

State v. Sunil Tillu & Ors.

FIR No. 77/2018  
U/s. 3/4 MCOCA Act  
PS Spl. Cell, Delhi

05.09.2020

The proceedings in this case are being done through video conferencing and undersigned has conducted the proceedings through VC from my residence.

Present : Sh. Dharam Chand, Ld. Addl. PP for State through VC.  
Insp. Neeraj Kumar on behalf of IO through VC.  
Accused Umesh @ Kala, Sonu Himmat @ Chiku and Jitender @ Vikas produced in police custody through VC.  
Sh. Nikita Garg, Ld. Counsel for all accused through VC.

This is an application for sending (1) Umesh @ Kala son of Sh. Bijender Singh r/o H. No. 152, Village Tajpur Kalan, Delhi, (2) Sonu Himmat @ Chiku s/o Rekh Singh r/o Village Bakheta Distt. Sonapat, HR and (3) Jitender @ Vikash @ Allo s/o Charan Singh r/o H. No. 1187, Valmiki Mohalla, VPO Alipur, Delhi to judicial custody from police custody.

It is submitted in the application that the present case has been registered against Tillu gang which is being run by accused Sunil @ Tillu. Accused Sunil @ Tillu formed an organized crime syndicate with the objective of gaining pecuniary benefit. Accused Sandeep alongwith above named accused and others are active members of the organized crime syndicate. It is further submitted that during investigation, above named accused were arrested on 24.08.2020 and PC remand was taken. It is further submitted that the case is pending investigation and to prevent accused from tampering the evidence and threatening any person acquainted with the facts of the case, these accused may be remanded to JC.

PRAVEEN  
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I have considered the rival submissions.

Considering the submissions made in the application, accused (1) Umesh @ Kala son of Sh. Bijender Singh r/o H. No. 152, Village Tajpur Kalan, Delhi, (2) Sonu Himmat @ Chiku s/o Rekh Singh r/o Village Bakheta Distt. Sonapat, HR and (3) Jitender @ Vikash @ Allo s/o Charan Singh r/o H. No. 1187, Valmiki Mohalla, VPO Alipur, Delhi are remanded to JC till 01.10.2020. They be produced through VC on 01.10.2020. The application at hand stands disposed of. Copy of order be sent to the concerned jail superintendent through E-mail. Order be uploaded on the website of Delhi District Court.

PRAVEEN SINGH Digitally signed by PRAVEEN SINGH  
Date: 2020.09.05 15:06:58 +05'30'

(Parveen Singh)

ASJ-03/NDD/PHC/New Delhi

05.09.2020

(Through VC)

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/ 05.09.2020**

Bail Application No.1825/2020

FIR No.323/2017

PS. R. K. Puram South

U/s 420/34 IPC

Anshul Grover Vs. State.

05.09.2020

Wife order nos.5837-5827/D&S/JNDO/2020 dt. 30.05.2020 & 5931-6021/D&S/JNDO/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/JNDO/2020 dated 01.04.2020, 4407-4426/D&S/JNDO/2020 dated 10.04.2020, 4515-4608/D&S/JNDO/2020 dated 15.04.2020, 5111-5200/D&S/JNDO/2020 dated 03.05.2020, 6364-6434/D&S/JNDO/2020 dated 16.05.2020, 6326-6415/D&S/JNDO/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1976/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Sh. Vikas Arora, Ld. Counsel for the applicant/accused through video conferencing.

Ld Counsel Rohit R Ranjan for the complainant.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either<sup>2</sup> of the counsel in this regard.

Present is an application U/s 438 Cr.P.C moved on behalf of applicant/accused for grant of anticipatory bail. It is submitted that applicant/accused has been falsely implicated in the present case. It is further submitted that applicant/accused is aged about 30 years and is working in a private job and he has absolutely clear antecedents and has never involved in any other criminal case. It is submitted that applicant/accused is sole bread earner of his family and wife of the applicant/accused is pregnant and is expected to deliver the child in December 2020 and there is no one else to look after his wife. It is further submitted that applicant/accused is ready and willing to join the

investigation as and when directed by the police and to cooperate in the investigation. It is further submitted that case of the applicant is also covered under the directions passed by the Hon'ble Supreme Court in the judgment of Amesh Kumar Vs. State of Bihar. It is further submitted that allegations pertain to year 2016, the FIR was registered in the year 2017 and the entire case is based upon documentary evidence, which are already in custody of police. It is further submitted that applicant/accused is not required for any custodial investigation or for recovery of any article. It is further submitted that no purpose would be served by sending the applicant to custody.

On the contrary, Ld. Addl. PP for the State has vehemently opposed the bail application arguing that allegations are very serious in nature. He has submitted that alleged amount is yet to be recovered. He has further submitted that applicant/accused is not permanent native of Delhi and there is every possibility of the accused to evade the process of law. He has further submitted that use of embezzled amount is yet to be known and hence, he does not deserve to be released on bail.

Heard.

Ld. Defence Counsel has pointed out that the alleged offence took place in the year 2014 and matter was reported to PS: Lodhi Colony pursuant to which on 26.07.2016, an agreement/settlement took place between complainant and applicant/accused whereby a sum of Rs.65 lacs was paid by the applicant/accused to the complainant herein towards full and final settlement of the entire dispute. A deed of settlement dt. 26.07.2016 was executed between parties. The fact of the said settlement and execution of the settlement deed is admitted by the counsel for the complainant. Perusal of the agreement/settlement dt. 26.07.2016, which is not disputed by Ld. Counsel for the complainant, reveals that the matter was amicably settled between the parties out of their own free will and without any force, threat or coercion. Para no.9 of the said settlement specifically read as under:-



*"That the First party, Second Party and Third Party agrees before signing the present agreement/settlement that either of the parties will not raise any legal action against each other and no financial liability remains pending towards Second Party after signing the present agreement".*

The counsel for the complainant has attempted to evade the said settlement by submitting that it was only pursuant to the audit of the complainant company it was revealed that amount siphoned off was more than Rs One Crore whereas settled amount was merely Rs 65 Lakhs.

