

State vs. Pravesh Mann @ Sagar & Ors.
FIR No.207/2019
U/s 3/ 4 MCOC Act
PS : Special Cell

17.07.2020

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

Present : Sh. Dharam Chand, Addl. PP for State, through VC.
IO/ACP Jasbir Singh, Special Cell, through VC.
Accused Pravesh Mann @ Sagar, Sachin Mann @ Kuldeep, Yudhbir @ Narender Mann @ Chand and Sahil Dahiya @ Tarun produced from Central Jail no.1, through VC.
Accused Ajay Mann @ Goli produced from Central Jail no.4, through VC.

Present is an application filed by the IO for 30 days judicial custody remand of the accused persons. However, the accused persons have informed me that they have their own counsels but the counsels have not been connecting through VC today. Accused persons except accused Sahil Dahiya have informed that they have their common counsel namely Sh. Sanjeev Malik, having Mobile no.9999901123. Accused Sahil Dahiya @ Tarun has informed that his counsel's name is Sh. Anshul Mittal and Sunil K. Mittal, having mobile no.8447242406.

In these circumstances, as the respective counsels for the accused persons are not present through VC today, judicial custody remand of all the accused persons is extended till 18.07.2020. All the accused persons be produced through VC on the said date.

Notice to the counsels be sent through Nazarat Branch as per office circular of Ld. District & Sessions Judge, New Delhi District, bearing no.8512-755/D&SJ/NDD/2020 dated 16.07.2020, to join the present case through VC, for next date of hearing.

Order be uploaded on the website of Delhi District Court.

(Parveen Singh)
ASJ-03/NDD/PHC/New Delhi
17.07.2020
(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/17.07.2020

**Bail Application No. R-
State vs. Nirmal Sharma
FIR No.314/2017
U/s.302/201/392/397/411/120B/34 IPC
PS : Delhi Cantt.**

17.07.2020

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

Present : Sh. Dharam Chand, Addl. PP for State through VC.
Sh. Love Dixit, Counsel for applicant/accused Nirmal Sharma,
through VC.

Previous involvement report in respect of the accused received from the IO. As per the report, accused has no previous involvement in any other criminal matter.

Conduct report in respect of the accused from the jail authorities as ordered vide order dated 15.07.2020 has not been received. Let it be called again from the concerned jail authorities for next date of hearing.

Matter is accordingly adjourned for 18.07.2020.

Order be uploaded on the website of Delhi District Court.

**(Parveen Singh)
ASJ-03/NDD/PHC/New Delhi
17.07.2020
(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/17.07.2020

Om Prakash v. Divya Yadav
CA No. 31/2020

17.07.2020

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, Patola 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/DAC/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, 5111-5206/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: None for appellant.
Sh. Irfan Ahmed, Ld. Addl. PP for the State/respondent.

Proceedings have been done through video conferencing

Since none is appearing on behalf of appellant, list the appeal for purpose fixed on 11.09.2020.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
17.07.2020

Bail Application No. 915/2020
FIR No.175/2019
P.S Special Cell
U/s 419/ 420/468/471/474 IPC
State Vs. Amit Bhatt

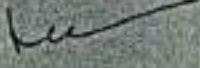
17.07.2020

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.
None for applicant/accused.

Proceedings done through video conferencing.

Since none is appearing on behalf of applicant/accused, list the application for consideration on 31.07.2020.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
17.07.2020

Hansraj v. State
CA No. 280/2019

17.07.2020

Vide order nos 5637-6927/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, 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 6329-6415/D&S/JNDD/2020 dated 15.06.2020 to combat the pandemic of COVID 19.


Present: Sh. Kuldip Singh, Ld. counsel for appellant.

Sh. Irfan Ahmed, Ld. Addl. PP for the State/respondent.

Proceedings have been done through video conferencing.

Request has been received from Sh. Kuldip Singh, Ld. counsel for the appellant to adjourn the matter as he is not having the case file with him.

As prayed, list the matter for arguments on 30.07.2020.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
17.07.2020

ASJ-02/NDD/PHC/ND/17.07.2020

State v. Gulzar Ali & Ors
FIR No: 39/2014
PS: Lajpat Nagar
U/S 3 and 4 of PMLA
(Main case: CC No. ECIR/07/DZ/2014)

17.07.2020

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, 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&SJ/NDD/2020 dated 01.04.2020, 4407-4426/D&SJ/NDD/2020 dated 10.04.2020, 4518-4606/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. N. K. Matta, Ld. SPP for ED.
Ms. Sangita Shama, Ld. counsel for applicant/accused
Amit.


Proceedings done through video conferencing.

Present is an application moved on behalf of applicant/accused Amit Bhoui S/o Jagdish for grant of bail.

It is submitted by Ld. counsel for applicant/accused that she wishes to withdraw the present application with liberty to file afresh in accordance to law.

In view of the above, the present application is dismissed as withdrawn with liberty as prayed for.

Application is accordingly disposed off.


(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
17.07.2020

State v. Kishan
FIR No.272/2018
U/s 307/34 IPC
PS: Special Cell

17.07.2020

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 Tyagi Ld. counsel for applicant/accused.

Proceedings done through video conferencing.

It is submitted by Ld. counsel for applicant/accused that the present bail application has already been disposed off by Sh. Ashutosh Kumar, Ld. ASJ, New Delhi and the application has been inadvertently placed before this court. Ld. counsel further submitted that he wishes to withdraw the present application.

In view of the above, the present application is dismissed as withdrawn.

Application is accordingly disposed off.



(Dharmender Rana)
Roster Judge
ASJ-02/NDD/PHC/ND
17.07.2020

FIR No. 681/2013
P.S Vasant Kunj (South)
U/s 186/353/302/394/34/120B/174A IPC
State v. Arun Lohia @ Nestu

17.07.2020

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 with IO.
Sh. Vikas Bhasia, Ld. Counsel for the applicant/accused.

Proceedings done through video conferencing.

Present is an application moved on behalf of applicant/accused seeking extension of interim bail granted to him vide order dated 06.06.2020 which is going to expire on 21.07.2020. It is submitted that the applicant/accused is a patient of Diabetes and his daughter was also hospitalized and is under continuous follow up of the doctors. It is further submitted that there is no one in the family to look after the minor daughter. Ld. counsel has also placed reliance upon the directions issued by the Hon'ble High Court in W.P (Cr.) No. 3037/2020 titled Court on its own motion v. State & Ors. It is submitted that the applicant/accused has not misused the liberty granted to him. It is thus prayed that he be granted interim bail till 31.08.2020.

Taking into consideration the facts and circumstances, as mentioned in the application and also considering the guidelines dated 13.07.2020 of the Hon'ble High Court of Delhi in a case titled Court on its Motion v. State & Ors, W.P (Cr.) No. 3037/2020, the interim bail of applicant/accused is extended till 31.08.2020 on the same terms and conditions as mentioned in order dated 25.03.2020.

