

State Vs. Charanjeet

FIR No. 86/2020

PS Mangol Puri

U/sec. 376/506 IPC & sec. 6 of POCSO Act

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. R.K. Upadhyay, Ld. Counsel for the applicant/accused.

This is an application for regular bail u/sec. 167(2) Cr.P.C r/w sec 439 Cr.P.C filed on behalf of applicant/accused.

Reply of the IO is filed by Naib Court which was received by him through watsapp. Same is perused. It is reported by the IO that charge-sheet is complete but due to lockdown the same could not be filed in court.

Heard. Record is perused.

The applicant is seeking bail on the ground that IO has not filed the charge-sheet despite expiry of prescribed period of 90 days as per section 167 Cr.P.C. It is submitted that the applicant was arrested on 25.01.2020 and the IO failed to file the charge-sheet within stipulated time, so, the applicant is entitled to statutory/default bail.

On the other hand, ld. Addl. PP has opposed the request and submitted that due to complete lockdown and suspension of court work, there are special circumstances for non-filing of charge-sheet and therefore accused cannot take benefit of such delay. She has made reference to the

provision of section 4 of the Limitation Act alongwith notification dated 23.03.2020 of Hon'ble High Court which deals with benefit in limitation due to lockdown.

I have carefully perused the record in light of submissions made before me.

The Mudrai Bench of Hon'ble Madras High Court in its order dated 08.05.2020 in CRL OP (MD) No. 5291/2020 has dealt with the issue of statutory bail u/sec. 167(2) Cr.P.C. in light of the present situation of spread of Covid 19 and the nation wide lockdown. With reference to the orders passed by Hon'ble Supreme Court, the Hon'ble High Court observed that:-

“the point to note is after the expiry of the limitation period, the application or appeal cannot be straightway admitted. That is why, the Hon'ble Supreme Court in its benevolence has ordered that the period of limitation shall stand extended during this lockdown period. Thus, the litigants will not lose their rights. But, filing of final report stands on a different footing altogether. Section 167(2) of Cr.P.C does not bar the filing of final report even after the period specified therein. The implication of section 167(2) is that if the final report is not filed within the time limit prescribed therein, the Magistrate will be divested of the jurisdiction to authorize the detention of the accused person beyond the said period, if the accused is prepared to and does furnish bail”.

Coming to the facts of the present case, undisputedly the accused/applicant is in custody since 25.01.2020. Admittedly, the charge-sheet has not been filed in court till date. Clearly, the prescribed period of

90 days for filing of charge-sheet for the alleged offence has already expired in April 2020 itself. In these circumstances, the right of the applicant to get bail u/sec. 167(2) Cr.P.C cannot be disputed. The investigating agency/prosecution can take the benefit of lockdown period for the purpose of filing of charge-sheet as per law but the right of the accused u/sec. 167(2) Cr.P.C. is intact.

Accordingly, the applicant is found entitled to default bail. At the same time, as observed by the Hon'ble High Court with reference to the judgment of Hon'ble Supreme Court in Rakesh Kumar Paul Vs. State of Assam (2017) 15 SCC 67 such bail order does not prohibit the arrest/re-arrest of the applicant on cogent grounds in respect of the subject charge and in that event, the petition will have to move a regular application for grant of bail which will be considered on its own merits.

With above observations, the bail application filed by the accused Charanjeet is allowed and he is admitted to bail on furnishing personal bond and surety bond in the sum of Rs. 30,000/- each to the satisfaction of Ld. Duty Magistrate. The applicant is directed to not to contact the prosecution witnesses or otherwise influence them in any manner.

Copy of this order be given dasti to learned counsel for applicant.

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
18.05.2020/pk

State Vs. Ashish Sharma

FIR No. 36/15

PS Maurya Enclave

U/sec. 302/395/396/397/412/120B/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Kuldeep Sharma, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

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 concerned doctor has denied having given any treatment to the mother of the applicant as claimed. Further it is specifically mentioned in the application that the applicant has another brothers though it is claimed that he is living separately. Father of applicant is also there to take care of the mother of the applicant. The allegations against the applicant are very serious in nature and he is facing the trial for the offence of murder. The trial is at crucial stage as prosecution evidence is going on.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Ikram
FIR No.417/19
PS Prem Nagar
U/sec. 307/341/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Sunil Tomar, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground of illness of his parents. It is submitted that co-accused has already been granted bail. The allegations against the applicant are very serious in nature as there are allegations of gunfire and beatings given with wooden stick to the victim. There are no medical documents pertaining to the illness of the parents of the applicant. The IO has also reported that the applicant is involved in other criminal cases including FIR no. 389/19 u/sec. 302 IPC r/w section 25 Arms Act P.S. Punjabi Bagh.

