

**Bail Application No. R-
State vs. Rajesh @ Karambir & Ors.
FIR No. 63/2014
U/s. 3/4 MCOC Act
PS : Special Cell**

03.07.2020

Present : None.

Today, the matter is fixed for order on the application of **bail moved** on behalf of accused/ applicant Ravi Dahiya @ Lamba. Certain clarifications are required from the IO.

Put up for clarifications on 08.07.2020. IO be called for the next date of hearing.

**(Parveen Singh)
ASJ-03/NDD/PHC/New Delhi
03.07.2020**

**Bail Application No. R-
State vs. Yogender Singh Rajput
FIR No. 17/2018
U/s. 3 & 4 MCOC Act
& sections 471/ 34 IPC
PS : Spl. Cell, Lodhi Colony**

03.07.2020

Present : Sh. Dharam Chand, Addl. PP for State through VC.
Sh. Pushpender Kumar Dhaka, Ld. counsel for applicant
through VC.

As per the report of the IO, the verification of the medical record has been sought from the hospital and the hospital has sent an e-mail stating that the wife of the accused was advised diagnostic laproscopy/ surgery if required.

This means that first of all the wife of accused had to go through diagnostic laproscopy for diagnosis and thereafter, if required, surgery would take place.

However, ld. counsel for accused submits that in the prescription, the doctor had written surgery as required and therefore, this shows that the wife of accused needs to undergo surgery.

He seeks some time to clarify this issue. Adjourned.

At request, put up for consideration on 08.07.2020. Order be uploaded on the website of Delhi District Court.

**(Parveen Singh)
ASJ-03/NDD/PHC/New Delhi
03.07.2020**

It is certified that Video Conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised by either of the parties regarding the connectivity i.e. audio or visual quality.

Reader/03.07.2020

Bail Application No. R- 1256/2020
State vs. Gajender Singh @ Benner
FIR No. 27/2009
U/s. 174A IPC & 3 MCOC Act
PS : Spl. Cell. Delhi.

03.07.2020

At 02.30 p.m

Present : Sh. Dharam Chand, Addl. PP for State through VC.
Sh. Harsh Hardy, Counsel for applicant/ accused through VC.

In the morning, the matter was connected through VC, however due to poor audio and video quality, it got disconnected.

Now again, at 02.15 p.m, matter was tried to be taken up through VC but due to poor network, connection could not be established.

In these circumstances, the matter is adjourned.

Re-notify on 08.07.2020. Order be uploaded on the website of Delhi District Court.

(Parveen Singh)
ASJ-03/NDD/PHC/New Delhi
03.07.2020

FIR No. 26/2018
P.S Special Cell
U/s 186/353/307 IPC
State Vs. Hari Om Singh @ Jatt

03.07.2020

Vide order nos 5837-5927/D&SJ/NDD/2020 dt. 30.05.2020 & 5931-6021/D&SJ/NDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi, the undersigned has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no.R-1347/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos 4243-4333/D&SJ/NDD/2020 dated 01.04.2020, 4407-4426/D&SJ/NDD/2020 dated 10.04.2020, 4518-4608/D&SJ/NDD/2020 dated 15.04.2020, 5111-5200/D&SJ/NDD/2020 dated 03.05.2020, 6364-6454/D&SJ/NDD/2020 dated 16.05.2020 and 6326-6415/D& SJ/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State.
Sh. Deepak Sharma, Ld. Counsel for the applicant/accused.

Proceedings done through video conferencing.

Present is an application moved on behalf of applicant/accused seeking modification of order dated 19.03.2019 vide which he was granted regular bail by this court. It is submitted that due to some reasons, he was not able to furnish surety bonds, as a result, he could not be released from jail. It is submitted that the applicant is aged about 58 years and is suffering from various ailments such as blood pressure, asthma, mental health issues for which his treatment is going on at different hospitals. It is therefore requested that the order dated 19.03.2019 may be modified and applicant/accused be released on furnishing personal bond. In support of his submissions, Ld. counsel has placed reliance upon the judgment passed by Hon'ble High Court in Court on its own motion v. State, W.P (Crl) No. 779/2020 date of decision 09.04.2020.

It would be relevant to quote the relevant portion of the judgment passed by the Hon'ble High Court in Court on its own motion

v. State, W.P (Crl) No. 779/2020 (supra) which reads as under:

"B. Thus all bail orders, passed by this Court or by the Courts subordinate to it, on or before 7th April, 2020, in pursuance whereof the under-trial prisoners (sic) have not been released on 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."

After going through the observations made by the Hon'ble High Court, I am of the opinion that the case of applicant/accused is squarely covered under the classified category to release him upon his furnishing a personal bond.

Hence, the order dated 19.03.2019 stands modified and applicant/accused is ordered to be released on bail upon his furnishing Personal Bond in the sum of Rs.2.0 lacs subject to satisfaction of the Jail Superintendent. Remaining conditions in the original bail order shall remain unamended.

Application is disposed of accordingly.

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



(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
03.07.2020

FIR No.138/2020
PS Special Cell
U/s 384/385/419/420/34/120B IPC
State Vs. Rohit Gujral @ Anand Kumar

03.07.2020

Vide order nos.5837-5827/D&S/JNDD/2020 dt. 30.05.2020 & 5931-6021/D&S/JNDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi, the undersigned, has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no.R-1347/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos.4243-4333/D&S/JNDD/2020 dated 01.04.2020, 4407-4426/D&S/JNDD/2020 dated 10.04.2020, 4518-4608/D&S/JNDD/2020 dated 15.04.2020, 5111-5200/D&S/JNDD/2020 dated 03.05.2020, 6364-6454/D&S/JNDD/2020 dated 16.05.2020 and 6326-6415/D&S/JNDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State.
Sh. R. S. Chauhan, Ld. Counsel for the applicant/accused.
Proceedings done through video conferencing.

An application U/s 439 Cr.P.C for grant of bail has been moved on behalf of the applicant/accused. It is submitted that the applicant/accused has been falsely implicated in the present case and has nothing to do in the present case. It is submitted that the applicant /accused is languishing in jail since 31.05.2020. It is further submitted that it was the complainant herself who contacted him on social media, started chatting with him and also sent her obscene videos. It is further submitted that he never misrepresented nor cheated or extorted money from the complainant. It is informed that the bail application of applicant/accused has already been rejected by this court on 23.06.2020. However, the applicant has neither received any money from the victim nor cheated her.

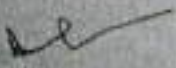
Ld. Addl. PP has vehemently opposed the bail applications arguing that applicant/accused alongwith his associate Priyam Yadav have cheated many girls by adopting the same modus operandi. It is submitted that the case is at an initial stage and Police has already received two more complaints from the victim girls and the other complaints could not

be filed due to pandemic Covid-19. It is submitted that if the applicant/accused is released on bail, he may jump the bail and try to influence or threaten the complainants. It is further submitted that the bail application of applicant/accused has already been dismissed by this court vide order dated 23.06.2020.