Application is disposed off accordingly.

Copy of the order be given dasti.


(Dharmender Rana)

Bail Application No. 1395/2020
State Vs. Rahul Mishra
FIR No. 270/2019
U/s 419/420/468/471/120B/34 IPC
PS : Crime Branch

17.07.2020

Vide order No. 7070/7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Ms. Radha R. Tarkar, Ld. Counsel for applicant/accused
Rahul Mishra (through Video Conferencing).
Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing).
ASI Sanjay Tyagi, ISC/Crime Branch on behalf of I.O.

Reply under the signature of Sanjay Tyagi has been filed.

Heard. Perused.

At this stage, at the request of Ld. Counsel for applicant, the present application for grant of regular bail is dismissed as withdrawn with

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liberty to move afresh.

Application is accordingly disposed of.

Bail application file be consigned to record room.

Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/17.07.2020/A

Bail Application No. 1397/2020

State Vs. Ashok Kumar Yadav

FIR No. Not known

U/s Not known

PS : Bara Khamba Road (enquired by D.I.U., NDD)

17.07.2020

Vide order No. 7070/7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Varun Sharma, Ld. counsel for the applicant Ashok Kumar Yadav (through Video Conferencing).

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

Sh. Kunal Tyagi, Ld. Counsel for complainant (through Video Conferencing).

Insp. C.L. Meena (Inquiry Officer from D.I.U.) is present and has filed further status report.

Heard. Perused.

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Ld. Counsel for applicant has relied upon para no. 7.1 of the *judgment dated 29.01.2020 of Hon'ble Supreme Court in S.L.P. (Crl.) No. 7281-7282/2017 'Sushila Aggarwal & Others Vs. State (NCT of Delhi) and Another.'* to submit that the present application for grant of anticipatory bail is maintainable even prior to registration of FIR.

On my specific query, Insp. C.L. Meena has submitted that the matter is being inquired and the applicant had joined once and that he needs some more time for completion of preliminary inquiry and shall not arrest the applicant till next date of hearing even if FIR is registered in the matter.

Ld. Counsel for applicant undertakes that the applicant shall join the inquiry as to why directed by D.I.U., New Delhi District.

Issue notice to ACP concerned D.I.U. to file further status report as to whether FIR in the matter is likely to be registered and whether the applicant is required to be arrested.

E-copy of this order be served upon DCP concerned to ensure compliance.

Re-notify on 11.08.2020.

Dasti to all concerned.

At request, e-copy of reply of inquiry officer be supplied to Ld. Counsels for both sides on their furnishing their respective e-mails addresses.

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

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/17.07.2020/A

Bail Application No. 544/2020
State Vs. Sumit Lohia
FIR No. 73/2020
U/s 186/353 /332/34 IPC
PS : Delhi Cantt.

17.07.2020

Vide order No. 7070/7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Abhimanyu Rana, Ld. Proxy counsel for main counsel
Sh. Piyush Nagpal, for applicant/accused (through Video Conferencing).

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

I.O. SI Sanjeev Chaudhary is present.

Copy of e-reply of I.O. SI Sanjeev Chaudhary has been filed.

Heard. Perused.

On submissions of Ld. Counsel for applicant, I.O. has admitted

Contd.....2

that the applicant has joined the investigation. He has further submitted that no PC remand of the applicant is required and nine of the accused persons are already on bail.

To my specific query, I.O. further submitted that the accused is not involved in any other criminal case.

Keeping in view the totality of the aforesaid facts and circumstances of the case and in view of the fact that sending the applicant to custody would make him vulnerable to COVID-19 infection in jail, it is ordered that in the event of arrest the **applicant/accused Sumit Lohia** shall be released on bail subject to his furnishing personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of I.O./SHO concerned. However, applicant is directed to join investigation, thoroughly co-operate in the same and not to influence the witnesses or temper with evidence. In case it is prima facie brought to the notice of the Court that the applicant is violating the said terms, his bail will be liable to be canceled.

The application is accordingly disposed of.

Bail application file be consigned to record room.

Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/17.07.2020/A

Bail Application No. 537/2020
State Vs. Karamvir @ Lilu
FIR No. 73/2020
U/s 186/353 /332/34 IPC
PS : Delhi Cantt.

17.07.2020

Vide order No. 7070/7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. M.S. Sisodia, Ld. Counsel for applicant/accused
Karamvir.

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

I.O. SI Sanjeev Chaudhary is present.

Copy of e-reply of I.O. SI Sanjeev Chaudhary has been filed.

Heard. Perused.

On submissions of Ld. Counsel for applicant, I.O. has admitted that the applicant has joined the investigation. He has further submitted that no PC remand of the applicant is required and nine of the accused persons

Contd.....2

are already on bail.

To my specific query, I.O. further submitted that the accused is not involved in any other criminal case.

Keeping in view the totality of the aforesaid facts and circumstances of the case and in view of the fact that sending the applicant to custody would make him vulnerable to COVID-19 infection in jail, it is ordered that in the event of arrest the **applicant/accused Karamvir @ Lilu** shall be released on bail subject to his furnishing personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of I.O./SHO concerned. However, applicant is directed to join investigation, thoroughly co-operate in the same and not to influence the witnesses or temper with evidence. In case it is prima facie brought to the notice of the Court that the applicant is violating the said terms, his bail will be liable to be canceled.

The application is accordingly disposed of.

Bail application file be consigned to record room.

Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/17.07.2020/A

Bail Application No. 851/2020
State Vs. Jayant Kumar Jain
FIR No. 0053/2019
U/s 409/467/468/471/120B IPC
PS : EOW

17.07.2020

Vide order No. 7070/7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order 24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Vikas Sethi and Sh. Harshit Vashisht, Ld. counsels for the applicant/accused in person and Sh. Roshan Santhalia, Ld. Counsel for applicant/accused (through Video Conferencing).
Sh. P. N. Singh, Ld. Addl. PP for State (through Video Conferencing).
Sh. Sanjeev Sahay, Ld. Counsel for complainant.
I.O. Insp. Rajneesh Kumar in person.

Heard. Perused.

Adjournment is sought on behalf of the accused on the ground

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that another bail application of the applicant/accused in connected matter is coming up for hearing before this court on 20.07.2020.

Accordingly, re-notify on **20.07.2020 at 12.30 pm.**

The date and time has been given as per request of Ld. Counsel for the applicant, to which Ld. Counsel for the complainant has given his consent.