Be that as it may, The only ground forcefully cited by the Ld. Addl. PP for seeking custodial interrogation is that cheated amount is to be recovered from the applicant/accused. Apparently, the alleged offence primarily seems to have payment disputes overtones, which at one point of time, stood resolved between the parties in the year 2016. The alleged offence took place in the year 2014 and six years thereafter police is reagitating the same issue. Perusal of the record reveals that in the year 2016 itself matter was reported to SHO, PS:Lodhi Road. Regretfully, neither the complainant nor the police and for obvious reason even the accused did not pay any heed to established legal position. In case any cognizable offence was revealed from the complaint of complainant, SHO PS:Lodhi Colony was duty bound to register an FIR and he had no business to forge a settlement between the parties and no cognizable offence was made out in the year 2016. Having paid no deference to the law of the land, the complainant cannot cry foul now. The criminal Courts must be cautious of any nefarious attempts to misuse criminal law to settle civil disputes. The criminal Courts cannot be demeaned by belittling their role as mere recovery agents for stronger parties. It has been observed by Hon'ble Apex Court in the matter of **M/S Indian Oil Corporation vs M/S Npc India Ltd., & Ors Appeal (crl.) 834 of 2002 D.O.D. 20 July, 2006** that

*"10. While on this issue, it is necessary to take notice of a growing tendency in business circles to convert purely civil disputes into criminal cases. This*

*is obviously on account of a prevalent impression that civil law remedies are time consuming and do not adequately protect the interests of lenders/creditors. Such a tendency is seen in several family disputes also, leading to irretrievable break down of marriages/families. There is also an impression that if a person could somehow be entangled in a criminal prosecution, there is a likelihood of imminent settlement. Any effort to settle civil disputes and claims, which do not involve any criminal offence, by applying pressure through criminal prosecution should be deprecated and discouraged.\**

As per the report of the IO, the alleged offence is based on documentary evidence which is well within the reach of the IO. As far as the recovery of cheated amount is concerned, IO has reported that the applicant/accused has already invested it in Chit Fund Business and Real Estate Business run by Mr Gulshan Arora and Mr Ashok Kasana. Considering the time gap and report of the IO, the plea of recovery of case property sounds to be merely ritualistic.

Considering the totality of facts and circumstances of the case, in the event of arrest applicant/accused be admitted to bail on furnishing a personal bond in the sum of Rs.2,00,000/- with one surety of the like amount to the satisfaction of SHO/IO subject to the condition that he shall cooperate in the pending investigation. However, nothing observed herein shall have a bearing upon the merits of the case.

Copy of the order be given dasti to parties. The same be also uploaded upon the Courts Website.

  
(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

Bail Application No.1830/2020

FIR No.371/2018

PS, IGI Airport, New Delhi

U/s 420/468/471 IPC

Kanwarpal Singh Vs. State

05.09.2020

Vide order nos.5837-5877/D&S/JNDD/2020 dt. 30.05.2020 & 5831-6021/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, 4515-4606/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, 6326-6415/D&S/JNDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1976/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Sh. Neeraj Sharma, Ld. Counsel for the applicant/accused through video conferencing.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Present is third application U/s 438 Cr.P.C moved on behalf of applicant/accused for grant of anticipatory bail. It is submitted that applicant/accused has been falsely implicated in the present case. It is further submitted that applicant/accused is sole bread earner of his family. It is further submitted that applicant/accused belongs to a respectable family and is having clear antecedents and has never been involved in any criminal activity or case, neither any criminal case is pending against the applicant. It is further submitted that applicant/accused is ready and willing to join the investigation as and when directed by the police and to cooperate in the investigation.

clude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders..."

Same legal position has been re-emphasised in **The State of Andhra Pradesh Vs. Bimal Krishna Kundu & Anr.,(1997) 8 SCC 104**, wherein it has been observed as under:

"...We are strongly of the opinion that this is not a case for exercising the discretion under Section 438 in favour of granting anticipatory bail to the respondent. It is disquieting that implications of arming respondent, when they are pitted against this sort of allegations involving well orchestrated conspiracy, with a pre-arrest bail order, though subject to some conditions, have not been taken into account by the learned single judge. We have absolutely no doubt that if respondents are equipped with such an order before they are interrogated by the police it would greatly harm the investigation and would impede the prospects of unearthing all the ramifications involved in the conspiracy. Public interest also would suffer as a consequence. Having apprised himself of the nature and seriousness of the criminal conspiracy and the adverse impact of it on "the career of millions of students", learned single judge should not have persuaded himself to exercise the discretion which Parliament had very thoughtfully conferred on the sessions judges and the High Courts through Section 438 of the Code, by favouring the respondents with such a pre-arrest bail order..."



On the contrary, Ld. Addl. PP for the State has vehemently opposed the bail application arguing that allegations are very serious in nature. He further submitted that applicant/accused is the main agent in the present case and he has taken amount in his bank account for arranging visa but he arranged fake visa. He further submitted that at the time of incident, applicant/accused was out of India and sent fake UAE visa on the whatsapp. It is further submitted that custodial interrogation of the alleged applicant/accused is of utmost importance to unearth the source of fake visa, hence, he does not deserve to be released on bail.

Heard.

Case of the prosecution is that one Hashibul was deported to India as he attempted to gain entry in U.A.E. using a forged visa. Upon interrogation Hashibul disclosed that Travel agent Dostogir and applicant accused procured the fake visa for him. It is pointed out by the Ld. Addl. PP that sum of Rs.10,000/- was deposited in the SBI bank account of the applicant/accused. He further pointed out that it is the applicant/accused who sent the forged visa from whatsapp using his mobile number. Considering the receipt of money and sending of the forged visa, I am of the opinion that the custodial interrogation of the applicant/accused is desirable to disinter entire conspiracy and unravel the modus operandi of the alleged offence. Reliance is placed upon a case titled **CBI Vs. Anil Sharma, (1997)7 SCC 187**, in a case for anticipatory bail wherein it was observed by Hon'ble Apex Court that :

"...We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would



Hence, considering the seriousness of allegations involved in the present case and the conduct of the applicant/accused, I find, the applicant/accused does not deserve the indulgence of the court. Hence, his bail application stands rejected.

Application is disposed off accordingly.

Copy of the order be given dast to the Ld. Counsel for the applicant/accused.



(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

Bail Application No.1834/2020  
State Vs. Mohd. Irfan Saifi & Others  
FIR No.0191/2020  
PS. Special Cell  
U/s 419/420/120B IPC

05.09.2020

Vide order nos 5937-5937/D&S/JNCO/2020 dt. 30.05.2020 & 5931-6021/D&S/JNCO/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patna 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.PJ-1547/DHC/2020 dated 29.05.2020 and in continuation of the previous office order nos 4243-4335/D&S/JNCO/2020 dated 01.04.2020, 4407-4426/D&S/JNCO/2020 dated 10.04.2020, 4516-4808/D&S/JNCO/2020 dated 15.04.2020, 5111-5200/D&S/JNCO/2020 dated 03.05.2020, 6054-6454/D&S/JNCO/2020 dated 16.05.2020, 6326-6415/D&S/JNCO/2020 dated 15.06.2020 to combat the pandemic of COVID-19 and vide order no. 1944-1976/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Sh. Akhil Mittal, Ld. Counsel for the applicant/accused through video conferencing.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Present is an application U/s 439 Cr.P.C moved on behalf of applicant/accused Vishal Tiwari for grant of bail.

