicant.

Ld. counsel for applicant was contacted over the mobile phone.

At this stage, Ld. counsel for the applicant states that he wishes to withdraw the present application.

At his request, the present application is dismissed as withdrawn.

Copy of the present order be marked to Computer Incharge, Rohini Courts, for uploading on Website today.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 241/20
PS: V.V
State Vs. Manjeet
U/s 33/38 DEA

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.
Sh. Deepak Ghai, Ld. counsel for the applicant.
Ld. counsel for applicant was contacted over the mobile phone.

At this stage, Ld. counsel for the applicant states that he wishes to withdraw the present application.

At his request, the present application is dismissed as withdrawn.

Copy of the present order be marked to Computer Incharge, Rohini Courts, for uploading on Website today.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No.400/20
PS: R.P
State Vs. Harnam
U/s 33/38 DEA

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : None for the State.

Sh. Manish Kumar, Ld. counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

This is an application for grant of bail moved by the Ld. counsel for the applicant/accused.

Arguments heard on behalf of the applicant.

Perusal of the case record shows that the applicant has been arrested for offences U/s 33/38 DEA and is a senior citizen aged around 64 years.

Perusal of the reply filed by the prosecution makes it amply clear that the liquor was recovered from the possession of the applicant and nothing remains to be recovered in connection with the present case.

In the light of the abovesaid circumstances, the application of the accused for grant of bail is hereby allowed subject to furnishing personal bond to the extent of Rs. 20,000/- alongwith a surety of like amount. The following conditions have also imposed upon the applicant and shall remain in force during the tenure of bail period:-

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1. The accused shall not interfere in the investigation at any point of time.
2. The accused shall not intimidate or threaten the witnesses during the pendency of the investigation/
3. The accused shall cooperate with the investigating agencies during the course of investigation.
4. The accused shall make himself available at all times during the course of investigation for purposes linked with the investigation.
5. The accused shall furnish his mobile number to the investigating officer and shall inform him about his whereabouts once again.

Application is disposed of accordingly.

A copy of this order be sent to the Jail Superintendent of compliance.

Copy be marked to the Computer Incharge, Rohini Courts for uploading the same on Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 365/19
PS: M.E
State Vs. Irshad @ Mota
U/s 356/379/411 IPC

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : None for the State.

Sh. Sunil Tiwari, Ld. counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

This is an application for grant of interim bail moved by the Ld. counsel for the applicant/accused.

Reply to the said application could not be called for in light of the Covid-19 situation.

Arguments heard on behalf of the applicant.

Perusal of the case record shows that the applicant has been arrested for offences U/s 356/379/411 IPC and has been engaged in J.C, as informed, since November, 2019.

In light of observations of Hon'ble Supreme Court in Writ Petition No. 1/2020 and Hon'ble Delhi High Court in Shobha Gupta Vs. NCT of Delhi alongwith the observations made by Hon'ble High Power Committee in its minutes dt. 28.03.2020, 07.04.2020 etc. the application of the accused for grant of interim bail is

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FIR No. 365/19
PS: M.E
State Vs. Irshad @ Mota
U/s 356/379/411 IPC

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hereby allowed for a period of 45 days subject to the furnishing of personal bond to the satisfaction of Jail Superintendent.

It is made clear that the present application has been granted without going into the merits of the case and has been allowed only in light of the prevalent Covid-19 situation.

Application is disposed of accordingly.

A copy of this order be sent to the Jail Superintendent of compliance.

Copy be marked to the Computer Incharge, Rohini Courts for uploading the same on Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 380/20
PS: Raj Park
State Vs. Bunty
U/s 33/38 DEA

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

08.05.2020

Present : Sh. Udai Pratap Singh, Ld. counsel for the applicant/accused.

Ld Counsel for accused has been contacted through video conferencing on Webex Meeting App.

Reply filed by ASI Satish Kumar. Same is taken on record.

Arguments heard from both sides on the aspect of bail.

From the perusal of the case record alongwith the reply filed, it becomes apparently clear that the accused is in JC since 15.02.2020 i.e. for a period of more than two months.