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

(Ashutosh Kumar)
Roster Judge
ASJ-01/Special Court POCSO
NDD/PHC/ND/17.07.2020/A

Bail Application No.1401/20
State Vs. Hatesh Thakran
FIR No.610/18
U/s. 307/34 IPC & 25/27 Arms Act
PS : V.K. North

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

This is an application u/s 438 Cr.P.C. for extension of interim bail for 45 days moved on behalf of applicant/accused Hatesh Thakran.

Present : Sh. Om Sharma, Ld. Counsel for applicant/accused Hatesh Thakran
(through Video Conferencing).

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

Perused the copy of e-reply of IO. Heard.

Ld. Counsel for applicant has admitted that the chargesheet in the matter has been filed and thus he shall move appropriate application u/s 439 Cr.P.C. qua extension of interim bail before the concerned court and has accordingly requested that the present application may be dismissed as withdrawn with liberty to move afresh before the concerned court. Ordered accordingly.

Application is accordingly disposed of.

Bail application be consigned to the record room. Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

**1. M No.24/20
State Vs. Arun Rathi**

**2. M. No.25/20
State Vs. Uma Rathi**

**FIR No.149/20
U/s. 420/34 IPC
PS : V.K. South**

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

These are two different applications moved by the accused persons namely Arun Rathi and Uma Rathi for their interim protection as per order dated 18.03.2020.

Present : Sh. Tanmaya Mehta, Ld. Counsel for applicants/accused Arun Rathi and Uma Rathi (through Video Conferencing).

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

Sh. Bharat Sharma, Ld. Counsel for complainant (through Video Conferencing).

SI Bhagwan Singh is present on behalf of IO/SI Mukesh Kumar who is reported to be on leave.

Heard. Perused.

Ld. Counsel for applicants has submitted that the applicants were earlier granted interim protection which was vacated vide order dated 13.05.2020 since none could appear on behalf of the applicants on two dates due to COVID-19 problem and thereafter the matter was referred to mediation vide order dated 28.05.2020 for the date of 16.06.2020 but could not be taken up there due to COVID-19 problem and now the next date fixed before mediation centre through video conferencing is 20.07.2020 and has accordingly prayed for grant of interim protection to enable the applicants to join the mediation proceedings without fear of arrest as sending them to custody in this peak of COVID-19 time would increase their risk of getting infected since they are more vulnerable being Senior Citizens and suffering from diabetes and B.P. problem etc.

Keeping in view the totality of facts and circumstances, in view of aforesaid submissions of Ld. Counsel for applicant and in order to enable the applicants to join mediation without fear of arrest, it is ordered that no coercive action against the applicants Arun Rathi and Uma Rathi shall be taken till **05.08.2020**, when their regular bail applications are coming up for hearing.

Applications are accordingly disposed of. Dasti to all concerned.

These misc. applications be consigned to the Record Room.

Copy of this order be kept in the said files.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

Bail Application No.814/20

State Vs. Dharamvir

FIR No.57/20

U/s. 302/307/120B/34 IPC & 25/27 Arms Act

PS : Kishangarh

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Iqbal Khan, Ld. Counsel for applicant/accused Dharamvir (through Video Conferencing).

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

Complainant with Ld. Counsels Sh. D.M. Bhalla and Sh. Vijay Aggarwal (through Video Conferencing).

Heard. Perused.

Ld. Counsel for applicant has submitted that the date of surgery of wife of the applicant has not been given by Safdarjung hospital and that the present application may be dismissed as withdrawn with liberty to the applicant to move afresh as and when date of surgery of his wife is given by the hospital. Ordered accordingly.

Application is accordingly disposed of.

Bail application be consigned to the record room. Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

Bail Application No.1402/20
State Vs. Jatin Sharma @ Chautha
FIR No.697/19
U/s. 308 IPC
PS : Vasant Kunj (S)

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. J.C. Kaushik, Ld. Counsel for applicant/accused Jatin Sharma @ Chautha (through Video Conferencing).

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

SI Bhagwan Singh is present on behalf of IO/SI Mukesh Kumar who is reported to be on leave.

Copy of e-reply of IO/SI Mukesh Kumar has been filed.

Heard. Perused.

The applicant is stated to be in custody since 12.07.2020. There is only one injury i.e. “*Laceration over left temporoparietal region 3 cm x 0.5 cm x 0.5 cm*” to the victim, which was opined as *Simple*. Victim has already been discharged from the

hospital.

To my specific query, SI Bhagwan Singh had admitted that so far the involvement of the applicant in any other criminal case has not come to his notice. He has further admitted that no further investigation from the application is to be carried out.

Keeping in view the aforesaid facts and circumstances, the **applicant/accused Jatin Sharma @ Chautha** is ordered to be released on bail on his furnishing personal bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned Ld. MM/Duty MM/Link MM. However, it is made clear that applicant shall not try to influence or pressurize the prosecution's witnesses or tamper with evidence and in case it is prima facie brought to the notice of the Court that the applicant is violating the said conditions, his bail will be liable to be canceled.

E-copy of this order be also sent to the applicant/accused (through concerned Jail Superintendent) as well as to the concerned Ld. MM/Duty MM/Link MM for information.

Application is accordingly disposed of.

Bail application file be consigned to Record Room. Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

Bail Application No.1403/20
State Vs. Fasher Ali
FIR No.287/2020
U/s. 457/380 IPC
PS : Vasant Kunj (N)

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Deepak Tyagi, Ld. Counsel for applicant/accused Fasher Ali.

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

Copy of e-reply of IO/SI Dharmendra has been filed.

Heard. Perused.

Ld. Addl. PP has submitted that the theft in the night was committed in Reliance Jio store after breaking open the shutter and three stolen mobile phones were recovered from the possession of the applicant and two mobiles phones were recovered at his instance and that IO has claimed that the applicant was arrested pursuant to finding of his involvement on the basis of technical evidence but has not specified the same and also not given any details of the criminal case registered against the applicant in Rajasthan. Accordingly, issue e-notice to the IO to file further

detailed status report qua aforesaid aspects.

E-copy of this order be served upon the IO as well as DCP concerned to ensure compliance.

Re-notify on **20.07.2020**. Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

Bail Application No.1404/20
State Vs. Kishan
FIR No.272/18
U/s. 307/34 IPC
PS : Vasant Kunj (N)

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

Present : Sh. Deepak Tyagi, Ld. Counsel for applicant/accused Kishan.

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

Copy of e-reply of IO/SI Sanjeev has been filed.

Heard. Perused.

Ld. Counsel for applicant has submitted that inadvertently it was wrongly mentioned in the heading of the application that the present case FIR pertains to PS Special Cell Lodhi Colony whereas the same pertains to PS Vasant Kunj (North) and be accordingly correctly read. Ordered accordingly.

Ld. Counsel for applicant has admitted that the chargesheet in the matter has been filed and has submitted that the application may be dismissed as withdrawn

with liberty to move afresh before concerned court. Ordered accordingly.