Part arguments heard.

At this stage, it is submitted by Ld. Counsel for the applicant/accused that there is a possibility of settlement and showed his willingness to settle all the disputes amicably.

In view of the submissions made by Ld. Counsel for the applicant/accused, let the matter be referred to Incharge, Mediation Cell, New Delhi District for mediation between the parties. Both the parties are directed to appear before the Incharge Mediation Cell, New Delhi District through video conferencing on 07.09.2020.

Consent to sell through or through other, including in the  
form  
can be made on 08.09.2020 in absence of suitable proceedings  
being which requirements shall be based on the date fixed

08/09/2020  
08.09.2020

Bail Application No.1828/2020  
State Vs. Mohd. Irfan Saifi & Others  
FIR No.0191/2020  
PS. Special Cell  
U/s 419/420/120B IPC

05.09.2020

Vide order nos.5937-5977/D&S/JND/2020 dt. 30.05.2020 & 5931-6021/D&S/JND/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patna 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.N-1347/D&C/2020 dated 29.05.2020 and in continuation of the previous office order nos.4243-4333/D&S/JND/2020 dated 01.04.2020, 4407-4438/D&S/JND/2020 dated 10.04.2020, 4518-4908/D&S/JND/2020 dated 15.04.2020, 5111-5200/D&S/JND/2020 dated 03.05.2020, 6354-8454/D&S/JND/2020 dated 16.05.2020, 8329-8415/D&S/JND/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1978/D&C/2020 dated 30.07.2020,323-355/RGD/HC/2020 dated 15.08.2020, 419-4519/D&C/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Sh. Akhil Mittal, Ld. Counsel for the applicant/accused through video conferencing.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Present is an application U/s 439 Cr.P.C moved on behalf of applicant/accused Irfan Saifi for grant of bail.

Part arguments heard.

At this stage, it is submitted by Ld. Counsel for the applicant/accused that there is a possibility of settlement and showed his willingness to settle all the disputes amicably.

In view of the submissions made by Ld. Counsel for the applicant/accused, let the matter be referred to Incharge, Mediation Cell, New Delhi District for mediation between the parties. Both the parties are directed to appear before the Incharge Mediation Cell, New Delhi District through video conferencing on 07.09.2020.

Complainant be called through IO through video conferencing on date fixed.

List the matter on 14.09.2020 for outcome of mediation proceedings failing which arguments shall be heard on the date fixed.

  
(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

FIR No.445/2020

PS.Naraina

U/s 440/34 IPC & 27 /54/59 of Arms Act

State Vs. Sandeep @ Manish

05.09.2020

Vide order nos.5837-5927/D&S/NDD/2020 dt 30.05.2020 & 5831-6021/D&S/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&S/NDD/2020 dated 01.04.2020, 4407-4426/D&S/NDD/2020 dated 10.04.2020, 4518-4608/D&S/NDD/2020 dated 15.04.2020, 5111-5200/D&S/NDD/2020 dated 03.05.2020, 6364-6454/D&S/NDD/2020 dated 16.05.2020, 6326-6415/D&S/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1976/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Sh. Surender Chaudhary, Ld. Counsel for the applicant/accused through video conferencing.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Present is an application U/s 439 Cr.P.C moved on behalf of applicant/accused for grant of bail. It is submitted that applicant/accused has been falsely implicated in the present case and is in J/C since 23.06.2020. It is submitted that applicant/accused is not named in the present FIR and nothing incriminating has been recovered from the applicant/accused and investigation qua the applicant/accused has been completed and no purpose would be served by keeping the

applicant/accused in J/C. It is further submitted that applicant/accused is ready and willing to join the investigation as and when directed by the police and to cooperate in the investigation.

On the contrary, Ld. Addl. PP for the State has vehemently opposed the bail application arguing that allegations are very serious in nature and applicant/accused is previously involved in 03 other heinous case and if accused is granted bail, he can jump the bail, hence, he does not deserve to be released on bail.

Heard,

Ld. Defence Counsel has forcefully argued that applicant/accused is absolutely innocent and has been falsely implicated in the present case. Upon inquiry regarding issue of identification, Ld. Addl. PP submits that complainant has informed the IO that he is not in a position to identify the applicant/accused as the perpetrators of the offence were wearing mask. It is submitted that the physical appearance of the applicant/accused resembles the physical appearance of the person firing gun short captured in the CCTV footage. Considering the totality of the circumstances, applicant/accused is admitted on bail on furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of Ld. CMM/Duty MM.

However, no observation made in this order shall affect the merits of the case.

Copy of the order be given dasti to parties.

  
(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

FIR No.154/2020

PS.Special Cell

State Vs. Mohinder Pal Singh, Gurtej Singh & Raj Kumar @ Lovepreet @ Lovely

05.09.2020

Vide order nos 5837-5927/D&S/NDD/2020 dt. 30.05.2020 & 5931-6021/D&S/NDD/2020 dated 01.06.2020 of Ld. District & Sessions Judge, Patela 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/NDD/2020 dated 01.04.2020, 4407-4426/D&S/NDD/2020 dated 10.04.2020, 4518-4608/D&S/NDD/2020 dated 15.04.2020, 5111-5200/D&S/NDD/2020 dated 03.05.2020, 6364-6454/D&S/NDD/2020 dated 16.05.2020, 6326-6415/D&S/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1978/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing. IO/ACP Jasbir Singh in person.

All three accused persons produced from JC through VC.

Sh. Paramjeet Singh, Ld. Counsel for the accused Mohinder Pal Singh through video conferencing.

Proceedings done through video conferencing. It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

An application has been moved by the IO seeking 09 days judicial custody remand of the accused persons namely Mohinder Pal Singh, Gurtej Singh & Raj Kumar @ Lovepreet @ Lovely.

Considering the nature of investigation required to be conducted, the abovementioned accused persons are remanded to JC till 11.09.2020.

Application disposed of accordingly.

Copy of the order be given dasti.

