

**BA No. 1917 of 2020**  
**FIR No. 373/20**  
**U/s 307/120B/34 IPC**  
**PS H.N. Din**  
**Raju @ Ravi Vs State**

**14.12.2020**

*Present Application is being taken up in terms of Office Order No. Judl./Bail Power/F.46/SED/Saket/2020/12351-12380 dated 29.10.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts (**Duty Roster**), by way of Video Conferencing through CISCO Webex app.*

Present: Sh. R S Negi, Ld. Addl. PP for the State  
Ms. M. Begum, Ld. Counsel for applicant/accused.  
Sh. Inderbir Singh, Ld. Counsel for complainant.  
IO/SI Gaurav Chaudhary through VC.

This is an application for grant of regular bail.

The case of prosecution in nutshell is that the victim was having a property dispute with his uncle i.e. co-accused Kavinder who had threatened him in past. On 13.11.2020, at about 7.30pm, when the victim was closing his shop, two persons came on a motorcycle and one of them fired bullet shot upon the victim which hit him on his back. As per prosecution, co-accused Kavinder had hatched a criminal conspiracy with applicant/accused Raju @ Ravi to kill the victim. The assailants were hired through another co-accused Rakesh @ Dillu (servant of applicant) who in turn contacted Suraj for the purpose.

It is submitted by Ld. defence counsel that applicant has been falsely implicated in the present case. It is further argued that no suspicion was raised against the applicant by the injured in his first statement, however, thereafter in his supplementary statement, he was falsely named as suspect. It is further argued that there is no admissible evidence against accused except his disclosure statement. It is argued that though the IO in

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his report has shown previous involvement of accused in two other cases, however, one of such case has already been quashed by Hon'ble High Court and in other matter, applicant is on bail. On these grounds, it is prayed that applicant may be granted bail.

Per contra, Ld. Addl. PP for State as well as Ld. Counsel for complainant have vehemently opposed the bail application on the ground that allegations against applicant/accused are grave and serious.

I have heard rival contentions and perused the record.

IO has reported that in the supplementary statement dated 15.11.2020, the applicant and co-accused i.e. servant Rakesh @ Dillu were seen around shop of victim 3-4 days prior to the incident and their presence was found to be suspicious. Further, it has been reported that on the basis of disclosure statement of applicant, the other co-accused i.e. Pankaj @ Tarun and Honey @ Chintu (the main assailants) were arrested and the weapon of offence was recovered from one of them i.e. co-accused Pankaj. Therefore, it is not a case where there is no admissible evidence against applicant as recovery of weapon of offence from co-accused Pankaj @ Tarun at the instance of applicant, is an admissible piece of evidence in terms of Section 27 Evidence Act.

The allegations against applicant are grave and serious. The investigation is still at the initial stage. Therefore, in the facts and circumstances of the present case and in view of gravity of offence, **I am not inclined to release the applicant/accused on bail. His bail application is accordingly dismissed.**

Dasti to Ld. defence counsel as well as to IO.

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**(ANUJ AGRAWAL)**  
**Duty ASJ-05, South-East District**  
**Saket Courts, New Delhi:14.12.2020**

BA No. 964 of 2020  
FIR No. 125/2020  
U/s 498A/406/34 IPC  
PS Shaheen Bagh

1. Shahbaz  
2. Mohd. Shahnawaz &  
3. Zarheer Ahmad Vs State

14.12.2020

*Present Application is being taken up in terms of Office Order No. Judl./Bail Power/F.46/SED/Saket/2020/12351-12380 dated 29.10.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts (Duty Roster), by way of Video Conferencing through CISCO Webex app.*

Present: Sh. R S Negi, Ld. Addl. PP for the State  
Sh. M.T. Malik, Ld. Counsel for applicants/accused.  
Sh. Pawan Kumar, Ld. Counsel for complainant.

Further report filed by the IO. Copy supplied.

As reported by IO, the applicants/accused have joined the investigation and they were relieved after interrogation. It has further been reported that no permission to arrest has been obtained in the instant case.

Since, there is no permission to arrest the applicants from Superior Police Officials, therefore, there is no reasonable apprehension of applicants being arrested in the instant case. **Accordingly, present application stands dismissed. However, I may add that in case IO intends to arrest the applicants after obtaining necessary permission, he shall serve a seven days prior notice upon the applicant. Application stands disposed of accordingly.**

Dasti to Ld. defence counsel as well as to IO.

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**(ANUJ AGRAWAL)**  
**Duty ASJ-05, South-East District**  
**Saket Courts, New Delhi:14.12.2020**

**FIR No. 68/12**  
**U/s 302 IPC**  
**PS H.N. Din**  
**Omid Hussain Vs State**

14.12.2020

*Present Application is being taken up in terms of Office Order No. Judl./Circular/F.43/South-East/Saket/2020/5757-5796 dated 30.05.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts, by way of Video Conferencing through CISCO Webex app.*

Present: Sh. R S Negi, Ld. Addl. PP for the State  
Sh. Mukesh Kalia, Ld. Counsel for applicant/accused.

Report from concerned Jail Superintendent has been received. Copy supplied.

At request of Ld. Counsel, put up for arguments on  
**17.12.2020.**

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**(ANUJ AGRAWAL)**  
**ASJ-05, South-East District**  
**Saket Courts, New Delhi:14.12.2020**