Application is accordingly disposed of. Dasti to all concerned.

Bail application file be consigned to Record Room.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

M No.13/20
State Vs. Sanjay Chandra
FIR No.101/15
PS : EOW

17.07.2020

Vide order No. 7070-7159/Judl./D&SJ/NDD/2020 dated 14.07.2020 of Ld. District & Sessions Judge, Patiala House Court, New Delhi District, New Delhi in pursuance of directions passed vide Order No.24/DHC/2020 dated 13.07.2020 of Hon'ble High Court and in continuation of earlier office orders No.6863-6942/Judl./D&SJ/NDD/2020 dated 29.06.2020, No.6507-6597/D&SJ/NDD/2020 dated 16.06.2020, No.6326-6415/D&SJ/NDD/2020 dated 15.06.2020, No.6233-6322/D&SJ/NDD/2020 dated 13.06.2020, No.5931-6021/D&SJ/NDD/2020 dated 01.06.2020, No.5837-5927/D&SJ/NDD/2020 dated 30.05.2020, No.5550/5634/D&SJ/NDD/2020 dated 22.05.2020 and No.6364-6454/D&SJ/NDD/2020 dated 16.05.2020, 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.

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

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

Perused the reply of concerned Jail Superintendent filed pursuant to previous orders dated 03.07.2020 and 08.07.2020.

Heard.

Ld. Counsel for applicant has submitted that all anomalies have been removed and necessary rectifications have been done and that he has no grievance left. He has accordingly requested that the present application may be disposed of. Ordered accordingly.

Misc. application file be consigned to the Record Room. Dasti to all concerned.

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

(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court
POCSO/ NDD/PHC/ND/17.07.2020/D

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

FIR NO. 157/2019

PS: Kishangarh

U/S. 302/120-B IPC

State v/s Padma Tiwari & Ors

17.07.2020

Proceedings conducted through VC from Residence

File taken up today on an application u/s 439 Cr.P.C as filed on behalf of applicant/accused Padma Tiwari for seeking regular bail and/or in alternative interim bail on medical ground and is taken up as urgent application.

Present: Sh. Vivek Sharma learned counsel for applicant/accused Padma Tiwari.

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

Status report qua the health of the ailments of applicant/accused from Jail Supdt. received.

Let copy of the report be provided to learned counsel through electronic mode.

As per the report received there is no abnormality detected during her examination, medicines have been prescribed and provided to her. At present accused is not having leg swelling and is on proper medication.

Learned counsel objected to the report and seeks adjournment to address submissions with medical record available with him.

As prayed, application be put up for consideration on 20.07.2020.

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/NDD/PHC/ND

17.07.2020

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

FIR NO. 46/2016

PS: Special Cell

U/S. 21 NDPS Act

State v/s Balvinder Singh & Ors

17.07.2020

Proceedings conducted through VC from Residence

File taken up today on an application as filed on behalf of applicant/accused Surender Singh for transfer of accused from Central Jail, Tihar to Central Jail, Ferozpur and is taken up as urgent application.

Present: Sh. Sumit Sharma learned counsel for applicant/accused Surender Singh.

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

Heard.

As prayed by learned counsel application be put up for consideration on 20.07.2020.

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/NDD/PHC/ND

17.07.2020

IN THE COURT OF SH. ANIL ANTIL: ASJ-04: NDD/PHC: NEW DELHI

FIR No. 541/2018
PS: Vasant Kunj (N)
U/S. 307/397/298/34 IPC
State Vs. Ajab Singh

17.07.2020

Proceedings conducted through VC from residence.

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

Present: Sh. Nishant Kumar learned counsel for the applicant/accused Ajab Singh.

Sh. Mukul Kumar, learned Additional PP for the State.

Status report already on record.

Learned counsel seeks adjournment to address arguments submitting that he is not prepared to address the same today.

As prayed, re-notify for consideration of the application on 20.07.2020.

(Anil Antil)

ASJ-04/NDD/PHC/ND

17.07.2020

IN THE COURT OF SH. ANIL ANTIL: ASJ-04: NDD/PHC: NEW DELHI

SC No. 96/18

FIR No. 2/18

PS Crime Branch

u/s 364-A/201/120-B/34 IPC

State Vs. Rahul @ Sumit & Ors.

17.07.2020

Proceedings conducted through VC from Residence.

Vide order no.5550-5634/D&SJ/NDD/2020 dated 22.05.2020 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-305/RG/DHC/2020 dated 21.05.2020 to combat the pandemic of COVID 19.

File taken up today on an application as filed on behalf of applicant/accused Ghanshyam Sharma for early hearing and is taken up as urgent application.

Present: Sh. Jaikaran Panwar learned counsel for the applicant/accused Ghanshyam Sharma.

Sh. Mukul Kumar, Id. Addl. PP for State.

Reply to the bail application filed.

Heard and record perused.

In view of submission of learned counsel and in the interest of justice, the present application seeking early hearing stands allowed.

TCR/Judicial record is required for disposal of the present application.

TCR be summoned for next date of hearing.

Let application be put up for consideration on 20.07.2020.

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/NDD/PHC/ND

17.07.2020

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

SC NO.
FIR NO.48/19
PS: Barakhamba Road
U/S. 302/201/34 IPC & 25/54/59 Arms Act

State v/s Mohd Amir

17.07.2020

Proceedings conducted through VC from residence.

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

Present : Sh. Anil Basoya, learned counsel for applicant/accused Mohd Amir.

Sh. Mukul Kumar, learned Additional PP for the State.

Reply to the bail application filed.

At the very outset, during arguments learned counsel for applicant/accused on the opposition of application by State submits that he does not want to press the present application and he may be allowed to withdraw the same.

In view of submissions of learned counsel present interim bail application stands disposed off as withdrawn.

Application is disposed off accordingly in terms thereof.

Accused is directed to surrender immediately before the Jail Superintendent in compliance of his earlier interim bail orders direction.

Jail Supdt. is also directed to furnish the report qua surrender of accused Mohd. Amir on 20.07.2020.

e-copy of the order be sent to the all the concerned parties as well as to the IO and concerned Jail Supdt. for necessary compliance.

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-04/17.07.2020

CR No. 14/18
Arvind Bhatnagar Vs. State

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned for 17.07.2020.

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

SC No. 53/17
State Vs. Sonu @ Bhushan
FIR No. 242 /16
PS Connaught Place

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today I.e.17.07.2020.

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

SC No. 205/18
State Vs. Savej & Ors.
FIR No. 6 /18
PS Special Cell

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today I.e. 17.07.2020 .

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

SC No. 103/19
State Vs. Baljinder Singh
FIR No. 277/18
PS Naraina

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today I.e. 17.07.2020. .

