

State Vs. Jagdev Shukla & Ors.

FIR No. 78/2020

PS Shalimar Bagh

U/sec. 323/341/354/354A/354B/376D/34 IPC & 3(1) (e)(r)(s) SC/ST Act-1989

02.05.2020

This is an application for extension of time for completing the investigation and filing the charge-sheet.

Present : IO SI Manjeet in person with case file.

Heard.

The present application has been filed for seeking extension of time in completion of investigation. The courts are not functioning fully due to nationwide lockdown in view of spread of Covid-19. The undersigned is working as duty Judge for hearing urgent matters in North-West District as per directions of the Ld. District & Sessions Judge.

The main contention of the IO is that due to lockdown in Delhi, further investigation could not be done and the investigation could not be completed within 60 days from the date of FIR i.e. 04.03.2020. On careful consideration, no provision as such for extension of time in conclusion of investigation has been found. In the given circumstances, let the explanation given by the IO may be kept on record for consideration if any alongwith charge-sheet if any to be filed in this case at subsequent stage.

The application/request of the IO stands disposed off accordingly. Copy of this order be given dasti to the IO.

(Sanjay Jindal)

Duty Judge

North West District: Rohini Courts:Delhi

02.05.2020/pk

State Vs. Anand Kumar

FIR No. 483/19

PS Prem Nagar

U/sec. 304B/498A IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Gajraj Singh, Ld. Counsel for the applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

This is an application for interim bail filed by applicant due to death of his father. The applicant is facing trial for the offence u/sec. 304B/498A IPC. He is in J/C since 05.09.2019. The fact regarding death of the father of applicant on 29.04.2020 has been verified by the IO. Though there are several family members in the family of applicant including one brother but being the son of the deceased, the applicant also has some pious obligations regarding last rites of his father.

Considering the overall facts and circumstances, the applicant is

granted interim bail till 18.05.2020 subject to furnishing personal bond and surety bond in the sum of Rs. 50,000/- each to the satisfaction of concerned Jail Superintendent/Ld. Duty Magistrate. The applicant is directed to not to contact the witnesses of the case or to influence them in any manner. The applicant is also directed to maintain social distance and to keep his mobile phone on during the period of bail in view of the present situation of Covid-19. He will surrender before the Jail Superintendent as per rules on 19.05.2020 till 12.00 noon.

Copy of this order be given dasti and one copy be sent to Jail Superintendent for compliance.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk

State Vs. Kapoor Dahiya

FIR No. 464/18

PS Subhash Place

U/sec. 420 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. L.S. Saini, Ld. Counsel for the applicant/accused.

This is application for regular bail filed on behalf of accused Kapoor Dahiya.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The applicant is facing very serious allegations of cheating to the tune of lakhs of rupees. There are several complainants in the present matter who have been allegedly cheated by the applicant. Further the applicant is also involved in other criminal case vide FIR no. 38/2020 u/sec. 420/468/471 IPC and section 25 Arms Act investigated by P.S. Special Cell, New Delhi in which he is running in J/C.

Considering the overall facts and circumstances, the application filed by applicant is found to be devoid of merits and the same is accordingly **dismissed.**

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk

State Vs. Deepak @ Munna

FIR No. 108/2020

PS Prem Nagar

U/sec. 308/506/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Prabhash Kumar, Ld. Counsel for the applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The present application has been filed for regular bail but a request for alternative interim bail has also been made. The offences alleged against the applicant i.e. 308/506/34 IPC are punishable upto seven years. So, in view of order passed by the Hon'ble Supreme Court of India in Suo Moto Writ petition no. (C) 1/2020 in RE:contagion of Covid-19 Virus in persons and that of Hon'ble High Court of Delhi in W.P.(C)2945/2020 in the matter of Shobha Gupta VS. Union of India & Ors dated 23.03.2020 and the decisions taken by the High Power Committee from time to time and

considering the fact that the accused is in JC since 19/20.03.2020 and has no previous involvement, the accused **Deepak @ Munna** is admitted to interim bail for a period of 45 days from today, subject to furnishing of personal bond in the sum of Rs. 10,000/- to the satisfaction of concerned Jail Superintendent. It is clarified that the present order of interim bail is passed without going into the merits of the case or otherwise but in view of exigency as mentioned above.

The applicant to observe the isolation/social distancing and to keep his mobile phone on during the period of bail. Details of mobile phone shall be provided to the Jail Superintendent by the applicant/accused.