Heard.

During the course of arguments, upon enquiry, Ld. counsel admits that the applicant/accused is not an orthopaedic surgeon and he is in the field of event management. Therefore, it cannot be said that he has not made any misrepresentation to the complainant. In the instant matter, the investigation is still at a preliminary stage, two more girls have been reported to be cheated by the accused adopting the same modus operandi. The bail application of applicant/accused has already been rejected by this court only on 23.06.2020, hence, no fresh ground of circumstance is made out to release him on bail. Considering the seriousness of allegations and the past antecedents applicant/accused does not deserve indulgence of the court. His bail application stands dismissed.

Copy of this order be given dasti.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
03.07.2020

State v. Mahender Singh
FIR No. 95/2020
P.S Special Cell
U/s 25/54/59 Arms Act

03.07.2020

Vide order nos.5637-5927/D&SJ/NDD/2020 dt. 30.05.2020 & 5931-6021/D&SJ/NDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patana House Court, New Delhi District, New Delhi, the undersigned has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no R-1347/DHC/2020 dated 28.05.2020 and in continuation of the previous office order nos.4243-4333/D&SJ/NDD/2020 dated 01.04.2020, 4407-4426/D&SJ/NDD/2020 dated 10.04.2020, 4518-4608/D&SJ/NDD/2020 dated 15.04.2020, 5111-5200/D&SJ/NDD/2020 dated 03.05.2020, 6364-6454/D&SJ/NDD/2020 dated 16.05.2020 and 6326-6415/D& SJ/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State;
Sh. Saurabh Tyagi, Ld. Counsel for the applicant/accused.
Proceedings done through video conferencing.

Present is an application moved on behalf of applicant/accused for grant of bail on the ground that the applicant /accused is about 39 years old and is an electrician by profession at his native village and he is the only bread earner in his family. It is submitted that on 15.03.2020, he alongwith his friend Naresh Singh came to Delhi to purchase some electronic items but in the night, they were lifted by the police from his friend's house at Chandni Chowk. It is submitted that nothing incriminating, as alleged by the prosecution, has been recovered from his possession or at his instance. It is further submitted that the wife of the applicant /accused is seven months pregnant and at this advanced stage of pregnancy, the presence of the accused is very much required for providing financial and moral support to his family as there is no other male member in the family to take care of her. Hence, he is entitled to be released on interim bail.

On the contrary, Ld. Addl PP opposed the bail application arguing that huge recovery of arms and ammunition has been recovered from the applicant/accused and his associate Narzesh Singh. It is submitted that there is every likelihood that he may try to flee away, if released on bail. It is further submitted that the accused/applicant is found to be involved in one more case. It is submitted that the fact regarding pregnancy of the wife of the applicant/accused is concerned, that has been duly verified and her condition is found to be normal.


Heard.

The menace of illegal arms and ammunition is causing severe threat to the safety and security of the common man. The haul of illegal weapons recovered from the accused goes a long way against the plea of false implication.

Considering the seriousness of the allegations levelled against the applicant/accused, I do not find it to be a fit case to grant bail to the applicant/accused Mahender Singh. His bail application stands dismissed.

Application is disposed of accordingly.

Copy of the order be given dasti.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
03.07.2020

State v. Chirag Jaffry
FIR No. 87/2020
U/S 406/420/120B IPC & 66/66D IT Act
P.S- Special Cell

03.07.2020

Vide order nos.5637-5927/D&S/JNDD/2020 dt. 30.05.2020 & 5931-6021/D&S/JNDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patana House Court, New Delhi District, New Delhi, the undersigned, has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no.R-1347/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos.4243-4333/D&S/JNDD/2020 dated 01.04.2020, 4407-4426/D&S/JNDD/2020 dated 10.04.2020, 4518-4608/D&S/JNDD/2020 dated 15.04.2020, 5111-5200/D&S/JNDD/2020 dated 03.05.2020, 6364-6454/D&S/JNDD/2020 dated 16.05.2020 and 6326-6415/D&S/JNDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State
Sh. Sarvpriya Makkar, Ld. Counsel for applicant/accused.
Sh. Deepak Juneja, Ld. counsel for complainant.

Proceedings done through video conferencing.

Present is an anticipatory bail application moved on behalf of applicant/accused.


Arguments on the bail application partly heard.

Ld. Addl. PP seeks short adjournment on the ground that he intends to file a detailed report. Adjournment allowed. Let a detailed report be filed by the concerned IO with directions to supply the copy of the said report to the Ld. defence counsel one day prior to the next date of hearing.

As prayed, list the bail application for consideration on 08.07.2020.

Till then, interim orders to continue.

Copy of the order be given dasti.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND

03.07.2020

State v. Gopal Kishan @ Pali
FIR No.400/2019
P.S Special Cell
U/s 186/353/307/34 IPC
& U/s 25/27 Arms Act

03.07.2020

Vide order nos. 5837-5827/D&S/J/NDD/2020 dt. 30.05.2020 & 5831-6021/D&S/J/NDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patala House Court, New Delhi District, New Delhi, the undersigned has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no.R-1347/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos.4243-4333/D&S/J/NDD/2020 dated 01.04.2020, 4407-4426/D&S/J/NDD/2020 dated 10.04.2020, 4518-4608/D&S/J/NDD/2020 dated 15.04.2020, 5111-5200/D&S/J/NDD/2020 dated 03.05.2020, 6364-6454/D&S/J/NDD/2020 dated 16.05.2020 and 6326-6415/D&S/J/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmad, Ld. Addl. PP for the State.
Sh. A. P Singh, Ld. counsel for applicant/accused.

Present is an application moved on behalf of applicant/accused for grant of regular bail.


Arguments on the bail application partly heard.

At this stage, Ld. Addl.PP Submits that call detail record of the applicant/accused has been procured by the IO and he is likely to file the copy of the same within a week.

Ld. counsel submits that he will be better equipped to address the arguments only when the call detail record is filed on record.

In view of the same, put up for remaining arguments on
10.07.2020.

In the meanwhile, the IO is also directed to request Director, CFSL to expedite the CFSL result regarding the CCTV footage.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
03.07.2020

State v Vikas @ Bablu
FIR No. 688/2014
P.S Delhi Cantt
U/s 302/307/34 IPC

03.07.2020


Vide order nos.5837-5927/D&S/JNDD/2020 dt 30.05.2020 & 5931-6021/D&S/JNDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi, the undersigned has been deputed for duty today in pursuance to the directions of Hon'ble High Court of Delhi vide order no R-1347/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos.4243-4333/D&S/JNDD/2020 dated 01.04.2020, 4407-4426/D&S/JNDD/2020 dated 10.04.2020, 4518-4608/D&S/JNDD/2020 dated 15.04.2020, 5111-5200/D&S/JNDD/2020 dated 03.05.2020, 6364-6454/D&S/JNDD/2020 dated 16.05.2020 and 6326-6415/D&S/JNDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State.
Sh. Arun Tyagi, Ld. counsel for the applicant/accused.