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

CR No. 252/19
Manjeet Singh Vs. State & Ors.
CC No. 30869/16
PS R.K. Puram

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today 17.07.2020.

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

CA No. 98/17
Bachhu Prasad Vs. Food Inspector

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today I.e. 17.07.2020 .

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

CA No. 99/17
Bachhu Prasad Vs. Food Inspector

17.07.2020

Present: None.

Due to outbreak of Covid-19 Pandemic, the functioning of District Courts have been suspended w.e.f. 23.03.2020 to 31.07.2020 by the Hon'ble High Court of Delhi vide order (s) dated 23.03.2020, 25.03.2020, 15.04.2020, 02.05.2020, 16.05.2020, 29.05.2020, 13.06.2020, 29.06.2020 & 14.07.2020.

Hence, in compliance of said orders, the present matter was adjourned enbloc on the following dates viz. 27.05.2020 and today I.e. 17.07.2020 .

Re-notify again on 26.09.2020 for the purpose fixed.

(ANIL ANTIL)
ASJ-04 NDD/PHC/New Delhi
17/07/2020

NCB Vs. Merryl Anne Carter & Ors.
Case No. SC/4/2018

17.07.2020

Present: Sh. P.C. Aggarwal, SPP for NCB through VC.
Sh. Vikram Singh, Ld. LAC for applicant Merryl Carter through VC.

Ld. LAC submitted that vide judgment dated 16.06.2020 the applicant stands acquitted however directed to furnish personal bond in the sum of Rs. 1 lac with one surety in like amount u/s 437A Cr.PC. Ld. LAC submits that applicant is an Australian national having nobody in India to stand surety for her. Therefore, the said order be modified and applicant be released upon furnishing a personal bond of the said amount u/s 437A Cr.PC.

Ld. SPP submits that applicant is a foreign national and there is a strong possibility that she will abscond after furnishing personal bond and will not be available for appeal.

Heard. The applicant is a foreign national and there is a mandatory requirement of furnishing of bail bond u/s 437A Cr.PC however applicant not able to furnish the same but the applicant could not be released on personal bond only as there is likelihood that applicant might abscond however considering the fact that applicant unable to furnish the bail bond in the sum of Rs. 1 lac, the surety amount is reduced from Rs. 1 lac to Rs. 50,000/-. Accordingly, the order stands modified and applicant Merryl Anne Carter is directed to furnish personal bond in the sum of Rs. 50,000/- with one surety in like amount u/s 437A Cr.PC.

Application disposed of accordingly.

Copy of the order be given dasti as well as sent to applicant in jail. Order be uploaded on Delhi District Courts website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/17.07.2020

NCB Vs. Vinay Kumar Ray & Ors.
Case No. SC/427/19

17.07.2020

Present: Sh. Amar Phogat, Ld. Counsel for accused Keneth Adam
through VC.

Sh. Rajesh Manchanda, SPP for NCB through VC.

Vide this order, I shall decide the regular bail application of accused Keneth Adams.

Brief facts of the case is that at around 0930 hours on 26.03.2019 an information was received that a parcel containing nebulizer was lying at DHL office, Rama Road, thereafter a raiding team was constituted and on search of the parcel, 2 nebulizers containing 390 gm of amphetamine was recovered, however as per CRCL report metamphetamine detected. The parcel was found to be booked with the ID of accused Vinay Kumar Ray. On preliminary inquiry accused Vinay Kumar ray revealed that the said parcel was given by one lady Anjali Verma as she was not having any ID therefore, booked by him on his own ID. However, later on from inquiry of taxi drivers Dharamvir and Bhanu, the name of the said lady was found to be Dalini Singh. The house of accused Dalini Singh was searched but nothing was recovered. Driver Dharamvir in his statement stated that he took Dalini Singh to courier company and thereafter she kept on waiting at the road, and given him the bill to be given to courier company and when he had given the bill he was stopped, thereafter NCB officials raided the taxi however she left.

Accused Vinay Kumar in his statement u/s 67 disclosed that he runs the courier agency and used to book the couriers on IDs, and in case someone was not having the IDs then he used to book by putting his ID on getting extra charge of Rs. 200-300/-. He further stated that on 22.03.2019 one lady namely Anjali came for booking the parcel to New Zealand and gave the ID of Vasant Vihar address then she was asked to give two IDs but

stated that she only had one however booked the same for Rs. 5548/- and that lady also gave Rs. 500/- additional tip, and on 23.03.2019, he gave the tracking number to the said lady on telephone from his mobile. On 27.03.2019 he went to NCB office and found the said lady present in NCB office. It is revealed during investigation that accused Vinay Kumar Verma stated that he booked parcel on the ID of Anjali Verma but not provided the said document to NCB furthermore, on verification, the said address did not found to exist.

Accused Dalini Singh in her statement stated that one of her friend Lina introduced her with Nigerian friend John and also with Chinedu, and John asked her to book the parcel to New Zealand and on 20.03.2019 gave two packets near MCD school with Rs. 8000/-, then on demand Rs. 12000/- more. She further disclosed that Vinay Kumar asked her the purchase bill. Thereafter on 23.03.2019 she went to Vinay Kumar Ray to book the parcel as she was not having two IDs who however charged Rs. 2000/- extra and also gave Rs. 500/- as tip. Accused Vinay Kumar messaged her the tracking number and told her that parcel was withheld at DHL as no purchase bill was attached and she sent the driver by keeping herself in taxi. On 30.03.2019 accused Keneth @ John was detained and during his search 70 gm of heroin was recovered and two new compressor nebulizers alongwith its accessories, and one hand wrapping machine alongwith brown wrapping tape were also found. Accused Keneth Adams in his statement u/s 67 disclosed that he met accused Chinedu who was doing drug business and also offered him to do the same, and Chinedu put the drugs in nebulizer and returned it back thereafter he requested accused Dalini Singh to send the nebulizers to New Zealand and gave her a sum of Rs. 20,000/-. On 27.03.2019, she called him and told that some courier boy was asking for original purchase bill, then on 28.03.2019 she called him at her house for drink and when he reached there he was apprehended. Thereafter, on search of his house, 70 gm of heroin was recovered. On 07.04.2019 house

of accused Chinedu was searched however nothing incriminating was recovered but some documents were recovered. Accused Chinedu in his statement u/s 67 stated that he met Keneth John at Select City Mall with his girlfriend and during friendship he came to know that John was involved in drug business. On 19.03.2019 John sent his girlfriend to purchase nebulizers to conceal drugs and thereafter John provided him the nebulizers, and he put metamphetamine in the said nebulizer and gave Dalini Singh for courier.