Application is disposed off accordingly.

Copy of this order be sent to Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

State Vs. Raja Ram
FIR No. 196/2020
PS Ashok Vihar
U/sec. 33/38 Excise Act.

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas,
Naib Court.
Mr. Uday Pratap, Ld. Counsel for the applicant/accused.

This is an application for regular bail filed on behalf of applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

There are allegations of violations by the application of the national lock down imposed due to Covid-19. The applicant has been arrested very recently on 21.04.2020. The investigation is at initial stage.

Considering the facts and circumstances, no ground for bail is made out, hence, the application is dismissed.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

State Vs. Sahil Saini & Ors.

(Applicant Kamal Saini)

FIR No. 216/19

PS Budh Vihar

U/sec. 498A/304B/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Ankit Khatri, Ld. Counsel for the applicant/accused.

This is an application for interim bail filed by applicant/accused Kamal Saini.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

It is submitted on behalf of applicant that he is a heart as well as sugar patient and his wife is a heart patent. Further that wife of the applicant is also an accused in this case as health issues for which interim bail of the applicant is sought. Some other grounds are also taken.

The applicant is facing trial for the offences u/sec. 304B/498A/34

IPC regarding the death of his daughter-in-law. Wife of the applicant is also an accused in this case and has already been granted bail. The allegations are very serious in nature and the proceedings of the case are at crucial stage. The medical documents filed alongwith application are not conclusive and do not suggest any instant apprehension.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

Considering the overall facts and circumstances, the application is found to be devoid of merits and same is accordingly dismissed.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk

State Vs. Manjeet Gahlot

FIR No. 683/15

PS Kanjhawala

U/sec. 302/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Abhimanyu Rana, Ld. Counsel for the applicant/accused.

This is regular bail application filed on behalf of applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The applicant is seeking bail on the ground of illness of his mother. The medical documents filed by the applicant are not conclusive. As per report of IO, the parents of the applicant are residing with elder brother's family which means there are other member in the family to take care of mother of the applicant. The allegations against the applicant are very serious in nature as he is facing a trial for the offence of murder.

The case of the applicant is also not covered in the categories of

UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

With above observations, the application is found to be devoid of merits and same is accordingly **dismissed**.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk

State Vs. Ramesh

FIR No. 683/15

PS Kanjhawala

U/sec. 302/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Kunal Manav, Ld. Counsel for the applicant/accused.

This is an application for interim bail filed by applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The application has been filed on the ground that the applicant has got his hand fractured in jail and proper treatment is not being provided. The allegations against the applicant are very serious in nature as he is facing trial u/sec. 302/212/34 IPC. He is also involved in several other cases.

Considering the overall facts and circumstances, no urgent grounds for interim bail is made out, however, in view of the submissions made in

the application, the Jail Superintendent is directed to provide proper treatment to the applicant as per requirement and to report the court in case there is any difficulty in providing the proper treatment to the applicant.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

Hence, the application is found to be devoid of merits and same is accordingly **dismissed with above directions to the Jail Superintendent.**

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

Criminal Revision Petition No.

SBO Export P Ltd. and Anr. Vs. Sunder Marketing Associates Pvt. Ltd.

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Mr. Rakesh Chander Aggarwal, Ld. Counsel for the petitioner.
Ld. Addl. PP. For the State.

Heard. Record is perused.

This is a revision petition filed against the order/communication dated 30.04.2020 whereby the application for modification of bail order was rejected by Ld. MM for want of ground of urgency.

Admittedly the applicant has already been granted bail vide order dated 11.10.2019 by Ld. MM. When bail order has already been passed by the Ld. MM and admittedly the applicant is involved in several other matters and not on bail in all the matters, there is no question of urgency during the dreadful days of the spread of Covid-19 and national lockdown. Further the order of rejection of bail application/denial on the ground of want of urgency passed by the Ld. MM is according to the procedure suggested vide the circular no. D&SJ(N&N-W)/Sectt./RC/2020/14475-14560 dated 21.04.2020 issued by Ld. District & Sessions Judge. So, a revision against rejection of bail application is neither maintainable nor sustainable. The applicant is always at liberty to file fresh/appropriate application as per law.

Considering the above facts and circumstances, the petition filed by the applicant is dismissed.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

State Vs. Rakesh @ Jati

FIR No. 02/2020

PS Raj Park

U/sec. 302/307/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Pankaj Verma, Ld. Counsel for the applicant/accused.