Proceedings done through video conferencing.

Present is an application moved on behalf of applicant/accused for grant of interim bail for 45 days. It is submitted that applicant/accused has been falsely implicated in the present case and he is languishing in j.c. for more than five years. It is submitted that all the material witnesses have already been examined and trial in the instant matter is likely to consume considerable time. It is further submitted that he is the sole bread earner in the family and minor child of the applicant/accused is suffering from liver ^{infection} malfunction and he himself is suffering from piles for which proper medical treatment is required. It is, therefore, prayed that the applicant/accused be released on interim bail.

Ld. Addl. PP has vehemently opposed the bail application on the ground that the IO has verified the medical documents of his son, as per which, the doctor had treated his son for fever only on 13.03.2020. It is submitted that applicant/accused was absconding and was declared Proclaimed Offender.



In the instant matter, no ground for grant of interim bail is made out as on 13.03.2020, his son was suffering from fever only.

In the matter of Ather Parvoz v. State (Cri. Ref. No. 01/2015 Date of decision 26.02.2016), it has been observed by Hon'ble Delhi High Court that :

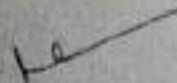
"... The trial or the appellate courts after conviction are entitled to grant "interim bail" to the accused/convict when exceptional and extra-ordinary circumstances would justify this indulgence. The power is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release...."

It is a settled principle of law that interim bail can only be granted in exceptional circumstances. In the instant application, there are no exceptional circumstances to release the applicant/accused on interim bail.

In view of the seriousness of allegations, enormity of charge coupled with the past conduct of the applicant/accused, I am not inclined to release the applicant/accused on interim bail. His bail application is accordingly dismissed.

Application accordingly disposed.

Copy of the order be given dastl.



(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
03.07.2020

**IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW
DELHI**

FIR NO. 397/2018
PS: Vasant Kunj (N)
U/S. 186/353/307 IPC

State v/s Amit Sehrawat & Ors

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Amit Sehrawat for seeking regular bail and is taken up as urgent application.

Present: Sh. Mohd. Asif, learned counsel for applicant/accused Amit Sehrawat.

Sh. Mukul Kumar Ld. Addl P.P. for the State.

Reply to the bail application filed by IO.

Learned counsel for the applicant/accused did not join the meeting through VC and thereafter joined quite late after several attempts were made and submitted that due to technical issues on his end he could not join and seeks adjournment.

As prayed, application be put up for consideration on 08-07-2020

(ANIL ANTIL)

ASJ-04/03.07.2020

**IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW
DELHI**

FIR NO. 373/2018
PS: Vasant Kunj (N)
U/S. 186/353/307 IPC

State v/s Amit Sehrawat & Ors

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Amit Sehrawat for seeking regular bail and is taken up as urgent application.

Present: Sh. Mohd. Asif, learned counsel for applicant/accused Amit Sehrawat.

Sh. Mukul Kumar Ld. Addl P.P. for the State.

Reply to the bail application filed by IO.

Learned counsel for the applicant/accused did not join the meeting through VC and thereafter joined quite late after several attempts were made and submitted that due to technical issues on his end he could not join and seeks adjournment.

As prayed, application be put up for consideration on 08-07-2020

(ANIL ANTIL)

ASJ-04/03.07.2020

**IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW
DELHI**

FIR NO. 300/2019
PS: Naraina
U/S. 398/397 IPC

State v/s Shanu

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Shanu for seeking interim bail and is taken up as urgent application.

Present: Sh. Santosh Kumar Suman, learned counsel for applicant/accused Shanu.

Sh. Mukul Kumar Ld. Addl P.P. for the State.

Reply to the bail application filed by IO.

Learned counsel for the applicant/accused seeks adjournment mentioning that voice is not audible.

As prayed, application be put up for consideration on 06-07-2020

(ANIL ANTIL)

ASJ-04/03.07.2020

**IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW
DELHI**

FIR NO. 300/2019
PS: Naraina
U/S. 398/397 IPC

State v/s Tasleem

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Tasleem for seeking interim bail and is taken up as urgent application.

Present: Sh. Shakir Shabir, learned counsel for applicant/accused Tasleem.

Sh. Mukul Kumar Ld. Addl P.P. for the State.

Reply to the bail application filed by IO.

Learned counsel for the applicant/accused seeks adjournment mentioning that he was under the impression that that the matter is listed for 06-07-2020 and he is not prepared to address arguments.

As prayed, application be put up for consideration on 06-07-2020

(ANIL ANTIL)

ASJ-04/03.07.2020

**IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW
DELHI**

FIR NO. 91/2019
PS: Cannought Place
U/S. 392/397/34 IPC & 25/27 AA

State v/s Shalim@Saleem@Salim

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused **Shalim@Saleem@Salim** for seeking interim bail for a period of 45 days and is taken up as urgent application.

Present: Sh. S.K Pandey, learned counsel for applicant/accused **Shalim@Saleem@Salim**.

Sh. Mukul Kumar Ld. Addl P.P. for the State.

Adjournment is prayed on behalf of the IO to verify the factum of marriage of sister of the applicant/accused.

IO is directed to file his report positively on the next date.

As prayed, application be put up for consideration on 07-07-2020

(ANIL ANTIL)

ASJ-04/03.07.2020

IN THE COURT OF SH. ANIL ANTIL, ASJ-04, PHC, NEW DELHI

FIR NO. 78/2017
PS: Special Cell
U/S. 21 NDPS Act

State v/s Qari Mohammad Hanif Samadi

03.07.2020

Proceedings conducted through VC

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Qari Mohammad Hanif Samadi for seeking interim bail on the medical ground for a period of four weeks and is taken up as urgent application.

Present: Ms. Rashmi Kaushik, learned counsel for applicant/accused Qari Mohammad Hanif Samadi.

Ld. Addl P.P. for the State.

Reply to the bail application after verifying the medical documents filed along with the application and medical advice of doctor, filed by IO.

It is submitted by learned counsel for the applicant/accused that he is a Afghan National, is residing in India with his sister in Lajpat Nagar, Delhi, on a Refugee card and is in JC since 27-10-2017; that his sister is suffering from Ovarian Cyst and other medical ailments, has to undergo for surgery at the earliest, due to her medical ailment and Covid-19 and she is unable to take proper care of herself and her minor son. It is further submitted that her brother-in-law and sister are not capable to take proper care of them and if the surgery is neglected for long time then there are chances that cyst can form into Cancer.