During investigation, the CDRs and CAFs of mobile phones of accused persons were obtained. Mobile sets pertaining to Vinay Kumar Ray, accused Dalini Singh, accused Keneth Adams, accused Chinedu sent to scientific laboratory for mobile image. On 30.08.2019 the said laboratory provided examination report and details of extraction of data on the CDs separately for each phone was given and also provided printouts showing the connection of all accused persons. It is also revealed that accused Dalini Singh had also booked the parcel in the name of Anjali Verma from the post office. The analysis of mobile images of accused Vinay Kumar Ray, his connectivity with accused Dalini Singh was found. Accused Dalini Singh was connected with Vinay Kumar Ray, Keneth Adams and Chinedu. Accused Keneth Adams found connected with accused Chinedu, Dalini Singh. Accused Chinedu is also connected with accused Dalini Singh, and there is a photograph of accused Keneth Adamas in the mobile of accused Chinedu and their connection itself establish that they are connected for illegal trafficking of drugs.

Ld. Counsel for accused Keneth Adams submitted that accused Dalini only disclosed the name of John who asked her to book a parcel for him to New Zealand and did not disclose the name of Keneth Adams. Prosecution could not show any connection of accused Keneth Adams with the recovery of 390 gm of metamphetamine. Ld. Counsel submits that prima facie case u/s 21(b) is made out against the accused for recovery of 70 gm

of heroin which is an intermediate quantity and thus bar u/s 37 NDPS Act is not applicable. Ld. Counsel submits that accused is in JC since 01.04.2019 and charges have already been framed therefore accused be released on bail.

Ld. SPP for NCB submits that accused Vinay Kumar Ray categorically revealed that he has booked the said parcel on his own IDs. Ld. SPP submits that accused Vinay in his statement u/s 67 also submitted that lady Anjali told him that she has only one ID thereafter he informed about the charge and prepared one invoice, and put his IDs alongwith courier parcel and also charged additional fee. He has taken around Rs. 5548/- and booked the parcel with M/s Amrit Sea Air for Rs. 3548/-. During investigation, he called the said lady on phone to come to the office with purchase bill which was brought by taxi driver. Ld. SPP submits that this accused also not provided copy of ID of the said lady. He also stated that during investigation accused Vinay Kumar identified the said lady as Dalini Singh and stated she appeared as Anjali Verma. Accused Dalini Singh disclosed that she is introduced with John and Chinedu, and accused John handed over the nebulizers and also given him Rs. 20,000/- thereafter accused Vinay Kumar charged Rs. 2000/- extra and further also Rs. 500/- as tip. Accused John is found to be Keneth Adams during investigation and from the search of his house 70 gm of heroin was recovered. He disclosed that he was in business with Chinedu and Chinedu put the contraband in nebulizer and returned back to him and thereafter on his request, Dalini Singh booked the same. On apprehension one passport in the name of Chinedu Patrick was recovered from accused Chinedu. Accused Chinedu in his disclosure statement stated that he used to make the ice (metamphetamine) and accused John used to send the ice to foreign countries through courier. Ld. SPP submits that on scrutiny of mobile imaging of handsets recovered from possession of accused, accused Dalini Singh was found connected with all the accused persons, accused Vinay was

found connected with accused Dalini Singh, accused Keneth Adams @ John was with Chinedu Patrick and Dalini Singh. Accused Chinedu Patrick also connected with Dalini Singh and Keneth Adams. Nine mobile numbers of accused persons were found to be used- 3 by Keneth Adams, 3 by Chinedu Patrick, 2 mobiles by Dalini Singh and one by Vinay Kumar Ray. Ld. SPP submits that on mobile extraction of accused Chinedu Patrick, there are numerous pictures and videos of police and raid, and pictures of Keneth Adams, two calls of accused Dalini Singh. Ld. SPP submits that accused Chinedu Patrick in a chat with his wife also made reference to Dalini Singh and made a reference of price of off white (i.e. contraband) and also mentioned the cost of 1 kg @ Rs. 31 lacs. Ld. SPP submits that charge u/s 22(c) and 29 NDPS Act is framed against all the accused persons and accused Keneth Adams is also charged for the offence u/s 21(b) NDPS Act for recovery of 70 gm of heroin. Ld. SPP submits that there is a recovery of commercial quantity of contraband and thus definite bar u/s 37 over the release of accused on bail hence accused Keneth Adams is not entitled to be released on bail.

Heard. Record perused. Accused Keneth Adams @ John is the main person who supplied the contraband in nebulizers weighing around 390 gm and further 70 gm of heroin was also recovered from this accused. It has also come on record that accused persons were also found connected through mobile record. Charges have already been framed. The statement of accused u/s 67 NDPS Act is admissible and cannot be overlooked at this stage. Accused Keneth Adams in his statement u/s 67 categorically disclosed that he requested accused Dalini Singh to send the nebulizers containing drugs and gave him Rs. 20,000/- and also admitted that 70 gm of heroin was recovered from his house. The bail application of co-accused Chinedu has already been dismissed. No ground made out for release of accused on bail at this stage. Accordingly the bail application of accused Keneth Adams is dismissed. Copy of the order be given dasti as well as be sent to accused

in jail.

Order be uploaded on Delhi District Courts website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/17.07.2020

FIR No. 105/2020
PS Naraina
State Vs. Sunaina Devi

17.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State.
Sh. Raj Kumar Raje, Ld. Counsel for applicant/accused
Sunaina Devi through VC.

This is an application seeking release of jamatalashi articles moved on behalf of applicant/accused Sunaina Devi.

Ld. Counsel submits that applicant/accused is on interim bail from Hon'ble High Court.

Reply of IO received. As per the same, IO has no objection to the release of jamatalashi articles to the accused.

In view of the same, let all the jamatalashi articles be released to the applicant/accused Sunaina Devi.

Application disposed of accordingly.

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

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/17.07.2020

FIR No. 09/2019
PS Special Cell
State Vs. Sunil Kumar & ors.
Case No. SC/321/2019

17.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State.
Sh. Madan Lal, Daftri from Central Bank of India, East
Patel Nagar Branch.

In compliance of order dated 15.07.2020, the bank official present has today brought Demand Draft no. 409518 dated 16.07.2020 amounting Rs. 53,718/- issued in favour of The District and Sessions Judge, Patiala House Courts, New Delhi in lieu of FD no. 3750231578 dated 10.05.2019 deposited by Sh. Sarav Daman Singhal, surety of accused Neeraj Arora.

Let the said demand draft be deposited with the Cashier, Patiala House Courts, New Delhi and receipt be issued to the bank official present.

Put up the matter on date fixed i.e. 14.08.2020. Copy of the order be given to bank official present. Order be uploaded on Delhi District Courts website.

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/17.07.2020

Bail application no. 1189/2020
FIR No. 462/2020
PS Sagarpur
u/s 33 DE Act
State Vs. Rajesh Kumar @ Monu

17.07.2020

Present: Sh. Ravinder Kumar, Ld. Addl. PP for the State.
Sh. Pradeep Nagar, Ld. Counsel for applicant/accused
Rajesh Kumar @ Monu.