  
(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

ED Vs. Nitin Jayantilal Sanderara & Ors

U/s PMLA

05.09.2020

Vide order nos.0330-0440/J01/D&S/PHC/NDI dt. 27.08.2020, 5837-5917/D&S/NDI/2020 dt. 30.08.2020 & 5931-6021/D&S/NDI/2020 dated 01.09.2020 of Ld. District & Sessions Judge, Patiala District 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. 1347/DHC/2020 dated 29.05.2020 and in continuation of the previous order vide nos.4243-4333/D&S/NDI/2020 dated 01.04.2020, 4407-4426/D&S/NDI/2020 dated 10.04.2020, 4510-4606/D&S/NDI/2020 dated 15.04.2020, 5111-5200/D&S/NDI/2020 dated 03.05.2020, 6364-6474/D&S/NDI/2020 dated 16.05.2020, 6326-6415/D&S/NDI/2020 dated 15.06.2020, 1977-2009/DHC/2020 dated 30.07.2020, 323-355/RO/DHC/2020 dated 15.08.2020 & 419-451/RO/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19

Present: Sh. Zoneb Hussain and Sh. Ritesh Rana, Ld. Counsels for ED.

Sh. Vikram Chaudhari, Ld. Senior Advocate and Sh. Hemant Shah, Ld. Counsel for the accused.

Proceedings done through video conferencing. It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

Elaborate arguments of both the sides heard till 04:45 PM. At this juncture, Ld. Counsel for the petitioner at bar seeks some time to assist the Court regarding effect of article 20 upon the pending application and also to assist regarding interest of remaining directors, if any, in the properties mentioned in annexure -A of the application.

At request, list the matter for further arguments on **21.09.2020 at 12:00 Noon.** Date is given as per the convenience of both the parties and it made clear that no further adjournment shall be granted to the parties on the NDOH.

  
(Dharmender Rana)

ASJ-02/NDD/PHC/ND

05.09.2020

FIR No.174/2020

PS.Special Cell

State Vs. Mohd. Mustaqim Khan @ Yusuf Khan

Y/s 18/20 of UAP Act R/w 120B IPC & 4/5 Explosive Substance Act.

05.09.2020

Vide order nos.5837-5927/D&S/NDD/2020 dt. 30.05.2020 & 5931-6021/D&S/NDD/2020 dated 01.06.2020 of Lt. 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/NDD/2020 dated 01.04.2020, 4407-4426/D&S/NDD/2020 dated 10.04.2020, 4518-4608/D&S/NDD/2020 dated 15.04.2020, 5111-5200/D&S/NDD/2020 dated 03.05.2020, 6364-6454/D&S/NDD/2020 dated 16.05.2020, 6326-6415/D&S/NDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19 and vide order no. 1944-1976/DHC/2020 dated 30.07.2020, 323-355/RG/DHC/2020 dated 15.08.2020, 419-451/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi to combat the pandemic of Covid-19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State through video conferencing.

Accused Mohd. Mustaqim Khan @ Yusuf Khan produced from PC through VC.

Ld. Defence Counsel is absent.

IO/ACP Lalit Mohan Negi through VC.

Proceedings done through video conferencing.

It is certified that link was working properly and no grievance was agitated by either of the counsel in this regard.

An application has been moved by the IO seeking 30 days judicial custody remand of the accused persons namely Mohd. Mustaqim Khan @ Yusuf Khan.

Considering the nature of investigation required to be conducted, the abovementioned accused is remanded to JC till 05.10.2020. Since the

Access granted to be Corona Positive Jail Superintendent to take the necessary actions.

Application disposed of accordingly.

Copy of the order be given dasti.

  
(Dharmender Rana)  
ASJ-02/NDD/PHC/ND  
05.09.2020

**File No. VIII/6/DZU/2020**  
**NCB Vs Manoj Kumar**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Rajesh Manchanda, Ld. SPP for NCB through VC.  
Sh Bharat Gupta, Ld. counsel for applicant/accused Manoj  
Kumar through VC.

This is an application u/s 173 (8) CrPC for seeking directions for further investigation filed on behalf of accused Manoj Kumar however Ld. counsel for accused requested to withdraw the present application. Accordingly, present application is dismissed as withdrawn.

Application disposed of.

Copy of the order be given dasti.

Copy of the order be uploaded on the website of New Delhi

District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**FIR No. 40/15  
PS Spl Cell  
U/s 21, 22, 29, 61 NDPS Act  
State Vs Rampal & Ors.**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Ravindra Kumar, Ld. Additional PP for the State  
through video conferencing.  
Sh Shadman Ali, Ld. Counsel for applicant/accused Shakir Ali  
through VC.

This is an application for providing the medical documents of  
accused.

Ld. counsel submits that applicant is on interim bail and  
requires all the medical documents for proper treatment. Accordingly, vide  
order dated 01.09.2020, this court directed the jail superintendent to file  
the report.

Report along with copy of medical documents received from  
jail. The applicant/accused or his counsel has the liberty to receive these  
documents from record against acknowledgment.

Application disposed of accordingly.

Copy of the order be given dasti.

Copy of the order be uploaded on the website of New Delhi  
District.

**(Ajay Kumar Jain)  
Spl. Judge, NDPS/N. Delhi  
05.09.2020**

**File No. VIII/31/DZU/2017**  
**NCB Vs Rafik & Ors.**  
**SC No. 107/18**  
05.09.2020

**Matter heard through video conferencing.**

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.  
Sh Sumit Sharma, Ld. counsel for applicant/accused Jay  
Haresh Somaiya through VC.

This is an application filed on behalf of accused Jay Haresh Somaiya for release of articles of jamatalashi as mentioned in the application to the applicant/accused Jay Haresh Somaiya.

Ld counsel for accused submitted that at the time of arrest of accused Jay Haresh Somaiya, articles as mentioned in the personal search memo were recovered and requested that same be released to the applicant.

Ld. SPP for the NCB submitted that one Apple I-phone, notice u/s 67 NDPS Act and RC of Yamaha motorcycle were recovered from the personal search of accused and same cannot be released to accused as same are material piece of evidence. Besides this, other articles as mentioned in the application be released to the applicant/accused Jay Haresh Somaiya.

Heard. In view of the above said facts, the articles recovered from the personal search of accused excluding Apple I-phone, notice u/s 67 NDPS Act and RC of Yamaha motorcycle be released to the applicant/accused Jay Haresh Somaiya against proper acknowledgment and identification.

The application is disposed of accordingly.

Copy of the order be given dasti and also sent to IO for compliance.

Order be uploaded on Delhi District Courts website.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**File No. VIII/7/DZU/2019**  
**U/s 21/22/29 NDPS Act**  
**SC No. 427/19**  
**NCB Vs Kenneth Adams**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Rajesh Manchanda, Ld. SPP for NCB through video conferencing.

Sh Anoop Kumar Gupta, Ld. counsel for applicant/accused Kenneth Adams through VC.

Ld. counsel for accused submits that this is an application for seeking directions to jail superintendent to take the applicant/accused Kenneth Adams in custody to High Commission of Nigeria for applying of e-passport. Ld. counsel submits that applicant belongs to Republic of Nigeria and also having Ghana citizenship as his father is from Nigeria and mother is from Ghana. Ld. counsel submits that accused came to India on valid passport and visa which subsequently expired. Ld. counsel submits that as the passport of accused has been expired, the applicant wants to apply before High Commission of Nigeria for e-passport, accordingly, an appropriate direction be given to jail superintendent.