It is further submitted that the passport of applicant is already seized by the IO, there is no apprehension of his absconding/ or evading trial, has no criminal background and has clean antecedents, is not a previous convict and nothing incriminating was recovered from him and undertakes to abide by any terms and conditions imposed upon him while granting interim bail.

Per contra, application is strongly opposed by learned Addl. PP for State and he submitted that applicant is a Afghan National, huge quantity of Heroin (commercial quantity) was recovered, has two passports, visited India on forged medical documents and it was established by the FRRO report that he

used different passports to visit India for smuggling of Narcotics and is not a refugee.

He further urged that the bail application of accused was dismissed as withdrawn recently on 10-06-2020 by the Hon'ble High Court of Delhi and as per the report of IO, she is not the real sister of applicant, on 08-06-2020, her brother visited the hospital along with her reports, the medical documents placed on record are dicey, she has not visited the doctor personally who had issued the certificate to state that surgery is required, thus, it becomes highly impossible to call for the surgery without examining the patient personally.

Arguments heard on the application and record perused.

Perusal of the report filed by IO, received after verification of medical documents indicates that she herself has not visited the hospital and on the basis of report doctor had advised for elective procedure which is not an emergency surgery. It is thus crystal clear that neither she is suffering from any serious medical ailment nor is she serious about getting medical treatment done whatsoever.

Thus, in totality of the facts and circumstances of the case, report of the IO, and taking note of past history and nature of accusation of offence alleged against him, and the fact that as per the medical documents, she is not required for any emergency surgery and her husband and brother are also available to take care of her in case of any exigency, I am not inclined to grant interim bail to applicant/accused. The application accordingly stands disposed off as dismissed.

Ordered accordingly.

Application stands dismissed and disposed off in terms thereof.

Copy of order be sent to all the parties including Jail Superintendent through electronic mode and copy of order be given dasti as prayed.

(ANIL ANTIL)

ASJ-04/03.07.2020

Proceedings were conducted through video conference and there was no complaint of any technical glitches nor there was any grievance regarding the audio and video transmission.

(ANIL ANTIL)

ASJ-04/03.07.2020

Bail Application No. 1325/2020
State Vs. Praveen Singh
FIR No. 54/2020
U/s. 307 IPC
PS : Mandir Marg

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. A.K. Dhupar, Ld. Counsel for applicant/accused Praveen Singh (through Video Conferencing).

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing).

Perused the e-reply of Insp. Naresh Kumar.

Heard.

Ld. Counsel for applicant has submitted that the applicant had also received sharp & serious injuries in the scuffle initiated by the victim (since deceased) who was the aggressor. He has further submitted

Contd.....2

that no case was registered on the counter complaint of the applicant. It is also stated that the applicant is an Engineer by profession whereas the victim was having criminal record. He has further submitted that COVID-19 is spreading in Delhi at very fast pace and there is great risk of the applicant to get infected with the same in jail as some inmates have already been infected. He has further submitted that many courts have granted interim bail in such matters so that the accused of said cases may not get infected with COVID-19 in jail. He has also submitted that the mother of the applicant is in depression, therefore, the applicant may be granted interim bail.

Per contra, Ld. Addl. PP has submitted that serious injuries with broken glass were caused to the victim by the applicant and in the CCTV footage obtained, the victim can be seen trying to escape from the clutches of the accused, who was chasing him and continuously assaulting him till the victim lost consciousness.

Merely because the applicant also received injuries in the incidents or that cross case FIR/complaint was not registered, the allegations and material available against the applicant in this case can not be ignored. The injuries to the applicant will have to be explained by the prosecution during trial. Furthermore, just because the mother of the applicant is in depression, the same is also not sufficient ground for interim bail. Admittedly the victim died as a result of injuries received in the incidents. There is aforesaid CCTV footage available, which prima

Contd.....3

facie incriminates the applicant, the case of the applicant is not covered by any direction of the HPC constituted by Hon'ble High Court of Delhi. Merely because the accused in some other cases may have been granted interim bail due to COVID-19, the same would not make the applicant entitled for bail in this case also. The facts and circumstances of the each case are different. The present case appears to be at initial stage of the investigation. Considering the totality of the facts & circumstances, nature & gravity of the offence and the material available against the applicant, I am of the considered view that it is not a fit case to grant interim bail to the applicant on the grounds cited at this stage.

Application is dismissed and disposed of.

Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/A

It is certified that video conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised regarding the connectivity i.e. audio or visual quality.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/A

Bail Application No. 1321/2020
State Vs. Mohd. Salim
FIR No. 1039/19
U/s 392/34 IPC
PS : Connaught Place

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. S.K. Pandey, Ld. Counsel for applicant/accused Salim
@ Saleem

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing).

Perused the e-reply of I.O. SI Amit Kumar.

Heard.

Ld. Counsel for applicant has submitted that applicant is in custody since 31.10.2019, has been released on bail in other cases pending against him and PW-1 (complainant/victim) has been examined

Contd.....2

and hence there is no chance of influencing and pressurizing him, the marriage of the sister of the applicant is scheduled for 09.07.2020 and therefore, the applicant may be enlarged on bail.

Heard. Perused.

The pouch containing mobile phone and Rs. 200/- from the complainant/victim was snatched by the applicant and his co-accused while the applicant was driving motorcycle and applicant was identified in judicial TIP by the complainant/victim. Merely because the applicant has been granted bail in other cases and PW-1 has been examined in this case, the said grounds are not sufficient for grant of bail to the applicant.

As per the e-reply of the I.O., 20 pending cases against the applicant and he is a member of organized syndicate of gang. The incidents of the robbery have increased tremendously in Delhi in last few years. Hence the applicant does not deserve to be enlarged on bail. As regards attending of the marriage of the applicant on 09.07.2020 at C-442/2, Buland Maszid, Shastri Park, Delhi-53, the applicant may be taken for attending the said marriage in custody, subject to advance deposit of cost to be incurred by the State. The applicant shall co-ordinate with the Jail Superintendent in this regard, who shall do the needful for sending the applicant in custody for attending the said marriage on 09.07.2020 in case the applicant deposits the said cost.

Accordingly, the application is dismissed. The copy of this order alongwith the copy of marriage card of the sister of the applicant be

Contd.....3

sent to the concerned Jail Superintendent for information.

Application is accordingly disposed of.

Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/A

It is certified that video conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised regarding the connectivity i.e. audio or visual quality.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/A

Bail Application No. 73/2020
State Vs. Mamta Gaur
FIR No. 175/2008
U/s. 420/406/120B IPC
PS : EOW

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. Sanjay Bhargava, Ld. Counsel for applicant/accused
(through Video Conferencing).

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing).

I.O. Insp. Manish Kumar is present in person

Heard. Perused.