Ld. Counsel for the accused submitted that accused has already joined the investigation and furthermore, the co-accused in this case has already been released on anticipatory bail therefore, on the ground of parity, the present accused be also granted anticipatory bail.

Ld. Addl. PP also confirms the fact that accused has joined the investigation.

Heard. Considering the fact that co-accused has already been granted anticipatory bail and this accused has already joined the investigation, it is directed that in the event of arrest, the present applicant/accused Rajesh Kumar @ Monu be released on bail on furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of IO/SHO concerned. However, accused is directed to join the investigation as and when called by the IO on issuing the notice in writing. Application allowed accordingly.

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

(Ajay Kumar Jain)
Special Judge-NDPS/Roster Judge
New Delhi/17.07.2020

Bail Application No. 1351/20
FIR No. 576/20
PS Sagarpur
U/s 376/506 IPC
State Vs Jagdish Prasad Gola

17.07.2020

Matter heard through video conferencing.

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

Sh Manoj Sharma, Ld. counsel for applicant/accused through
VC.

Prosecutrix not present. Prosecutrix be called through IO for
NDOH, however could present herself through video conferencing.

Ld. counsel for accused submitted that he wants to file an
affidavit with pen drive and photographs. He is at liberty to do so.

List this application for **25.07.2020**. Till then, interim order to
continue.

Copy of the order be given dasti.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

CBN Vs Rohit
U/s 8/21, 22, 28, 29 & 30 NDPS Act

17.07.2020

Matter heard through video conferencing.

Present: Sh Gagan Vaswani along with Sh. Satish Aggarwala, Ld. SPP
for CBN through video conferencing.
Sh Y K Saxena, Ld. Counsel for applicant/accused through VC.

Ld. counsel for accused submitted that this is an application for modification of order dated 10.07.2020 however Ld. counsel for accused does not want to press the same and wants to withdraw the said application.

Accordingly, the present application is dismissed as withdrawn.

On query, Ld. counsel for accused submitted that as per his knowledge that accused is going to surrender before Tihar jail today in compliance of directions issued by this court vide order dated 10.07.2020.

Accordingly, jail superintendent is also directed to send the surrender report of this accused Rohit forthwith.

Copy of the order be given dasti.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

FIR No. 117/19
PS Spl Cell
U/s 21/25/29 NDPS Act r/w section 25 Arms Act
State Vs Tifal Naukhez

17.07.2020

Matter heard through video conferencing.

Present: Sh. Ravindra Kumar, Ld. Additional PP for the State
through video conferencing.
Sh Sunil Sharma, Ld. counsel for applicant/accused
Tifal Naukhez through VC.

Ld. counsel for accused submits that interim bail of this
accused is listed for 20.07.2020 and requested that the present application
be adjourned thereafter. Accordingly, list this application for **23.07.2020**.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

Bail Application No. 1400/20
FIR No. 319/20
PS Inderpuri
U/s 25/54/59 Arms Act
State Vs Niraj @ Arjun

17.07.2020

Matter heard through video conferencing.

Present: Sh. Ravindra Kumar, Ld. Additional PP for the State
through video conferencing.
Sh Vaibhav Sharma, Ld. counsel for applicant/accused through
VC.

Ld. counsel for accused submitted that this is an application
for interim bail filed on behalf of accused on the ground that wife of
accused is pregnant and wants the company of accused.

Let IO is directed to verify all the medical documents of wife of
accused and file a report by the next date of hearing.

List this application for **22.07.2020**.

Copy of the order be sent to IO for compliance.

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

District.

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

FIR No. 486/20
PS Sagarpur
U/s 20/61/65 NDPS Act
State Vs Sarika

17.07.2020

Matter heard through video conferencing.

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

Sh Yash Prakash, Ld. counsel for applicant/accused Sarika
through VC.

Ld. counsel for accused submitted that this is an application for extension of interim as well as regular bail of this accused however wants to press for extension of interim bail of this accused as accused is hospitalized in Lamba Nursing Home, Janakpuri, Delhi having corona symptoms, therefore, his interim bail be extended. Ld. counsel for accused submits that he could not file the documents and file the same today itself. Accordingly, IO is directed to verify medical condition/documents of the accused and file a report by the next date of hearing.

List this application for **22.07.2020**. In the meanwhile, interim order to continue.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

SC No. 484/19
U/s 21/29 NDPS Act
NCB Vs Emmanuel Chinedu Ani & Ors.

17.07.2020

Matter heard through video conferencing.

Present: Sh. Mukesh Malik, Ld. SPP for NCB through video conferencing.
Sh Sumit Sarna, Ld. counsel for accused/applicant Alex Anekew Chinweze through VC.

Ld. counsel for accused Alex Anekew Chinweze submits that accused is suffering from bleeding from anus and requires immediate surgery and requested that medical report of this accused be called from jail superintendent. Accordingly, jail superintendent is directed to file detailed medical report of accused by the next date of hearing.

List this application for **23.07.2020**.

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

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

SC No. 57/20
U/s 8A/21 (C)/23 (C) & 29 NDPS Act
NCB Vs Noorzai Gul Amin

17.07.2020

Matter heard through video conferencing.

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.
Sh Jivesh Kumar Tiwari, Ld. counsel for applicant/accused
through VC.

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

Accordingly, list this application for reply and arguments on **22.07.2020**.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

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

17.07.2020

Matter heard through video conferencing.

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.
Sh S S Das, Ld. counsel for applicant/accused Rajesh Sharma
through VC.

Ld. SPP for NCB submits that IO went for verification to the hospital on 15.07.2020 and today also went to the hospital but uptill now could not obtain any report. Accordingly, list this application for **18.07.2020**.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

Bail Application No. 1388/20
FIR No. 317/19
PS Sagarpur
U/s 420/406 IPC
State Vs Dharmender Jha

17.07.2020

Matter heard through video conferencing.

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

Complainant in person.

Ms Prabha Mishra, Ld. counsel for applicant/accused through
VC.

Ld. counsel for accused submitted that this is an application
for extension of interim bail however Ld. counsel for accused has not filed
any previous order granting extension on interim bail to accused.

Complainant present in the court submits that regular bail of
this accused have been dismissed twice and accused is threatening her
regularly.

Ld. counsel for accused requested some time to file previous
order for extension on interim bail.

Accordingly, list this application for **24.07.2020**. In the
meanwhile, interim order to continue however IO/SHO is directed to look
into the fact that complainant is being threatened by this accused and
provide necessary protection to complainant and take appropriate action
against this accused upon verification in accordance to law.

Copy of the order be given dasti as well as sent to IO/SHO for
information.