Ld. SPP for NCB submits that at the time of apprehension and preparation of panchnama, one photocopy of passport of Republic of Ghana in the name of Kenneth Adams and one Nigerian passport of accused in the name of John Eze Igwe were recovered and both the passports showing the photographs of accused. Ld. SPP submits that on verification, the passport issued from Ghana is found valid however no records were found with regard to passport in the name of John Eze Igwe of Nigeria. Ld. SPP submits that the prayer in the present application is to obtain the passport from the Nigerian High Commission however the recovered copy of passport of accused of Nigeria is found forged and accused had not filed any other genuine passport of Nigeria before this court, therefore the prayer that he be

taken to Nigerian High Commission for applying the e-passport is unfounded and liable to be dismissed.

Heard. At the time of apprehension, the copy of passport of the present accused relating to Ghana nationality and Nigerian nationality were recovered. The Nigerian nationality passport containing his photograph is found forged, therefore, no ground made out for the accused to be taken to Nigerian High Commission for issuance of his new passport. Hence, present application is dismissed.

Application disposed of accordingly.

Copy of the order be given dasti as well as sent to accused in jail.

Copy of the order be uploaded on the website of New Delhi District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**FIR No. 182/19**  
**PS Spl Cell**  
**U/s 21/29 NDPS Act**  
**State Vs Naresh Kumar & Ors.**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Ravindra Kumar, Ld. Additional PP for the State through video conferencing.  
Sh Anoop Kumar Gupta, Ld. counsel for applicant/De-Facto owner Akhter Husain through VC.

Reply of IO SI Pawan Kumar filed.

This is an application for release of vehicle bearing no. UP 32 FB 2748 (Maruti Swift car) on superdari moved on behalf of the applicant/De-Facto owner Akhter Husain.

Ld. counsel for applicant submits that applicant has purchased said vehicle bearing no. UP 32 FB 2748 from registered owner Iqram and investigation is completed, and the car is lying in the malkhana since 13.10.2019, therefore it be released to the applicant.

Ld. Addl. PP for the State on the other hand submitted that the said car be released to rightful owner.

Heard. The Hon'ble Delhi High Court in its order pronounced in the case reported as **Madanlal Vs. State, NCT of Delhi, 2002 (1) JCC 444** has made it clear that section 451 Cr.PC, in so far as it relates to passing of order for proper custody of conveyance pending conclusion of trial, is not inconsistent with section 60(3) of the NDPS Act and that in appropriate cases order for release of conveyance for carrying contraband pending conclusion of inquiry or trial can be made u/s 451 Cr.PC by the court.

In the present case, it is clear that the vehicle is no longer required for any investigation. As per reply, the applicant purchased the car from registered owner Iqram, this court therefore deems it appropriate to

release the same on superdari in favour of the applicant/De-Facto owner Akhter Husain, so that its condition does not deteriorate. Accordingly, it is hereby directed that the vehicle bearing no. UP 32 FB 2748 be released in favour of the applicant/De-Facto owner Akhter Husain, on the applicant Akhter Husain furnishing a superdaginama in the amount of Rs. 1,00,000/- to the satisfaction of IO and shall produce it as and when directed by the IO or the court. The IO is also directed to take the photographs of the vehicle before its release and file it on record.

Copy of this order be given dasti to the Ld. Counsel for applicant and a copy be also sent to concerned MHCM and IO.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**SC No. 225/2017**

**NCB Vs Edwin Emeka Igbokwe**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.  
Sh Binod Kumar, Ld. counsel for applicant/accused Edwin  
Emeka Igbokwe through VC.

Ld. counsel for accused submits that this is an application for interim bail on the ground that applicant is suffering from severe dental infection and not getting proper treatment in jail, therefore, Ld. Predecessor vide order dated 11.09.2018 and 29.10.2018 directed the jail superintendent to provide treatment from Maulana Azad Institute of Dental Science (MAIDS). Ld. counsel submits that due to pandemic of covid 19, accused was not taken to said hospital and now the medical condition of accused is deteriorated, therefore, accused be released on interim bail for 10 days to get proper medical treatment.

Ld. SPP for NCB submits that there is a recovery of commercial quantity of contra-band thus definite bar u/s 37 NDPS Act over release of accused on bail. Ld. SPP submits that previously on 29.04.2020, the interim bail on this ground has already been dismissed. Furthermore, as per medical report dated 04.09.2020 received from jail, he was provided proper treatment from MAIDS. The Root Canal Treatment and Extraction of his right upper canine tooth and left upper canine tooth were carried out at MAIDS on 14.10.2019 & 18.11.2019 and thereafter extraction of his right upper impacted canine tooth was also conducted on 25.11.2019. Ld SPP submits that as per report, the general condition and vitals of the accused are stable and satisfactory. All the prescribed medicines are provided to accused, therefore, no exceptional circumstances made out for grant of interim bail in terms of judgment of Hon'ble High Court of Delhi in case titled as *Athar Parvez Vs. State CRL.REF.1/2015 dated 26.02.2016*.

Furthermore the guidelines of Empowered Committee of Hon'ble High Court dated 18.05.2020 are also not applicable.

Heard. There is a recovery of commercial quantity of contra-band thus definite bar u/s 37 NDPS Act over release of accused on bail. The accused was provided proper medical treatment at MAIDS and present condition of accused is also stable and satisfactory, therefore no exceptional circumstances made out to release the applicant/accused Edwin Emeka Igbokwe on interim bail. Hence, present application for interim bail stands dismissed.

Application is disposed of accordingly.

Copy of the order be given dasti as well as sent to accused in jail.

Copy of the order be uploaded on the website of New Delhi District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**FIR No. 365/2020**  
**PS Vasant Vihar**  
**U/s 21/61/85/29 NDPS Act**  
**State Vs Aboh Caminus Arinze**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Ravindra Kumar, Ld. Additional PP for the State  
through video conferencing.

Ms Mamta Wadhwa, Ld. counsel for applicant/accused Aboh  
Caminus Arinze through VC.

Status report filed however Ld. counsel for accused submits  
that she has not received the status report.

Let IO is directed to send status report to Ld. counsel for  
accused through e-mail.

This is an application only for calling of status report. As status  
report filed, no further directions required.

Application disposed of accordingly.

Copy of the order be given dasti.