Ld. Counsel for applicant has submitted that he is not in a position to address arguments as his case file is locked in his chamber and keys of which are with his clerk, who is unable to reach Delhi from

Contd.....2

Khekra, U.P. due to lock-down. He has further admitted that one month ago, the applicant was released on interim bail by jail authorities pursuant to the directions of HPC of Hon'ble High Court of Delhi. Therefore, Ld. Counsel for applicant requests for an adjournment for one week.

Re-notify on 10.07.2020.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/A

Bail Application No.1326/20
State Vs. Abhilasha Shivhare
FIR No.89/18
U/s. 420/406/506/34 IPC
PS : R.K. Puram

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Applicant/accused Abhilash Shivhare on interim bail with Ld.

Counsels Sh. Akash Nagar, Sh. Manohar Kumar and Sh.

Manish Kumar.

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing.)

IO/SI Gulshan Yadav is present in person.

Reply of the IO has been filed.

Heard. Perused.

Ld. Counsel for applicant has stated at bar that pursuant to interim bail of 45 days vide order dated 20.05.2020, the applicant has settled the matter with six of the victims but due to lock-down, the

settlement with the remaining 20 victims could not be done and undertakes that the remaining settlement with the 20 other victims shall be done in terms of previous interim bail order dated 20.05.2020, within 45 days from today. He has further submitted that in case the applicant is not able to settle the matter with the remaining 20 victims within that timeline, she shall not press for extension of her interim bail and shall surrender before the concerned Jail Superintendent.

Keeping in view of the aforesaid facts and circumstances, the interim bail of the **applicant/accused Abhilasha Shivhare** is extended for a further period of 45 days on the same terms and conditions as mentioned in her previous interim bail order dated 20.05.2020. The IO shall appear in person on NDOH and file a detailed report qua factum of settlement with all the victims.

Application is accordingly disposed of.

E-copy of this order be sent to the concerned Jail Superintendent for information and compliance. Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

It is certified that video conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised regarding the connectivity i.e. audio or visual quality.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

**State Vs. (1) Pankaj Sarin
(2) Pavan Sarin
(3) Deepak Sarin
FIR No.91/18
PS : Chanakyapuri**

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

File taken up again as an application has been moved by IO/SI Aaditya Sharma, Section-III/EOW for modification of order dated 01.07.2020.

Present : Applicant/IO/SI Aaditya Sharma, Section-III/EOW is present in person.

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing.)

Heard. Perused.

The Naib Court/HC Deepak has stated that the e-notice for the last date of 01.07.2020 was issued to SI Munish who is the IO of case FIR No.91/18 of PS EOW whereas it was to be sent in case FIR No.91/18 of PS Chanakyapuri which is now being investigated by IO/SI Aaditya Sharma of

(Section-III/EOW). Thus, it appears that e-notice for the date 01.07.2020 was not served upon the IO/SI Aaditya Sharma. Hence, the previous order dated 01.07.2020 accordingly stands modified and e-copy of this order need not be served upon the Commissioner of Police. No action is warranted against the IO/SI Aaditya Sharma of (Section-III/EOW) of this case.

Application is accordingly disposed of. Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

Bail Application No.1088/20
State Vs. Shanti Swaroop Satija
FIR No.85/19
U/s. 420/409/120B IPC
PS : Connaught Place

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. Ujjwal Puri, Ld. Counsel for applicant/accused Shanti Swaroop Satija (through Video Conferencing).

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing.)

SI Varun Chechi from PS EOW is present in person and has filed further reply pursuant to previous order.

Heard. Perused.

The IO has submitted that the present case FIR was registered on the sole complaint of the complainant/victim and that the complainant of this case was merely a witness in case FIR Nos.55/18 of PS Connaught Place (multi victims case) and 86/18 of PS EOW (multi victims case) and that the order of discharge of the applicant in case FIR No.55/18 of PS

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Connaught Place, while dealing with the complaint of the complainant only of case FIR No.55/18 (and not complaints of other victims), was set aside by Ld. Sessions Court. He has accordingly submitted that there is no double jeopardy. The IO has further submitted that Hon'ble Delhi High Court is *suo-moto* seized up with a matter involving 10 FIRs registered against the applicant including the present case FIR.

The question of double jeopardy will arise only when investigating agency files the charge sheet in the present matter, cognizance is taken therein and the proceedings in the aforesaid two cases FIRs attain finality.

Considering the facts and circumstances, the nature of the offences and the allegations made, I am of the considered opinion that thorough investigation by the police is needed to unearth the truth. Granting anticipatory bail to the applicant, in my view would amount to thwarting the investigation. In such circumstances, the anticipatory bail of the applicant is dismissed. The interim bail granted to the applicant, is vacated.

Application is accordingly disposed of. Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

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It is certified that video conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised regarding the connectivity i.e. audio or visual quality.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

Bail Application No.1089/20
State Vs. Shanti Swaroop Satija
FIR No.86/19
U/s. 420/409/120B IPC
PS : Connaught Place

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. Ujjwal Puri, Ld. Counsel for applicant/accused Shanti Swaroop Satija (through Video Conferencing).

Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing.)

SI Varun Chechi from PS EOW is present in person and has filed further reply pursuant to previous order.

Heard. Perused.

The IO has submitted that the present case FIR was registered on the sole complaint of the complainant/victim and that the complainant of this case was merely a witness in case FIR No.151/17 (multi victims case) of PS Connaught Place where charge has been framed against the applicant.

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He has accordingly submitted that there is no double jeopardy. The IO has further submitted that Hon'ble Delhi High Court is *suo-moto* seized up with a matter involving 10 FIRs registered against the applicant including the present case FIR.

The question of double jeopardy will arise only when investigating agency files the charge sheet in the present matter, cognizance is taken therein and the proceedings in the said case FIR attain finality.

Considering the facts and circumstances, the nature of the offences and the allegations made, I am of the considered opinion that thorough investigation by the police is needed to unearth the truth. Granting anticipatory bail to the applicant, in my view, would amount to thwarting the investigation. In such circumstances, the anticipatory bail of the applicant is dismissed. The interim bail granted to the applicant, is vacated.

Application is accordingly disposed of. Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

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(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

M No.13/2020
State Vs. Sanjay Chandra & Anr.
FIR No.101/15
PS : EOW

03.07.2020

Vide order No. 6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, the undersigned has been deputed for duty today to hear and dispose of fresh bail applications and pending bail applications pertaining to New Delhi District Sessions Division as well as to hear and dispose of pending and fresh criminal appeals and revisions pertaining to New Delhi District Division and also to take up urgent cases (except where evidence is to be recorded) of their respective court through Video Conferencing mode and shall adjourn other matters accordingly.

Present : Sh. Vishal Gosain, Ld. Counsel for applicants/accused Sanjay Chandra & Ajay Chandra (through Video Conferencing).
Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing.)