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

SC No. 8719/16
NCB Vs Lebogang Elizabeth Sibiya & Ors.

17.07.2020

Matter heard through video conferencing.

File taken up on an application for urgent hearing filed on behalf of applicant/accused James Nelson for verification of his passport in terms of Hon'ble High Court of Delhi vide order dated 01.07.2020.

Present: Sh. Mukesh Malik, Ld. SPP for NCB through VC.
Sh Bhanu Kaushik, Ld. counsel for applicant/accused through VC.

Ld. SPP for NCB requested some more time to file reply to this application. Accordingly, list this application for reply and arguments on **21.07.2020.**

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

(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

SC No. 124/2018
U/s 21 & 23 NDPS Act
NCB Vs Stephanie Carpio Policarpio

17.07.2020

Matter heard through video conferencing.

Present: Sh P C Aggarwal, Ld. SPP for NCB through video conferencing.
Ms Rashmi Kaushik and Sh Gajender Chauhan, Ld. counsels
for accused/applicant Stephanie Carpio Policarpio through VC.

Ld. counsel for accused submitted that accused is US national and falsely implicated in this case. Ld. counsel submits that applicant came to India for some personal work and was apprehended from IGI Airport and wrongly framed in this case. Ld. counsel submits that out of total 12 witnesses, 06 have already been examined. Ld. counsel submits that the panch witness Jeevan Kumar stated that NCB concluded the proceedings by 1pm and left with accused by 1pm whereby PW B L Bairwa stated different story altogether and deposed that the proceedings conducted by 1pm and concluded by 5pm. Ld. counsel submits that as per statement of panch witness Jeevan Kumar who was receptionist at hotel stated that at around 11/11.15am, accused along with one another lady and two gents came to the hotel and disclosed that she had booked the accommodations. Ld. counsel submits that this itself suggests that accused herself is in custody of NCB when reached the hotel and shows that accused apprehended from IGI Airport. Ld. counsel submits that panch witness Jeevan Kumar named one Anil Kumar, NCB officer who conducted the entire proceedings at 1pm however there is no one with the name of Anil Kumar exists in present case. Ld. counsel submits that there is nothing in the statement of accused u/s 67 NDPS Act to whom the recovered contra-band is to be supplied. The prosecution also did not find it necessary to connect the accused with CDR. No CCTV footage was also obtained. Ld. counsel submits that CCTV footage and CDR are material evidence however not collected thus benefit be given

to accused (relied upon *Masoom & Ors Vs State, 2015 III AD (Criminal) DHC 349*). Ld. counsel submits that investigating officer and seizing officer is same which is serious lapse in the investigation (relied upon *Megha Singh Vs State of Haryana, AIR (SC) 2339*). Ld. counsel submits that there is an apparent contradiction in the statement of panch witness and official witness therefore reasonable grounds exists that accused is not guilty of such offence and thus embargo u/s 37 NDPS Act stands satisfied. Ld. counsel submits that search was not conducted in presence of Gazetted Officer/Magistrate which is mandatory. Ld. counsel submits that there is a mandatory violation of section 50 NDPS Act (relied upon *Arif Khan @ Agha Khan Vs State of Uttarakhand, AIR 2018 SC 2123*). Ld. counsel submits that accused is in custody since 27.11.2017 and in these facts and circumstances, accused is entitled to be released on bail.

Ld. SPP for NCB filed reply and submitted that on the basis of secret information on 27.11.2017, accused was intercepted at Room no. 302, hotel Pink City, Paharganj and during examination of her bag, 1.9kg of Cocaine (commercial quantity) was recovered and accused in her statement u/s 67 NDPS Act admitted the recovery and her involvement in drug trafficking. Ld. SPP submits that the material witnesses have already been examined however at this stage, the evidence cannot be appreciated in detail. The testimony of witnesses categorically suggest that accused was apprehended from hotel and 1.9kg of cocaine was recovered from her. Ld. SPP submits that reasonable grounds exist for believing that accused has committed the offence thus definite bar u/s 37 NDPS Act over grant of bail to accused. Ld. SPP for NCB submits that there is no violation of section 50 NDPS Act as the accused herself refused to examine before Gazetted Officer/Magistrate (relied upon judgments of Delhi High Court in case titled as "*Sayaed Md. Ridwan @ Munna vs State Crl.A.785/2014 dated 22.02.2019, Ram Gopal Vs. State Crl.A. 676/2016 dated 16.10.2018 and Innocent Vs. State Crl.A. 139/2017 dated 14.01.2020*). Ld. SPP further submits that Apex

court in case titled *Than Kumar Vs State of Haryana, Criminal Appeal No. 2172/2011 dated 02.03.2020* after relying upon *Baljinder Singh case (2019) (10) SCC 472* and Baldev Singh's case held that when the recovery was effected from the bag then compliance of section 50 NDPS Act is not required. Ld. SPP submits that accused is a foreign national and if she be released on bail she may abscond from trial.

Heard. Accused is a US national and 1.9 kg of Cocaine was recovered from her bag which is a commercial quantity thus definite bar u/s 37 NDPS Act over grant of bail to accused. The inconsistency pointed out in the statement of Jeevan Kumar and other witnesses over the timings of search or the manner in which the accused cannot be appreciated in detail at this stage. The recovery is from the bag therefore procedures envisaged u/s 50 NDPS Act not applicable (*Than Kumar Vs State of Haryana, Criminal Appeal No. 2172/2011 dated 02.03.2020*). Mere incarceration in this case is no ground to release the accused Stephanie Carpio Policarpio on bail. Accordingly, the present application stands dismissed and hence disposed of. It is clarified that nothing in this order shall prejudice the case on merits.

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)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020

**FIR No. 100/18
PS Spl Cell
U/s 21/29 NDPS Act
State Vs Sidharth**

17.07.2020

Matter heard through video conferencing.

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

Sh Rajesh Kumar, Ld. counsel for accused/applicant (through
mobile call).

Ld. counsel for accused submitted that his internet is not
working therefore through mobile call told that a report over the transfer of
accused from Mandawali central jail be called.

Accordingly, jail superintendent is directed to file the report
over this application on **22.07.2020**.

Copy of this order along with application be sent to jail
superintendent for compliance.

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

**(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020**

**NCB Case No. VIII/45/DZU/2019
NCB Vs Muhammad Bilal & Ors.**

17.07.2020

Matter heard through video conferencing.

**Fresh complaint received by way of assignment. It be checked
and registered as per rules.**

Present: Sh. P C Aggarwal, Ld. SPP for NCB through video
conferencing.

IO Chetan Sharma.

At request, put up for consideration on **18.07.2020**.

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

District.

**(Ajay Kumar Jain)
Roster Judge/Spl. Judge, NDPS/N. Delhi
17.07.2020**