This is an application for interim bail filed on behalf of applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

It is argued by the counsel for applicant that the applicant is entitled to bail as no case is made out against him. Interim bail is also sought on the ground that the applicant has suffered injuries in both hands on 28.04.2020 in the jail premises due to slipping. During course of arguments, the counsel has also relied upon the judgment of Hon'ble Supreme Court in **Dr. Vinod Bhandari Vs. State of M.P, Crl. Appeal no.**

220/2015, judgment of Hon'ble Gujarat High Court in *Suketu @ Sunni Harsha Bhai Modi Vs. State of Gujarat R/CR.MA/29959/2017, judgment of Hon'ble Delhi High Court in Mohd. Imam @ Imamudin Vs. State, Bail Application no. 734/2013, Aman Gaur Vs. State Bail Application no. 700/2011, Judgment of Hon'ble Karnataka High Court in Jamir @ Saddam Vs. State of Karnatka, Crl. Petition no. 100086/2018.*

On careful perusal of record, it is revealed that the previous application filed by the applicant was dismissed by the Ld. Predecessor/Duty Judge on 23.04.2020 after considering the issues raised by the applicant. So, merits of the case cannot be gone into again just after a week. The only new ground taken in the application is regarding the injuries sustained by the applicant in jail. There are proper provisions in the jails for providing best treatment to the needy inmates. Simply because the applicant has sustained some injuries in jail, no ground for grant of bail/interim bail emerges. However, in view of the submissions made in the application, the Jail Superintendent is directed to provide proper treatment to the applicant as per requirement and to report the court in case there is any difficulty in providing the proper treatment to the applicant.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

The judgments relied upon by Id. Counsel for applicant are not helpful to him in the given facts and circumstances.

Hence, the application is found to be devoid of merits and same is accordingly **dismissed with above directions to the Jail**

Superintendent.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

State Vs. Arvind Singh

FIR No. 177/19

PS Aman Vihar

U/sec. 307/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Rajesh Harnal, Ld. Counsel for the applicant/accused.

This is an application for regular bail filed by applicant/accused.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The applicant is facing allegations regarding committing attempt to murder on the complainant by gunfire. Injuries were also sustained by the complainant. So, clearly the allegations against the applicant are very serious in nature. The application has been filed mainly on the ground that the applicant is a patient of diabetes. There are no medical documents of the applicant to suggest the seriousness of his health. Moreover, there are proper provisions in the jails for providing best treatment to the needy

inmates. Simply because the applicant is suffering from diabetes, no ground for grant of bail/interim bail emerges. However, in view of the submissions made in the application, the Jail Superintendent is directed to provide proper treatment to the applicant as per requirement and to report the court in case there is any difficulty in providing the proper treatment to the applicant.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

Hence, the application is found to be devoid of merits and same is accordingly **dismissed with above directions to the Jail Superintendent.**

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk**

State Vs. Sanjay
FIR No. 456/19
PS Bharat Nagar
U/sec. 394/397/411/120B/34 IPC

02.05.2020

In view of the imminent threat pandemic of COVID-19 and lockdown declared by the Government of NCT of Delhi, the present application has been taken up for hearing through video conferencing from my Camp Office with the consent of the parties to contain the spread of COVID-19.

Present : Ms. Raj Rani Kataria, Addl. P.P. for the State with HC Vikas, Naib Court.

Mr. Rahul Mehta, Ld. Counsel for the applicant/accused.

This is application for bail filed on behalf of above applicant.

Reply of the IO is filed by Naib Court HC Vikas which was received by him through watsap. Same is perused.

Written arguments also already filed alongwith the application.

Heard. Record is perused.

Ld. Addl. P.P has opposed the bail application.

The applicant is facing allegations u/sec. 394/397/411/120B/34 IPC for the alleged assault/robbery of the complainant to the tune of Rs. 11,70,000/-. Clearly the allegations are very serious in nature. Some weapon has also been recovered at the instance of applicant during investigation. The issues raised by the applicant regarding discrepancies in the case of prosecution can be appreciated properly at an appropriate

stage as charge-sheet has already been filed.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per the guidelines/decisions taken by the High Power Committee of Hon'ble High Court.

Hence, the application is found to be devoid of merits and same is accordingly **dismissed**.

The In-Charge Computer Branch is directed to upload the order/proceedings on website and copy be supplied to the concerned.

(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
02.05.2020/pk