Pursuant to previous order, reply of Superintendent-I, Central Jail, Tihar, HQ has been received.

Ld. Counsel for applicants has submitted that first part of the order dated 16.04.2020 of Sh. Praveen Singh, Ld. Roster Judge, PHC, New Delhi has been complied and the custody certificate has been issued to the applicants but the second part of the order has not been complied in its entirety and the applicants have not been intimated qua any pending production warrants against them of the criminal cases outside Delhi, names

of such Courts, FIR/complaints case numbers and the dates for which the said production warrants have been issued.

In the aforesaid circumstances and in view of the fact that despite repeated directions, the second part of the aforesaid order dated 16.04.2020 has not been complied with as submitted by Ld. Counsel for applicants, the DG (Prisons) is directed to ensure the compliance of the same. The applicants shall coordinate with him in this regard.

E-copy of this order as well as order dated 16.04.2020 of Sh. Praveen Singh, Ld. Roster Judge be served upon the DG (Prisons) for information and compliance.

Re-notify on **08.07.2020**. Dasti to all concerned.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

It is certified that video conferencing was held in an uninterrupted manner and during the proceedings, no objections were raised regarding the connectivity i.e. audio or visual quality.

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/03.07.2020/D

FIR No. 47/2015
PS Special Cell
State Vs. Ashok

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.

Sh. Kunal Manav, Ld. Counsel for applicant/accused Ashok through VC however he is found audible but his picture is not coming.

Ld. Counsel for the accused submit that accused was granted interim bail previously on the ground of surgery of his wife. Later on he himself got the apprehension of COVID infection therefore quarantined for 14 days and now on 01.07.2020, he had shown himself in emergency of Sanjay Gandhi Hospital and there is all likelihood that he is suffering from COVID infection therefore his interim bail be extended.

Ld. Addl. PP submits that there is a recovery of commercial quantity of heroin from the present accused thus there is definite bar u/s 37 NDPS Act over grant of bail to the accused. Ld. Addl. PP submits that this accused has previously obtained interim bail on the ground of surgery of his wife and this court vide order dated 10.06.2020 directed him to file the document of the surgery of wife however till date the accused has not filed those documents and sought extension on the ground that he is suffering from fever and has apprehension of corona infection and in this regard also quarantined for 14 days. Ld. Addl. PP submits that period of quarantine is already over by 20.06.2020 however accused is seeking extension on one or other ground and not complied the order of this court by filing surgery documents of his wife. Ld. Addl. PP submits that no ground made out for further extension.

Heard. The accused previously sought interim bail on the ground of surgery of his wife however not submitted the medical documents regarding surgery of his wife and thereafter sought extension on his own illness. He was quarantined and quarantine period is already over by 20.06.2020. Now raising fresh plea today that he had gone to emergency on 01.07.2020 but not able to place any document though counsel stated that he has filed through e-mail but on

checking the e-mail no such document found. Accused appears to be misusing the interim bail and not complied the orders by filing surgery documents of his wife. Accordingly, no ground made out for extension of interim bail hence the present application is dismissed. Accused Ashok is directed to surrender forthwith before jail superintendent.

Application disposed of accordingly.

Copy of this order be given dasti as well as sent to accused in jail. Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

NCB Vs. Eze Bonaventure Nduka
NCB No. VIII/20/DZU/2020

03.07.2020

Present: Sh. Rajesh Manchanda, SPP for NCB through VC.
Sh. Adarsh Priyadarshi, Ld. Counsel for applicant/accused through VC.

Ld. Counsel for the accused submit that this is an application for interim bail on the ground that the accused is chronic patient of hepatitis C and suffering from interim hemorrhoids and requires extraction of molar teeth. Ld. Counsel submits that accused is also suffering from lever infection and his condition is not at all improving which is clear from the medical report dated 29.06.2020 received from medical officer incharge, Tihar Jail. Ld. Counsel submits that accused is not getting any proper treatment in jail due to ongoing COVID-19 pandemic. Furthermore, at the risk of infection because suffering from co-morbidity of hepatitis C thus be released on interim bail for 30 days for getting proper treatment outside jail.

Ld. SPP submitted that in this case on secret information, on raiding the house of accused, commercial quantity of 70 gm of metamphetamine and 350 gm of heroin was recovered. The accused alongwith co-accused Butter Namanni were found present who indulged in trade of illicit trafficking of drug. Two passports carrying the photograph of accused were also recovered. Ld. SPP submits that there is a recovery of commercial quantity of contraband in the present case thus bar u/s 37 NDPS Act over grant of bail to the accused. Ld. SPP submits that accused is a Nigerian national and there is all likelihood that he will jump the interim bail if granted. Furthermore, the guidelines of High Power Committee of Hon'ble High Court are also not applicable in present case. Ld. SPP submits that jail authorities be directed to provide proper treatment instead of releasing accused on interim bail because in present petition, the better treatment could be provided in jail than outside jail.

Heard. The accused is found to be Nigerian national having multiple passports. Furthermore, there is a recovery of commercial quantity of contraband in

the present case hence, there is a definite bar u/s 37 NDPS Act over the grant of bail to the accused. Though the medical condition of accused is not showing the persistent improvement due to ongoing COVID-19 condition however there is nothing in the report that his condition is serious and requires any immediate surgery from any higher hospital. In these circumstances, I am not inclined to release the applicant/accused Eze Bonaventure Nduka on interim bail. Hence the present application is dismissed however, the jail superintendent is directed to provide proper treatment to the accused through some proper government hospital.

Application disposed of accordingly.

Copy of this order be given dasti as well as sent to accused in jail.
Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

FIR No. 33/16
PS Crime Branch
u/s 20/25/29 NDPS Act
State Vs. Ishwar

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.

Ms. Neha Kapoor, Ld. Counsel for accused Ishwar.

Ld. Counsel for the accused submitted that this is an application for interim bail of accused Ishwar Singh on the ground that he is suffering from persistent migrain and also developed dyspnea (breathlessness). Ld. Counsel submits that as per the jail report dated 30.06.2020, his migrain is not subsiding and needs to be worked up at higher referral center so that the treatment could be modified but presently this is on hold due to ongoing pandemic situation. Ld. Counsel submits that accused is in JC since 4 years and has been released on interim bail in 2018 however not misused the same. Ld. Counsel submits that condition of accused is deteriorating in jail as not getting any proper treatment therefore he be released on interim bail for getting proper treatment through private hospital.

Ld. Addl. PP submits that there is recovery of commercial quantity of contraband thus there is definite bar u/s 37 NDPS Act. Furthermore the guidelines of High Powered Committee are also not applicable in this case. Even otherwise, the medical condition of the accused is not serious.