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 these observation, 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
18.05.2020/pk

State Vs. Amit Kumar

FIR No. 919/18

PS Sultan Puri

U/sec. 302/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Ramesh Kumar, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground of illness of his father. No medical documents regarding the ill health of the father of the applicant have been provided. The IO has also reported that there are several family members in the family of the applicant to take care of the father of the applicant. The allegations against the applicant are very serious in nature and he is facing the trial for the offence of murder. The trial is at initial stage as evidence is going on in the present matter.

The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per guidelines/decisions taken by the High

Power Committee of Hon'ble High Court.

With these observations, the application 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
18.05.2020/pk

State Vs. Prem @ Sawan etc. (Applicant Kasim @ Aaris @ Md.

Raji Ahmed)

FIR No. 573/19

PS Raj Park

U/sec. 376/328/506/34 IPC & 25/27 Arms Act.

18.05.2020

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 Joginder Hooda, Naib Court.

Sh. Hari Krishan, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground that after completion of investigation, charge-sheet has already been filed and he is no more required for further investigation so, he be granted bail. A contention regarding ill health of the mother of the applicant is also made.

The allegations against the applicant are very serious in nature and he is facing the trial for the offence of rape. Though charge-sheet has already been filed but the witnesses are yet to be examined and there are chances of influencing the witnesses if the applicant is granted bail/interim

bail at this stage. So far as ill health of the mother of the applicant is concerned, there is nothing to substantiate the same except a bare averment in the application. There is no medical document provided by the applicant.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Priya @ Priya Mishra

FIR No. 23/2016

PS EOW, New Delhi

U/sec. 420/34/120B IPC

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. Vinay Kumar Sharma, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground that she has to take care of her minor daughter who is in a boarding school at Nainital. The allegations against the applicant are very serious in nature and she is facing the trial for the offence of cheating qua several persons. The case is investigated by the EOW (crime branch), New Delhi and therefore, the case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per guidelines/decisions taken by the High Power Committee of Hon'ble High Court. The IO has also reported about involvement of the applicant in other matters i.e. FIR No. 4/18 u/sec. 174A IPC P.S. Tilak

Nagar and case u/sec. 138 NI Act.

With these observations, the application 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
18.05.2020/pk

State Vs. Poli @ Vijay
FIR No. 110/2020

PS Raj Park

U/sec. 20 IIB IPC

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. Sunil Tomar, 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 which was received by him through watsapp. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground of illness of his parents. No medical document in respect of illness of parents of the applicant has been attached with the present application. The allegations against the applicant are very serious in nature.

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

With these observations, the application 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
18.05.2020/pk**

State Vs. Lokesh & Ors. (Applicant Ravi)

FIR No. 70/2018

PS Subhash Place

U/sec. 302/392/394/411/34 IPC & 25/27/54/59 Arms Act

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Krishan Kumar, 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 which was received by him through watsapp. The applicant has filed copy of charge-sheet. Same are perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking interim bail on the ground that material witnesses have already been examined and there is nothing incriminating against the applicant. Further that the alleged recovery from the applicant is planted one.

It is revealed on perusal of the record that the allegations against the applicant are very serious in nature as he is facing the trial for the offence of murder and robbery. The evidence recorded so far cannot be evaluated

at this stage. The contentions made by the applicant can be appreciated at appropriate/subsequent stage by the Id. trial court.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Shiv Kumar @ Shiva & Ors. (applicant Vishnu Kumar)

FIR No. 326/2016

PS Bharat Nagar

U/sec. 302/307/452/114/509/354/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Ms. Rashmi Singhla, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking interim bail on the ground that he has filed application for bail before the Id. Trial court but due to lockdown, the application has been adjourned for a longer date. It is also mentioned that co-accused have already been granted bail.

