

**IN THE COURT OF SH. DHARMENDER RANA, ADDITIONAL SESSION  
JUDGE, PHC, NEW DELHI.**

**Bail Application No. R-590/2020  
FIR No.237/2019  
P.S Special Cell  
U/s 420 IPC  
State Vs. Harprinder Singh**


04.05.2020

Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State.  
Sh. Vivek Aggarwal, Ld. Legal Aid Counsel for the applicant/accused.

Matter taken up today upon intimation of Dy. Superintendent, Central Jail No.10, Rohini, Delhi seeking clarifications regarding order dt. 02.05.2020.

Perusal of the record reveals that on 02.05.2020, applicant/accused Harprinder Singh was admitted on interim bail on the ground that investigation is complete and the case of the applicant/accused is covered under the guidelines of High Powered Committee. However, order dt. 02.05.2020 reflects that order mentions merely offence U/s 420 IPC and now Dy. Superintendent, Central Jail No.10, Rohini, Delhi has sought clarifications on the ground that as per the custody warrants, the applicant/accused is involved in offences U/s 170/419/420/384/385/120B IPC.

  
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Perusal of the record reveals that reply dt. 29.04.2020 of the second bail application of applicant/accused Harpinder Singh is available on record wherein it appears that beside the above mentioned offences, offence U/s 467 IPC is also involved in the instant case and offence U/s 467 IPC is punishable with maximum life imprisonment.

In view of the same, concerned IO be summoned for necessary clarifications and Court notice be also issued to Ld. Counsel for the applicant/accused for necessary assistance for the NDOH.

Put up the matter again for clarifications on 06.05.2020.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**

**IN THE COURT OF SH. DHARMENDER RANA,  
ADDITIONAL SESSION JUDGE, PHC, NEW DELHI**

**Bail Application No. 702/2020  
FIR No. 13/2018  
PS Special Cell  
U/s 3/5/9 Official Secret Act  
State Vs. Arun Marwah**

**04.05.2020**

**Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.**

**Proceedings conducted through Video Conferencing.**

**Present:** Sh. Irfan Ahmed, Ld. Addl. PP for State.  
Sh. Baldev Raj, Ld. Counsel for applicant/accused through video conferencing.

An application for grant of interim bail for a period of three months has been moved on behalf of applicant Arun Marwah. It is submitted that the applicant/accused is suffering from compressed lower back condition and his general immunity is also very low. It is submitted that due to horrific pandemic condition, the applicant/accused apprehends that he might catch infection in jail. It is further submitted that even the wife of applicant/accused is a chronic patient of asthma and migraine and thus, it is prayed that the applicant/accused be admitted on interim bail for a period of three months.



On the contrary, Ld. APP for State has vehemently opposed the application. It is submitted that the accused is facing trial under Section 3/5/9 of Official Secret Act. It is further submitted that the alleged medical condition is too general and his situation is not urgent enough requiring any intervention of the Court.

It is settled proposition of law that the interim bail can only be granted in exceptional circumstances. I concur with the Ld. APP for State that the alleged medical condition is too general and omnibus. Moreover, the jail authorities are taking appropriate care so as to check the spread of pandemic COVID 19. No case has been reported to have been tested positive amongst the jail inmates. Therefore, the apprehension seems to be presumptive and baseless.

During the course of arguments, I have been informed by Ld. Counsel for applicant/accused that the major son of applicant/accused is residing with the wife of applicant/accused to take care of ailing mother.

Considering the totality of facts and circumstances, I do not find any merit in the instant application. The same is accordingly dismissed. Copy of the order be given dasti to the Ld. Counsel for applicant/accused.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**