Heard. Considering the medical report dated 30.06.2020 received from Senior Medical Officer, Central Jail, Mandoli, the accused is found to be suffering from persistent migrain and dyspnea and requires treatment at higher center. However due to pandemic situation, it cannot be provided. In these facts and circumstances, on humanitarian grounds, accused Ishwar Singh be released on interim bail for 21 days to be reckoned

from the date of his release on his furnishing personal bond in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of this court.

Application stands disposed of accordingly. Copy of this order be given dasti as well as sent to accused in jail. Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

Bail application no. 774/2020
FIR No. 90/16
PS Crime Branch
u/s 20/25/29 NDPS Act
State Vs. Anil Sharma

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.
Sh. S.N. Gupta, Ld. Counsel for applicant/accused Anil Sharma through VC.

Ld. Counsel for the accused submit that this is an application for interim bail on the ground that wife of the accused is not well and the presence of accused is required for conducting of surgery and also admissions of minor daughter in school. Ld. Counsel submits that previously also, accused was granted interim bail and accused has never misused interim bail. Furthermore, there is nothing recovered at the instance of accused. The accused is charged for offence of conspiracy and the case is at the stage of PE and the trial is not proceeding because of suspension of work due to corona pandemic. Ld. Counsel submits that in these circumstances, accused be granted interim bail for two months.

Ld. Addl. PP submitted that there is a recovery of commercial quantity of ganja in the present case thus bar u/s 37 NDPS Act over grant of bail to the accused. Furthermore, the regular bail application of the accused already dismissed by Hon'ble High court. Ld. Addl. PP submits that IO verified the medical documents dated 28.11.2019 of wife of the accused from Bhagwani Nursing Home, Ballabgarh and as per the prescription of the doctor, the accused is suffering from lung disease and requires surgery at higher center. Ld. Addl. PP submits that these documents are of November, 2019 and now it is July, 2020 therefore merely on the basis of these documents, no interim bail could be granted.

Heard. There is a recovery of commercial quantity of ganja in the present case hence, there is a definite bar u/s 37 NDPS Act over the grant of bail to the accused. The medical documents regarding the disease of wife of accused is of November, 2019. It does not appear that her condition deteriorated. No exceptional circumstances made out for release of accused on bail. The guidelines of High

Power Committee of Hon'ble High Court dated 18.05.2020 are also not applicable in the present case. Accordingly, present application of interim bail of accused Anil Sharma stands dismissed.

Copy of this order be given dasti as well as sent to accused in jail. Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

Bail application no. 529/2020, 780/2020 and 974/2020

FIR No. 10/20

PS Chanakyapuri

u/s 420 IPC

**State Vs. 1) Avneet Goyal
 2) Mala Sharma
 3) Gaurav Goyal**

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.
 IO SI Ashwani Kumar in person.

Sh. Siddhartha Nath, Ld. Counsel for complainant through VC.

Sh. Sri Singh and Sh. Faraz Maqbool, Ld. Counsels for the
applicant Avneet Goyal through VC.

Sh. Vaibhav Sethi, Ld. Counsel for applicant Gaurav Goyal (not
connected through VC)

Sh. Aditya Pujari, Ld. Counsel for applicant Mala Sharma
through VC.

Despite connected through the phone, the counsel for accused
Gaurav Goyal could not be connected through Video Conferencing due to
some technical issues.

Accordingly, re-notify this application on 09.07.2020. Till then,
interim order to continue.

Copy of the order be given dasti. Order be also uploaded on
Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

NCB Vs. Barun Surendra Chavhan
Case No. VIII/9 & 9A/DZU/2019

03.07.2020

Present: Sh. Mukesh Malik, SPP for NCB through VC.

Sh. Abhay Pandey, Ld. Counsel for applicant/accused
through VC.

Ld. Counsel submits that interim bail of the accused got dismissed as withdrawn on 09.06.2020 however Ld. SPP submits that the medical report received from jail found the condition of the accused stable.

Ld. Counsel for the accused submits that presently the condition of the accused is critical. Therefore accused be released on interim bail.

In this scenario, let fresh medical report regarding the medical condition of the accused be called from jail superintendent.

List this application on 10.07.2020.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

NCB Vs. Okonkwoh Monday Tony
Case No. SC/251/2017

03.07.2020

Present: Sh. Mukesh Malik, SPP for NCB through VC.

Sh. M.F. Philip, Ld. Counsel for applicant/accused Okonkwoh
Monday Tony through VC.

Ld. Counsel submits that accused is suffering from multiple
diseases. Therefore, he be released on interim bail.

Let a report regarding the medical condition of the accused be
called from jail superintendent.

List this application on 16.07.2020.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

FIR No. 310/2014
PS Mandir Marg
u/s 302/34 IPC
State Vs. Ram Sewak & Anr.

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.

Ms. Anjali Rajput, Ld. Counsel for the accused through VC

Ld. Counsel for the accused submitted that this is an application for grant of interim bail on the ground that accused is in custody for more than two years and thus entitled for interim bail for 45 days in terms of minute of Empowered Committee of Hon'ble High court dated 18.05.2020.

Ld. Addl. PP submits that as per jail report, accused is in JC since 13.12.2014 having satisfactory and good conduct. Ld. Addl. PP submits that as per report of IO, he does not have any criminal antecedents and present case squarely falls under the guidelines of High Power Committee of Hon'ble High Court dated 18.05.2020.

Heard. Considering the fact that accused is in custody for more than 2 years and his case is covered under the guidelines of High Power Committee of Hon'ble High Court dated 18.05.2020, accused Ram Sewak be released on interim bail for 45 days from the date of his release on his furnishing personal bond in the sum of Rs. 20,000/- to the satisfaction of jail superintendent with direction to surrender before jail superintendent after expiry of period of interim bail.

Copy of the order be given dasti. Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

Application no. 1357/19
FIR No. 1653/15
PS Vasant Vihar
u/s 420 IPC
State Vs. P.V. Vora & Anr.

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.

None for the complainant.

This is an application for cancellation of bail filed on behalf of complainant however complainant not present.

Accordingly, list this application for 04.08.2020.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

Bail application NO. 1323/2020 and 1329/2020

FIR No. 141/2020

PS IGI Airport

u/s 420/468/471 IPC and 12 Passport Act

State Vs. 1) Lovepreet Singh and 142/2020

2) Pawandeep Singh

Bail application NO. 1324/2020 and 1327/2020

FIR No. 142/2020

PS IGI Airport

u/s 420/468/471 IPC and 12 Passport Act

State Vs. 1) Ashok Pal

2) Vicky Bhalla

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State.

Sh. Satvinder Singh and Sh. Arun Satija, Ld. Counsels for the applicants/accused through VC.

Ld. Counsel for the accused submitted that present accused persons are passengers and victims of circumstances who are in custody in present case since 06.06.2020 and prior to that remained in custody at Belarus for 8 months. Ld. Counsel submits that applicants themselves are cheated and furthermore not required for any investigation therefore they be released on bail. It is further submitted that one of the co-accused in case FIR No. 141/2020 PS IGI Airport with similar allegations has already been released on bail by this court vide order dated 02.07.2020.