In light of the decision of the Apex Court in Writ Petition 1/2020 and directions of High Power Committee of Hon'ble High Court wherein persons in judicial custody for a period of more than 15 days in offences punishable under a term of upto 7 years have been directed to be released on interim bail for a period of 45 days on furnishing personal bond to the satisfaction of the Jail Superintendent concerned, the bail application of accused is allowed subject to him furnishing personal bond to the extent of Rs.20,000/- to the satisfaction of the Jail Superintendent concerned, who (Jail Superintendent concerned) is directed not to insist on the production of surety.

At this stage, it would be pertinent to state that the said order has been made without going into the merits of the case and interim bail has been granted in light of the prevailing Covid-19 situation and directions of Hon'ble Apex Court for taking of appropriate steps for decongestion of jail complexes.

Accused shall however be bound by directions as given by Hon'ble Delhi High Court in this regard.

Application is disposed off accordingly.

The Incharge, Computer Branch is directed to upload the order/proceedings on the Website of District Courts.

Copy of this order be also provided to all concerned.

Original order and bail application be sent to concerned Court.

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

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020

FIR No. 350/20
PS: Raj Park
State Vs. Karnail
U/s 33/38 DEA

Online Proceedings

Due to spread of Covid-19 and subsequent special measures taken by Govt. to prevent its transmission, hearing of the present matter has been conducted through video conferencing using CISCO Webex Meeting App after taking consent of all parties concerned in terms of circular dated 21.4.2010.

11.05.2020

Present : Sh. Pramod Kumar, Ld. APP for the State.

Sh. Nitin Kumar, Ld. counsel for the applicant/accused.

Ld. counsel for applicant was contacted over the mobile phone.

Reply to bail application filed, same is taken on record.

Perusal of the case file shows that the applicant has been arrested for offences U/s 33/38 DEA r/w Section 188/269/270 IPC r/w Section 3 Epidemic Diseases Act.

Arguments heard on behalf of both sides.

The first argument raised on behalf of the applicant is that Section 33 of the DEA does not apply in the present case as the applicant was found to be in possession of liquor less than 9 liters, which is the permissible limit as per the Delhi Excise Rules. A quick glance over the provision of Section 33 DEA makes it amply clear that the section does not only deal with the possession, rather it encapsulates a myriad of activities which includes transport of liquor. As per the version mentioned in the FIR the applicant was found to be in possession of liquor which were meant to be for sale in Haryana only and therefore the activity of 'transport' as contained in Section 33 DEA is attracted in the present case. Therefore the contention of the counsel of the applicant regarding non applicability of Section 33 DEA in the present case is rejected as devoid of any merit.

....Contd/-

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It is also pertinent to note that the accused has been stated to be violating Section 3, Epidemic Diseases Act as he was found to be roaming around without wearing a mask in violation of notification No. 1347-69, dt. 14.04.2020, issued by ACE Sultan Puri, Delhi. The said action of the accused is not only detrimental to himself but is also inherently dangerous to the society at large in light of the prevailing Covid-19 situation and the subsequent imposition of lock down to contain the same. In this regard, observations made by the Hon'ble Delhi High Court in Sunder Kumar & Ors. Vs. State & Anr. (Writ Petition Criminal 787/2020) are pertinent wherein the Hon'ble High Court was pleased to dismiss an application for quashing of FIR lodged against the applicant on the ground that the actions of the applicant, even though innocuous may have catastrophic consequences upon the society at large. The aforesaid observations of Hon'ble High Court are squarely applicable to the preset case

Further, reply filed on behalf of the prosecution also shows that the applicant is habitually involved in offences of similar nature. One of the primary conditions of the considered while deciding applications of bail is whether the applicant is likely to commit offences of similar nature. In the present case, the previous involvement report makes it clear that there are high chances of the applicant committing similar offence and misusing the privileged of bail.

In the light of above observations, this court is not inclined to grant bail to the accused and his application for bail is accordingly rejected.

Application is disposed of accordingly.

Copy of the order to be sent Computer Incharge for uploading the same on Website.

(PRITU RAJ)
Duty MM: North West
Rohini: Delhi/11.05.2020