**IN THE COURT OF SH. DHARMENDER RANA,  
ADDITIONAL SESSION JUDGE, PHC, NEW DELHI**

**Bail Application No. 666/2020  
FIR No. 0127/2018  
PS Special Cell  
U/s 21/22/29 NDPS Act  
State Vs. Ikram**

**04.05.2020**

**Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.**

**Present: Sh. Irfan Ahmed, Ld. Addl. PP for State.  
Sh. J.P. Singh, Ld. Counsel for the applicant/accused.**

An application for grant of interim bail for 8 weeks has been moved on behalf of applicant/accused Ikram. It is submitted that the wife of applicant/accused is required to undergo surgery on 04.05.2020 and there is nobody in the family to take care of wife of applicant/accused in this critical scenario. It has further brought to the notice that vide order dated 21.10.2019, the Hon'ble Delhi High Court was pleased to grant interim bail to the applicant/accused on the very same ground. However, the scheduled surgery could not be conducted due to hypertension and blood pressure of wife of the applicant/accused and the same was accordingly re-scheduled for 04.05.2020.

On the contrary, Ld. APP has vehemently opposed the bail



application contending that very serious allegations have been levelled against the applicant/accused who is facing trial for commission of offences under Section 21/22/29 NDPS Act. It is further submitted that there is a 16 year old daughter of applicant who is old enough to take care of his ailing wife. It is further submitted that although, the family members of applicant/accused and his wife are not residing with him, but they can very well respond to the call of distress and thus, the interim bail application is forcefully opposed.

I am not inclined to entertain the application on following grounds :-

1. As per the record, the surgery is scheduled for 04.05.2020 and by the time, the applicant/accused, if at all released, would reach Saharanpur, the surgery in all probabilities would have already been performed.
2. Due to pandemic COVID 19, it is all the more desirable to restrict human movement as the human beings are the potential carriers of virus.<sup>3</sup>
3. Considering the post surgery precarious condition of the ailing wife of applicant/accused, it is necessary that she must not come in contact with any person who is travelling long distances, to avoid any infection.

Considering the totality of circumstances, I do not find any merit in the instant application. The same is accordingly dismissed. Copy of the order be given dasti to Ld. Counsel for the applicant/accused.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**



**IN THE COURT OF SH. DHARMENDER RANA,  
ADDITIONAL SESSION JUDGE, PHC, NEW DELHI**

**Bail Application No. 652/2020  
FIR No. 63/2015  
PS Special Cell  
U/s 21/29 NDPS Act  
State Vs. Mohd. Akhtar**

**04.05.2020**

**Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.**

**Present:** Sh. Irfan Ahmed, Ld. Addl. PP for State.  
Sh. Vivek Aggarwal, Ld. Legal Aid Counsel for applicant/accused.

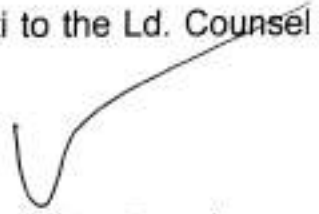
An application for grant of interim bail of 45 days has been moved on behalf of the applicant/accused Mohd. Akhtar on the ground that his wife is critically ill and the doctor has advised surgery. It is further argued that even on earlier 12 occasions, the applicant/accused has been granted interim bail and he has never misused the provisions of bail. It has been forcefully argued that the applicant/accused deserves to be admitted on interim bail.

On the contrary, Ld. APP for State has drawn attention to the report of IO wherein it is specifically informed that Dr. Nadeem has opined that the condition of patient is normal and she does not need any special care.

It is a settled proposition of law that the interim bail can only be



granted in exceptional circumstances. From the report of IO, it is found that there is no exceptional circumstance in the instant case and it has been informed by the IO that there is other members in the family of accused as well as in his laws family who can come to take care of his wife in case of any complications. The offence alleged is under 21 & 29 of NDPS Act. Therefore, I am not inclined to admit the applicant/accused on interim bail simply on the ground that his sick wife in the family is alone. Hence, the application is accordingly dismissed. Copy of the order be given dasti to the Ld. Counsel for applicant/accused.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**



**IN THE COURT OF SH. DHARMENDER RANA,  
ADDITIONAL SESSION JUDGE, PHC, NEW DELHI**

**Bail Application No. 698/2020  
NCB Vs. Sharon Phocum**

**04.05.2020**

Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.

**Proceedings conducted through Video Conferencing.**

Present: Proxy Counsel Sh. Mukesh Malik for NCB.  
Sh. Gaurav Chandok, Ld. Counsel for the applicant/accused through video conferencing.