Copy of the order be uploaded on the website of New Delhi  
District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**SC No. 520/19**  
**NCB Nuslah Bakiddawo Nalubega & Ors.**  
**U/s 21 & 29 NDPS Act**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Rajesh Manchanda, Ld. SPP for NCB through VC.  
Sh M F Philip, Ld. counsel for applicant/accused Peter  
Onukwude Ugwu through VC.

Reply filed.

At request, list this bail application for arguments on  
**25.09.2020.**

Copy of the order be uploaded on the website of New Delhi  
District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**SC No. 520/2019**

**NCB Vs Nusulah Bakiddawo Nalubega & Ors.**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh. Rajesh Manchanda, Ld. SPP for NCB through VC.  
Sh M F Philip, Ld. counsel for applicant/accused Peter  
Onukuwude Uguwu through VC.

Ld. SPP for NCB requested some more time to file reply.

At request, list this application for reply and arguments on

**18.09.2020.**

Copy of the order be uploaded on the website of New Delhi  
District.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**SC No. 135/20**  
**NCB Vs Muhammad Bilal & Ors.**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.  
Accused Muhammad Bilal not produced from JC.

In present case, co accused Mohammad Azhru and Mohammad Amjad have already been declared PO vide order dated 11.08.2020.

Production warrants be sent to jail superintendent to produce the accused Muhammad Bilal in present case through video conferencing at 11.00 am on next date of hearing.

List this case for production of accused Muhammad Bilal through VC for supply of documents/arguments on charge on **11.09.2020**.

Copy of this order be sent to jail superintendent on [daksection.tihar@gov.in](mailto:daksection.tihar@gov.in).

Copy of the order be also sent to jail superintendent for compliance.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

**CA No. 134/18**  
**Rajat Johar Vs Divya Johar**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh Sumender Paswan, Ld. counsel for appellant through VC.  
Sh Rakesh Lakhra, Ld. counsel for respondent through VC.  
TCR not received. Let TCR be called for NDOH.  
List this appeal on **14.09.2020** at **11.00 am**.

**(Ajay Kumar Jain)**  
**ASJ/N. Delhi**  
**05.09.2020**

**CR No. 802/19**  
**Kuldeep Hooda Vs State & Anr**

05.09.2020

**Matter heard through video conferencing.**

Present: Sh Nikhil Ahuja, Ld. counsel for revisionist through VC.  
Sh. Ravindra Kumar, Ld. Additional PP for the State  
through video conferencing.

Ld. counsel for revisionist requested some time for arguments.  
At request, list this revision petition for arguments on

**11.09.2020.**

**(Ajay Kumar Jain)**  
**ASJ/N. Delhi**  
**05.09.2020**

**CA No. 86/2020**

**Vidhi Chand Bhandari Vs Vinod Silswal**

05.09.2020

At 1.25pm

Present: None.

Sh Anil Kumar Thakur, Ld. counsel for appellant is contacted by Asstt Ahlmad on mobile phone no. 9810140500 as mentioned in the file however, the clerk of the counsel replied that counsel is not available. At around 11 o'clock on the directions of the court, the naib court also telephoned the counsel for appellant however counsel for appellant replied that he is joining within 15 minutes however not joined the proceedings.

Neither the appellant nor the counsel for appellant are responding to the dates of hearing despite being contacted and apprised of the hearing. This conduct of the appellant and his counsel deprecated.

Issue notice of this appeal also to the respondent/complainant. The notice be also issued through whatsapp, e-mail etc of the complainant, if available and complainant be also informed about the date of hearing of this appeal through mobile phone.

List this appeal for **24.09.2020**. Till then, interim order to continue. Appellant is also directed to appear through VC or physically on said date.

Copy of the order be uploaded on the website of New Delhi District.

**(Ajay Kumar Jain)**  
**ASJ/N. Delhi**  
**05.09.2020**

**SC No. 109/2020**  
**NCB Vs Rajesh Sharma & Ors.**

05.09.2020

Present: Sh. S S Das, Ld. counsel for accused/applicant Rajesh Sharma.

Ld. counsel for accused furnished the bail bonds in terms of order dated 04.09.2020 of Hon'ble High Court of Delhi in Bail Application No. 2304/2020. Ld. counsel submits that Hon'ble High Court of Delhi has granted interim bail to accused for two weeks. Ld. counsel submits that certified copy is not available, therefore, filed internet copy. Ahlmad also checked the order through internet. Ld. counsel submits that presently the surety who is wife of the accused is unable to make FDR of said amount and shall deposit the FDR by Monday.

Accordingly, bail bonds accepted till Monday i.e. 07.09.2020. Original election card of surety retained. Applicant/accused Rajesh Sharma is directed to comply the terms and conditions as imposed by Hon'ble High Court of Delhi vide order dated 04.09.2020. Ahlmad is directed to make the requisite release warrants.

**(Ajay Kumar Jain)**  
**Spl. Judge, NDPS/N. Delhi**  
**05.09.2020**

Application No.1058/2020  
State v. Abhishek Diwedi  
FIR No. 83/2020  
PS Crime Branch  
u/s 170/419/420 IPC

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020 dated 31.08.2020 of the Ld. Distt. & Sessions Judge, Patiala House Court, New Delhi, the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. Pradeep Teotia Ld. Counsel for the accused through VC.  
IO SI Sanjay Gupta through VC.

Reply to the bail application already filed. Arguments heard.

It has been alleged against the accused that on 05.07.2020, a complaint was received from PS to Hon'ble Union Home Minister that office of Hon'ble Union Minister of Road Transport and Highways was called up by accused personating himself as PS to Home Minister for modification of transfer order of one Ajay Mako, Parivahan Nirikshak posted at Gwalior.

Bail is prayed on the ground that accused has been falsely implicated in the present case and the offence alleged against him does not fall under the provisions in which FIR has been registered. Ld. Counsel also argued that at the most attempt of cheating is made out in the present case.

In response to the bail application, Ld. Addl. PP strongly opposed the bail application on the ground that accused in a very planned manner committed the offence and he is previously involved in as many as 24 other cases and one of the case he is P.O. It is also averred that FIR is rightly registered under the correct provisions of law.

In the present case the offence alleged against the accused is serious in nature wherein he has shown audacity of approaching high ups to the level of ministry which is evident from the details of his previous involvement filed by the I.O. His involvement is also shown in as many as 24 cases which is ranging from extortion, cheating, robbery etc. Accused is stated to be a history sheeter of PS Saman, Rewa, Madhya Pradesh. Accused is a habitual offender. Investigation in this case is still pending as the official for the benefit of whom all this has happened is yet to be interrogated. I.O shall also explore the applicability

of ingredients of offence under Prevention of Corruption Act 1988 in view of peculiar fact and circumstances of this case.