On perusal of record, it reveals that the allegations against the applicant are serious in nature and the proceedings are at crucial stage as prosecution evidence is going on. There are chances of the evidence being influenced by the accused if released on bail at this stage. Moreover, an application for bail is already pending consideration before the Ld. Trial

Court which can be considered as per law in the due course.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Sagar
FIR No. 23/18
PS Sultanpuri
U/sec. 307/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. Suraj Parkash Sharma, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking interim bail on the ground to take care of his minor daughter and his wife. It is further submitted that co-accused has already been granted bail by the Hon'ble High Court. Copy of bail order of co-accused is filed by the counsel through watsap.

It is clear from the record that the allegations against the applicant are serious in nature. The proceedings are at ripe stage. The case of the co-accused is at different footing. The case of the applicant is also not covered in the categories of UTPs entitled to interim bail as per guidelines/decisions taken by the High Power Committee of Hon'ble High

Court.

With these observations, the application 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
18.05.2020/pk

State Vs. Sumit @ Captain@ Champion

FIR No. 561/2019

PS Aman Vihar

U/sec. 392/397/411 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Gaurav Vats, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground of arranging meals for his uncle and aunti (Mama & Mami) and for their medical care.

There is no document on record which suggests the illness of his uncle and aunt. The allegations against the applicant are very serious in nature and he is facing the trial for the offence of robbery with deadly weapon. Charges are yet to be decided and witnesses are yet to be examined. The IO has reported about the involvement of the applicant in several other cases of heinous nature.

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

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

With these observations, the application 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
18.05.2020/pk

State Vs. Ratnesh Ram

FIR No. 56/2020

PS Rani Bagh

U/sec. 376/363 IPC & sec. 6 POCSO Act

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. Kuldeep Singh, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

In the present matter, applicant was granted bail by the Ld. Duty Judge vide order dated 05.05.2020 on the submissions made by the prosecutirx but the applicant could not be released from the jail as section 6 POCSO Act was not mentioned in the release warrant and subsequently when second application was filed by the applicant by mentioning the section 6 POCSO Act, the said application was dismissed by the Ld. Duty Judge vide order dated 13.05.2020 with observation that the age of the prosecutirx was only 14 years old and therefore the submissions made by her is immaterial.

Considering the overall facts and circumstances when all the relevant facts and circumstances mentioned in the present application have already been considered and discussed by the Ld. Duty Judge in the order dated 13.05.2020 and there is no change in the facts and circumstances, so, present application is found to be devoid of merits. Moreover, this court is not an appellate court to the said court.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Suraj @ Lalla

FIR No. 435/19

PS Ashok Vihar

U/sec. 308/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Mr. Sanjay Kumar, 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 which was received by him through watsap. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The offences alleged against the applicant i.e. 308/34 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 19.11.2019 (except the period of interim bail availed by him on earlier occasion) and has no previous involvement, the accused **Suraj @**

Lalla is admitted to interim bail for a period of 45 days from today, subject to furnishing of personal bond and surety bond in the sum of Rs. 20,000/- to the satisfaction of concerned Ld. Duty Magistrate/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
18.05.2020/pk**

State Vs. Bharat
FIR No. 137/2020
PS Raj Park
U/sec. 376 IPC

18.05.2020

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 Joginder Hooda, Naib Court.

Sh. Puneet Maheshwari, Ld. Counsel for the applicant/accused.

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

As per order dated 14.05.2020, the statement of the prosecutrix was to be recorded u/sec. 164 Cr.P.C and same was to be placed on record and a copy thereof was to be provided to learned defense counsel. Neither the IO is present nor any statement has been filed nor copy has been supplied to the learned counsel. The Prosecutrix has also not joined the proceedings as per last order.

In the given circumstances and at request of learned counsel for applicant, the matter stands adjourned for further consideration on 23.05.2020 with directions to the IO to comply the order dated 14.05.2020. IO is also directed to inform the prosecutrix to join the video conferencing on next date of hearing.

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
18.05.2020/pk**

At this stage, the Niab court has placed on record the copy of statement recorded u/sec. 164 Cr.P.C. Let copy of the same be supplied to the learned defense counsel.

Put up for further arguments on 23.05.2020.