An application for grant of interim bail has been moved on behalf of applicant/accused Sharon Phocum on the ground that father of applicant is required to undergo surgery and she is also required to take care of her kid.

It has been informed on behalf of NCB through report that an interim bail application on the ground of sickness of her son has already been dismissed by Ld. Roster Judge vide order dated 23.04.2020. It is further informed that as per the report of IO, upon verification, it is found that Mr. Goerge was never admitted in the hospital.


Ld. Counsel for the applicant/accused, in rebuttal, has submitted that her earlier interim bail application was not on the ground of illness of her



son, but it was on account of pandemic COVID 19. Upon inquiry by this Court, as to why this fact was not mentioned in the application, Ld. Counsel for applicant submits that it is only dismissal of regular bail application that is required to be intimated to the Court and the dismissal of interim bail application is not required to be intimated to the Court. It is further submitted that the said application was a faulty one and was filed without any necessary annexures. It is further informed that there is no stenographer available with Ld. Counsel for applicant and therefore, he could not inform this Court about dismissal of interim bail application. It is further submitted that upon dismissal, the applicant/accused is well within the rights to move as many applications as he or she wants to move.

It is a settled proposition of law that the interim bail can only be granted in exceptional circumstances.

As per the report of IO, the father of applicant/accused is neither admitted in hospital nor there is any emergent condition in the instant case. It is regretful that the dismissal of application is not brought to the notice of Court. Be that as it may, considering the totality of facts and circumstances, I do not find any merit in the instant application. The same is accordingly dismissed. Copy of the order be given dasti to Ld. Counsel for the applicant/accused.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**

**IN THE COURT OF SH. DHARMENDER RANA,  
ADDITIONAL SESSION JUDGE, PHC, NEW DELHI**

**Bail Application No. 691/2020**

**FIR No. 39/14**

**PS Special Cell**

**U/s 395/397/34 IPC**

**Enforcement Directorate Vs. Ajay Nagarwal @ Sumit Puri**

**04.05.2020**

**Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.**

**Present: Sh. Naveen K. Matta, Ld. SPP for Enforcement Directorate.  
Sh. Anil Basoya, Ld. Counsel for the applicant/accused.**

An application for grant of interim bail for 4 weeks has been moved on behalf of the applicant/accused Ajay Nagarwal on the ground that his only younger brother is critically ill and there is nobody else in the family to take care of applicant's brother. It is further prayed that the applicant be released on interim bail.

It is submitted by Ld. Counsel for applicant that in the connected case registered under Section 302 IPC, the applicant/accused has already been granted interim bail and due to pendency of instant case and another case, the applicant/accused could not be released. It is forcefully argued that considering the unprecedented health crisis on account of pandemic COVID



19, the applicant/accused deserves to be admitted on interim bail. Ld. Counsel for applicant has also placed reliance upon the directions of the Hon'ble Supreme Court of India and High Power Committee of Hon'ble Delhi High Court minutes of meeting dated 07.04.2020.

On the contrary, Ld. SPP has vehemently opposed the instant application. It is submitted that the offences in the instant case, inter-alia, involves the commission of offences under Sections 3 & 4 of PMLA (Prevention of Money Laundering Act) 2002. It is forcefully argued that the offences under Sections 3 & 4 of PMLA have been specifically excluded by the High Power Committee of the Hon'ble Delhi High Court.

It is further submitted that in the matter of Christian Michel James Vs. Central Bureau of Investigation, order dated 06.04.2020, bail application No. 2715/2019, the Hon'ble High Court has dismissed the bail application of the accused therein, facing trial for the commission of offences under Sections 3 & 4 of PMLA and the Hon'ble Supreme Court has dismissed the SLP (Criminal) Diary No. 10900/2020 vide order dated 22.04.2020 upholding the dismissal of bail application. It is forcefully argued that the allegations against the applicant are very serious in nature. It is further submitted that three of the accused are still at large and it is submitted that in case if the applicant/accused is released on interim bail, in all likelihood, he shall misuse the provisions of bail and shall abscond. It has further been brought to the notice of the Court that upon verification, it is found that the maternal uncle of accused is very much residing with the younger brother of accused. Therefore, it cannot be contended that there is nobody to take care of brother of the accused/applicant.