By way of this application, Ld. Counsel has also prayed for interim bail on the ground of pregnancy of the wife of the accused although the Ld. Counsel has argued only on regular bail and even otherwise no ground for interim bail on the pregnancy of wife of the accused is made out as nothing is there to shown that there no one in the family of accused to take care his wife in his absence .

Therefore, considering the facts and circumstances and the gravity of the offence, no ground for bail is made out. Hence, the application is dismissed. Copy of the order be given dasti.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

Application No.1680/2020  
State v. Manish Pandey  
FIR No. 52/2019  
PS Connaught Place  
u/s 420/511/468/471/120B IPC

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Distt. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. Sanjay Dubey Ld. Counsel for the applicant/accused through VC.  
IO SI Sandeep Kumar Ahlawat through VC.

Reply to the bail application filed. Arguments heard.

In the present matter, accused was granted interim protection on 22.08.2020 against arrest with direction to join the investigation. It is submitted by the IO that he has already joined the investigation and still investigation is pending.

Ld. Counsel prayed for extending further interim protection till the next date of hearing.

In the circumstances, let the matter be put up for further arguments on **21.09.2020**. Accused is directed to join the investigation as and when called by the IO. Copy of the order be given dasti.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

**Bail Application No. 1069/2020  
State v. Santosh Kumar  
FIR No. 38/2020  
PS Tuglak Road  
U/sec. 498A/306/34 IPC**

**05.09.2020**

***Vide order No. 8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020 dated 01.09.2020 of the Ld. Distt. & Sessions Judge, Patiala House Courts, New Delhi, the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati, Ld. Addl. PP for the State through VC.  
Ms. Santosh Mishra and Sh. Rudra Pratap, Ld. counsels for the accused/applicant through VC.  
IO SI Ranjeet Singh through VC.

Ld. counsel for accused seeks some more time to go through the challan file before Ld. MM. Last and final opportunity is given as already several adjournment has been sought on the similar ground.

At request, put up for further arguments on **09.09.2020**

It is certified that proceedings conducted through VC on CISCO Webex Meeting, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)  
ASJ.Spl. FTC/PHC/NDD/ND  
05.09.2020**

Application No.1154/2020  
State v. Nagender  
FIR No. 58/2019  
PS Delhi Cantt  
u/s 365/394/34 IPC

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Distt. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. K.K. Pradhan Ld. Counsel for accused through VC.  
IO ASI Nand Kishore through VC.

Reply to the bail application filed. Arguments heard.

Bail is prayed on the ground that accused has been falsely implicated in this case and he is innocent and has been in custody since 23.07.2020.

Ld. Addl. PP strongly opposed the bail application.

This application is filed for regular bail on behalf of the accused. It has been alleged against the accused that on 12.02.2019 when complainant was going somewhere, one Gautam known of the complainant offered him a lift and in the transit accused Nagender alongwith his associate Arif also joined them in the car and started beating him up and also robbed him of his bag, purse ATM card etc. and by obtaining Pin, he withdrew an amount of Rs.50,000/- from his account in HDFC Bank. Initially the FIR in this case was registered by the IO u/s 279/337 IPC, after statement of complainant dated 30.6.2020 and other provisions i.e. section 365/394 IPC were added after 4 months of the incident.

On being asked from the IO why he has taken so long to add these provisions, he has submitted that complainant was not in a good state of mind for one month but despite that IO failed to explain the further delay. On being further inquired from the IO it is submitted that the fact of withdrawing of Rs.50,000/- from HDFC bank by the accused by using ATM card of the complainant could not be verified as complainant is not having any account in such bank. Previous involvement of accused in any other case is also not shown.

Considering the entire facts and circumstances and the

contradictions in the story of the prosecution accused Nagender is admitted on bail on furnishing personal bond in the sum of Rs.25,000/- along with one surety in the like amount to the satisfaction of Ld. MM/Duty MM concerned.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

**M. No.31/2020  
State v. Udit Tokas  
FIR No. 35/2020  
PS Kishangarh  
U/sec. 308/506/34 IPC**

**05.09.2020**

***Vide order No. 8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020 dated 01.09.2020 of the Ld. Distt. & Sessions Judge, Patiala House Courts, New Delhi, the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati, Ld. Addl. PP for the State.  
Sh. Subhash Solanki, Ld. counsel for the accused/applicant through VC.

Reply has been filed by the IO.

In the present case, application has been filed by the Ld. counsel for the accused seeking modification of order dated 02.09.2020 by which anticipatory bail application of accused was dismissed.

It is further submitted by Ld. counsel that vide order dated 02.09.2020 the anticipatory bail application was dismissed, however, this court has directed the IO to give 15 days prior notice before the arrest of the accused and the said direction is not mentioned in the order dated 02.09.2020. after verifying from the steno Ms.Savita she stated that inadvertently due to typographical error some text were missing in the impugned order. Steno has also verified this fact and read out from her dictation diary the missing para as "*It is further submitted by Ld. counsel that accused is Covid-19 positive and IO has also affirmed this fact. It is further submitted by Ld. counsel that accused may be given protection during his illness. In these circumstances, IO is directed to give 15 days prior notice before the arrest of the accused*".

Ld. Addl. PP has also affirm this fact that same was the order on that day. In this circumstances this mistake appears to be a bonafide on due to typographical error, Steno is directed to be remain careful in future.

In these circumstances, the order dated 02.09.2020 is modified and the para *"It is further submitted by Ld. counsel that accused is Covid-19 positive and IO has also affirmed this fact. It is further submitted by Ld. counsel that accused may be given protection during his illness. In these circumstances, IO is directed to give 15 days prior notice before the arrest of the accused"* be treated as part and parcel of the order dated 02.09.2020.

Application stands disposed of.

Copy of the order be given dasti to the Ld counsel for accused as well as to the IO.

**(Sanjay Khanagwal)**  
**ASJ.Spl. FTC/PHC/NDD/ND**  
**05.09.2020**

**Bail Application No. 1182/2020**  
**State v. Farman @ Faheem @ Karim**  
**FIR No. 232/2020**  
**PS Vasant Kunj (N)**  
**U/sec. 308 IPC**

**05.09.2020**

***Vide order No. 8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020 dated 01.09.2020 of the Ld. Distt. & Sessions Judge, Patiala House Courts, New Delhi, the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati, Ld. Addl. PP for the State through VC.  
Sh. Atul Kharbanda, Ld. counsel for the accused/applicant through VC.  
IO SI Dharmendra through VC.

In the present case, anticipatory bail is prayed on behalf of accused on the ground that he has been falsely implicated in this case and accused is having no role in connection with the alleged offence.