**(Sanjay Jindal)
Duty Judge
North West District: Rohini Courts:Delhi
18.05.2020/pk**

State Vs. Suraj @ Bhola
FIR No.375/15
PS Rani Bagh
U/sec. 395/397/412/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Sh. Kuldeep Singh, Ld. Counsel for the applicant/accused.

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

Reply already on record. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground that after completion of investigation, charge-sheet has already been filed and he is no more required for further investigation so, he be granted bail. The allegations against the applicant are very serious in nature as he is facing the trial for the offence of dacoity with deadly weapon. Though charge-sheet has already been filed but the witnesses are yet to be examined and there are chances of influencing the witnesses if the applicant is granted bail/interim bail at this stage. Moreover, the applicant is a habitual offender as the IO has reported that applicant is involved in several similar other cases.

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

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

With these observations, the application 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
18.05.2020/pk

State Vs. Mohan Kumar
FIR No. 1160/18
PS Mangol Puri
U/sec. 392/397/411/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Sh. J.P. Singh, Ld. Counsel for the applicant/accused.

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

Reply already on record. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking bail on the ground that after completion of investigation, charge-sheet has already been filed and he is no more required for further investigation so, he be granted bail. Further that the applicant is not named in the FIR by the complainant.

As per proceedings dated 14.05.2020, during course of arguments a reference was made to section 392 IPC regarding the fact whether the alleged robbery was committed on a highway or not. It is argued on behalf of the applicant that the offence was not committed on a highway, so, the same is punishable upto ten years and not upto 14 years, so, the same is covered by the guidelines issued by the High Power Committee of Hon'ble

High Court. The Ld. APP has on the other hand opposed the averments made by learned counsel for applicant. One additional report has been filed today.

It is not disputed that the alleged offence of robbery has been committed after sunset and before the sunrise. It is also clear from the facts that the complainant was coming in his car when he was robbed. Though the exact nature of the manner of commission of offence shall be decided during trial but at this stage, it seems that the offence has been committed on a road/highway during night time. So, it cannot be said that the alleged offence is punishable upto ten years only. The witnesses are yet to be examined and there are chances of influencing the witnesses if the applicant is granted bail/interim bail at this stage. Moreover, the applicant is a habitual offender as the IO has reported that applicant is also involved in case FIR No. 1159/2018 lodged for similar offence.

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

With these observations, the application 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
18.05.2020/pk

State Vs. Vikas @ Pehlwan
FIR No. 09/17
PS Rani Bagh
U/sec. 392/397/411/120B IPC

18.05.2020

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 Joginder Hooda, Naib Court.
Sh. Pawan Gupta, Ld. Counsel for the applicant/accused.

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

Previous order on the application of the applicant/accused is filed by learned counsel for applicant through watsap.

Reply already on record. Same is perused.

Heard. Record is perused.

Application is opposed by learned Addl. PP for the State.

The applicant is seeking interim bail on the ground of illness of his parents and due to spread of Covid-19.

It is necessary to mention at the very outset that the bail application of the applicant has been dismissed twice by the Hon'ble High Court and recently on 30.04.2020 by the Ld. Duty Judge. Otherwise also, the allegations against the applicant are very serious in nature as he is facing the trial for the offence of robbery with deadly weapon. The applicant is a habitual offender as the IO has reported that applicant is involved in several

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

With these observations, the application 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
18.05.2020/pk

State Vs. Sonu @ Rajan

FIR No.231/19

PS Ashok Vihar

U/sec. 307/34 IPC

18.05.2020

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 Joginder Hooda, Naib Court.

Mr. Birender Sangwan, Id. Legal aid counsel for the applicant/accused.

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

No reply filed.

Issue notice to concerned SHO/IO to file reply for 20.05.2020.

Soft copy of the application and this order be sent through whatsapp to IO/SHO concerned and they are at liberty to file their report by way of whatsapp on the contact no. 9650132255 of Ms. Geeta Manocha, AO (J) or on contact no. 9899426886 of concerned Nai Court HC Joginder Hooda. There is no need of the IO/SHO to appear in person unless he is specifically called for.

Bail application be put up on 20.05.2020.

(Sanjay Jindal)

Duty Judge

North West District: Rohini Courts:Delhi

18.05.2020/pk