Ld. Defence Counsel, in rebuttal, has argued that although the maternal uncle of applicant is residing in the same building, but he is residing on separate floor and there is a property dispute between the



applicant/accused and his maternal uncle.

It is a settled proposition of law that interim bail can only be allowed in exceptional circumstances. A certificate of Akash Hospital has been placed on record by Ld. SPP on behalf of ED, where the younger brother of applicant/accused has gone for medical treatment. Perusal of said certificate reveals that the patient Vijay (brother of applicant/accused) has approached the hospital with complaint of generalized body weakness and body ache. His vitals were found to be stable and lab report was also found to be satisfactory. The patient was simply advised treatment and bed rest. The bed rest was advised for avoiding strenuous physical activities. It is reported that he does not need any support for his daily activities.

In light of certificate of Akash Hospital, the contention does not seem to bear any force that the applicant/accused deserves to be admitted on bail to take care of his brother. Considering the enormity of charge and the seriousness of allegations, I do not find it to be a fit case to exercise courts indulgence in favour of the applicant/accused. The application is accordingly dismissed. Copy of the order be given dasti to the Ld. Counsel for applicant/accused.



**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**



**IN THE COURT OF SH. DHARMENDER RANA, ADDITIONAL SESSION  
JUDGE, PHC, NEW DELHI.**

**Bail Application No. 633/2020  
FIR No.206/2018  
P.S Inderpuri  
U/s 6/21 POCSO Act  
State Vs. Pramod Kumar**


04.05.2020

Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.

Present: Sh. Irfan Ahmed, Ld. Addl. PP for the State.  
Sh. Ravinder Kumar, Ld. Counsel for the applicant/accused through video conferencing.

TCR has been received. It is submitted by Ld. Counsel for applicant that this is regular bail application and the matter is pending trial before the Court of Ld. ASJ Sh. Ashutosh Kumar. It is submitted that the instant application may kindly be listed before Ld. ASJ Sh. Ashutosh Kumar.

At request of Ld. Counsel for the applicant/accused, put up for arguments on bail application on 11.05.2020.

  
**(Dharmender Rana)  
Roster Judge  
ASJ-02/NDD/PHC/ND  
04.05.2020**



IN THE COURT OF SH. DHARMENDER RANA, ADDITIONAL SESSION  
JUDGE, PHC, NEW DELHI.

Bail Application No. 665/2020  
FIR No. VIII/03/DZU/2019  
P.S NCB  
U/s 8/9/20 & 25 of NDPS Act  
Jai Bhagwan Vs. NCB

04.05.2020

Vide order no. 5111-5200/D&SJ/NDD/2020 dated 03.05.2020 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-159/RG/DHC/2020 dated 02.05.2020 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 and 4518-4608/D&SJ/NDD/2020 dated 15.04.2020 to combat the pandemic of COVID 19.

Present: Sh. Vinay Kumar Sharma, Ld. Counsel for the applicant/accused  
through video conferencing.  
Sh. Mukesh Malik, Ld. SPP for NCB.

An application for grant of interim bail has been moved on behalf of the applicant/accused on the ground that wife of the applicant/accused is required to undergo surgery on 30.04.2020.

It is informed by the Ld. Counsel for the applicant/accused that surgery has been rescheduled for 09.05.2020.

Ld. SPP for NCB submits that they be given some time to verify the said fact.


In view of the same, counsel for applicant/accused is directed to email a certificate by the concerned doctor to the Court as well as NCB, to the effect that surgery of wife of the applicant/accused is scheduled for 09.05.2020 and it is urgent and essential.



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Ld. SPP for NCB shall accordingly verify the said fact and place on record verification report before the NDOH.

Put up for arguments on 08.05.2020.

  
**(Dharmender Rana)**  
**Roster Judge**  
**ASJ-02/NDD/PHC/ND**  
**04.05.2020**