Ld. Addl. PP submits that accused persons travelled to foreign country on forged Schengen visa and apprehended in Belarus from where they were deported to India. Ld. Addl. PP submits that offence is very serious in nature and accused persons are not entitled to be released on bail.

Heard. Considering the fact that accused persons are passengers and already in custody since 06.06.2020 and no more required for investigation. Even otherwise, there is apprehension of corona infection in jail, all the accused persons namely **Lovepreet Singh, Ashok Pal, Vicky Bhalla and Pawandeep Singh** be released on regular bail on their furnishing personal bond in the sum of Rs.

50,000/- each with one surety in the like amount to the satisfaction of concerned MM/Link MM/Duty MM.

Applications disposed of accordingly.

Copy of the order be given dasti. Order be also uploaded on Delhi District Court website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

Bail application no. 3936/19
FIR No. 491/2019
PS Sagarpur
u/s 377/354/509/498A/406/34 IPC
State Vs. Vikas Kumar

03.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State through VC.
Sh. R.D. Singh, Ld. Counsel for the applicant/accused through VC.

IO filed reply. As per the reply of IO, admitted articles already handed over however, some stridhan articles are still to be recovered.

Complainant not present. Let complainant be called.

List this application for 10.08.2020. Till then, interim order to continue.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/03.07.2020

**IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA
HOUSE COURT: DELHI**

State Vs. Mohd. Irfan

FIR No. 121/18

PS: Special Cell

U/s. 18/29/61/85 NDPS Act

03.07.2020

Case taken up through Video Conferencing from the residence.

This is an application filed under Section 439 Cr. PC on behalf of the applicant Mohd. Irfan for grant of interim bail on the ground of surgery of his wife.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Kamal J.S. Maan, Advocate for the applicant/accused.

AS per the status report submitted by the IO, the doctor concerned whose documents have been filed along with the application, did not respond and take call of the IO despite repeated attempts and hence, the documents could not be verified.

In view of the aforesaid, the matter is adjourned for today.

IO is directed to file the detailed status report/reply on or before the next date of hearing.

Be put up for consideration on 06.07.2020.

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020

**IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA
HOUSE COURT: DELHI**

State Vs. Abhivak Bhura

FIR No. 137/18

PS: Delhi Cantt.

U/s. 365/328/379/411/34 IPC

03.07.2020

Case taken up through Video Conferencing from the residence.

This is an application filed under Section 439 Cr. PC on behalf of the applicant Abhivak Bhura for grant of regular bail.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Yogesh Kumar, Advocate for the applicant/accused (through V/C).

It transpires that the judicial file is required for the adjudication of the present application.

Hence, re-notify the matter on 06.07.2020 for consideration.

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020

**IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA
HOUSE COURT: DELHI**

State Vs. Bansii Kumar

FIR No.299/18

PS: Delhi Cantt.

03.07.2020

This is an application filed under Section 439 Cr. PC on behalf of the applicant Bansii Kumar for grant of bail.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Raj Tilak, LAC for the applicant/accused (through V/C).

IO is directed to file the detailed status report/reply qua the antecedents/previous involvement of the applicant/accused, if any, on the next date of hearing and there were also some technical issues at the end of the learned counsel.

Hence, re-notify the matter on 06.07.2020 for consideration.

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020

**IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA
HOUSE COURT: DELHI**

State Vs. Daya Nand

FIR No.396/15

PS: Delhi Cantt.

U/s. 302/120-B IPC & u/s. 25 Arms Act

03.07.2020

Case taken up through Video Conferencing from the residence.

This is an application filed under Section 439 Cr. PC on behalf of the applicant Dayanand for grant of bail.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Neel Gulia, Advocate for the applicant/accused (through V/C).

Arguments heard. Be put up for orders on 06.07.2020

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020

**IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA
HOUSE COURT: DELHI**

State Vs. Ajab Singh

FIR No. 541/18

PS: Vasant Kunj North

U/s. 307/39/298/34 IPC

& U/s. 25/54/59 Arms Act

03.07.2020

Case taken up through Video Conferencing from the residence.

This is an application filed under Section 439 Cr. PC on behalf of the applicant Ajab Singh for grant of bail.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Prateek Kohli, Advocate for the applicant/accused (through V/C).

During arguments, it transpired that the judicial file is required for the adjudication of the present application.

Hence, re-notify the matter on 08.07.2020 for consideration.

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020

IN THE COURT OF SH. ANIL ANITL: ASJ-04: NEW DELHI DISTRICT: PATIALA HOUSE COURT: DELHI

State Vs. Esmail @ Maksud

FIR No. 91/19

PS: Connaught Place

U/s. 392/394/34 IPC & u/s. 25/27/54/59 Arms Act

03.07.2020

Case taken up through Video Conferencing from the residence.

This is an application filed under Section 439 Cr. PC on behalf of the applicant Esmail @ Maksud for grant of interim bail.

Present: Sh. Mukul Kumar, Additional PP for the State (through V/C).

Sh. Vikram Singh, LAC for the applicant/accused (through V/C).

Arguments heard on the application from the learned LAC as also from the learned Additional PP for the State.

It has been argued by the learned LAC that applicant is innocent; he has nothing to do with the present case; that he has been falsely implicated; that applicant has old aged parents and he is the only bread-earner of his family and there is nobody else in the family to look after the his old parents; that applicant is in J/C since 25.10.2019; the case of the applicant squarely covers under the guidelines issued by the HPC Committee of the Hon'ble High Court; investigation is complete; charge sheet has already been filed and therefore the custodial interrogation of the applicant/accused is not required and the trial may taken considerable time to conclude. It is therefore prayed that in view of the guidelines issued by the Hon'ble High Court, the applicant/accused be granted bail.

On the other hand, the bail application has been strongly opposed by the learned Additional PP arguing that applicant/accused is a habitual offender and has been involved into more than 11 other cases of similar nature and that the case of the applicant is not covered under the guidelines issued by the HPC Committee of the Hon'ble High Court and that there is every possibility that if applicant is enlarged on bail, he may abscond/flee from justice and indulge himself into similar types of offences. Request made that interim bail may not be granted to the applicant/accused.

Heard. Record perused.

Taking note of the submissions made by the learned counsel for the applicant/accused, particularly by the learned Additional PP as well as considering the previous involvement of the applicant/accused in more than 11 other cases of similar nature, I am not inclined to grant interim bail to the applicant/accused. The applicant accordingly stands disposed of as dismissed.

Copy of the order be given to both the sides as prayed.

In addition, dasti copy be also given.

(ANIL ANTIL)

ASJ-04:NDD/PHC/New Delhi

03.07.2020