Ld Addl. PP strongly opposed the bail application on the ground that he has already participated in the commission of offence when complainant Manjeet alongwith his younger brother Sandeep were visiting Kishan Sherawat house and on the way Isalam Khan, Husnain, Fahim @ Farman, Arman and Lalla were already standing on the road. Islam caught hold of complainant from back while Husnain caught hold of both his hands and accused/applicant Farman @ Faheem @ Karim and Arman hit on his head with wooden plank. When his younger brother Sandeep intervened, he was also attacked and suffered injuries. The nature of injury upon the complainants is grievous in nature. Name and role of accused/applicant is specifically mentioned even in FIR wherein he has been shown actively participating by giving blow on the head of the complainant with a wooden plank.

Considering the facts and circumstances of the case, gravity of offence and the role of the accused/applicant Farman @ Faheem @

Karim, I do not find any ground to grant anticipatory bail to the accused.  
Hence, the same is dismissed.

Copy of the order be given dasti to the Ld. counsel for the  
accused and well as to the IO.

It is certified that proceedings conducted through VC on  
CISCO Webex Meeting, the quality of audio and video was clear and  
uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ.Spl. FTC/PHC/NDD/ND**  
**05.09.2020**

Application No.1189/2020  
State v. Akash  
FIR No. 0076/2020  
PS Mandir Marg  
u/s 356/379/411/34 IPC

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Distt. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. Rajesh Kumar Ld. Counsel for accused through VC.  
IO ASI Abhay Singh through VC.

Reply filed by the IO.

It is alleged against the accused that he was involved in the snatching of gold chain of the complainant along with his associate. The alleged offence was committed on 25.07.2020 and the accused was already in custody since 26.07.2020.

Ld. Addl. PP strongly opposed the bail application.

In the present case investigation is already completed, recovery already been affected and no purpose would be served to keep him behind bar.

Considering all the facts and circumstances, accused Akash is admitted on bail on furnishing personal bond in the sum of Rs.50,000/- alongwith one surety in the like amount to the satisfaction of Ld. MM/Duty MM concerned. Copy of the order be given dasti.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

Application No.1190/2020  
State v. Abhishek Gautam  
FIR No. 13/2020  
PS Kishangarh  
u/s 354D/354/506/509 IPC & 67 IT Act

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Distt. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC  
Sh. Sudhir Gupta Ld. Counsel for accused through VC.  
IO Insp. Sanjay Kumar through VC.

Reply filed. Arguments heard.

In the present case vide order dated 01.09.2020, the anticipatory bail application of the accused was dismissed on the ground that accused has not joined the investigation and has not got recovered the articles by which the alleged offence was committed.

It is submitted by Ld. Counsel that he has already joined the investigation and lastly joined the investigation on 30.08.2020 and accused is ready to submit the articles. On being inquired from the IO, it is submitted by him that only a laptop and one Lenovo phone is to be recovered from the accused.

Ld. Counsel also submitted that accused is undertaking an exam of UPSC which is scheduled on 16.09.2020 and prayed that he may be granted interim protection against arrest so that he may concentrate upon his examination. IO has also admitted that he has joined the investigation on 30.08.2020. In view of the present circumstances, interim protection against arrest is granted to the accused till the next date of hearing. It is further directed that he shall also submit the mobile phone and laptop as stated by the I.O Let the bail application be put up on **21.09.2020**. He shall join the investigation as and when called by the IO.

Ld. Addl. PP submitted that IO in this case has not briefed him prior to the hearing which has caused grave embarrassment to the prosecution who is representing the state and it has been a practice of the IO's in other cases also of not briefing prosecutor and contacting on time. This court has also noticed time and again that such behaviour on the part of IO's do causes delay in hearing. Therefore, intervention of concerned DCP is warranted so that

valuable time of court can be saved. let a notice be issued to concerned DCP for explanation and steps taken in this regard. Let the same be filed within a week. Copy of the order be given dasti to all concerned.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

Application No.1191/2020  
State v. Ravi  
FIR No. 17376/2020  
PS Vasant Kunj South  
u/s 379 IPC

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Dist. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. Mrigank Ld. Counsel for the accused through VC.  
IO HC Sunil through VC.

Reply to the bail application filed. Arguments heard.

It is alleged against the accused that during the PC remand, one stolen bike No. UP33P 9080 was recovered at the instance of accused.

Bail is prayed on the ground that accused has been falsely implicated in this case and he is already in custody since 02.09.2020.

Ld. Addl. PP strongly opposed the bail application.

In the present case investigation is already completed and no purpose would be served to keep him behind bar.

Considering all the facts and circumstances, accused Ravi is admitted on bail on furnishing personal bond in the sum of Rs.25,000/- alongwith one surety in the like amount to the satisfaction of Ld. MM/Duty MM concerned.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

Application No.1192/2020  
State v. P. Silva  
FIR No. 307/2020  
PS Kishangarh  
u/s 392/394/395/397/412 IPC &  
section 25/27 Arms Act

05.09.2020

***Vide order No.8832-8879 Bail & Filing/Judl/D&SJ/NDD/2020. dated 31.08.2020 of the Ld. Distt. & Sessions Judge, , Patiala House Court, New Delhi , the undersigned has been deputed for bail duty.***

Present: Sh. R.K. Bhati Ld. Addl. PP for the State through VC .  
Sh. Nitin Gupta Ld. Counsel for the accused/applicant through VC.  
IO SI Vikram through VC.

The present application has been filed u/s 439 CrPC for regular bail of the accused in which Ld. Counsel has prayed for interim bail also on the ground of death of his father and to attend the last rituals, who has expired on 02.09.2020.

IO has filed reply to the bail application but has not filed reply regarding the death verification of the father of the accused. .

Let the application be put up on **07.09.2020**. IO is directed to verify the factum of death of father of the accused and file the reply in this respect on the date fixed.

It is certified that proceedings conducted through VC on CISCO WEBEX Meetings, the quality of audio and video was clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)**  
**ASJ/Spl.FTC/PHC/NDD/ND**  
**05.09.2020**

**Cr. Rev. No.558/2019  
Sunil Garg v. Jaswinder Kaur & Ors.**

**05.09.2020**

***Vide order No. 417/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi the physical hearing of the cases of the District courts has started w.e.f. 01.09.2020 in one-fourth capacity.***

Present: None for the parties despite waiting.

Let E-notice be issued to both the parties as well as to their Ld. counsels for the next date of hearing.

Put up for arguments on **25.09.2020**.

It has been certified that proceedings conducted through VC on CISCO WEBEX, the quality of audio and video were clear and uninterrupted to the satisfaction of the participants.

**(Sanjay Khanagwal)  
ASJ/Spl.FTC/PHC/NDD/ND  
05.09.2020**