

**FIR No. 422/2018**  
**U/s 302 IPC**  
**PS Govindpuri**  
**Azeem Vs State**

17.12.2020

*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. Syed Hasan, Ld. Counsel for applicant/accused.

This is an application for grant of interim bail.

The accused is seeking interim bail on the ground that he has to make arrangement for his old aged parents who are suffering in his absence. It is argued that two of the public witnesses, who have been examined so far, have not supported the prosecution version. It is further argued that case of applicant also falls within the guidelines laid down by High Powered Committee.

Per contra, Ld. Addl. PP for State has vehemently opposed the bail application on the ground that allegations against accused are grave and serious.

I have heard rival contentions and perused the record.

The earlier application for grant of regular bail was dismissed by this court vide order dated 05.10.2020, observing that two of the eye witnesses are yet to be examined and since parties are known to each other, therefore chances of witnesses being influenced cannot be ruled out.

The said ground still subsists as the witnesses are yet to be

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examined. The accused cannot be granted interim bail under the guidelines of High Powered Committee as the application has been moved beyond last date i.e. 30.09.2020 which was fixed by High Powered Committee for moving such application.

The reasons cited by accused for grant of interim bail does not disclose good grounds to be entertained as the very incarceration of an accused not only curtails his 'personal liberty' but also certain other rights like 'right to maintain and take care of one's family'.

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

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

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

**In view of the above, I am not inclined to release the applicant/accused Azeem on interim bail. His interim bail application is accordingly dismissed.**

Dasti to Ld. defence counsel.

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**(ANUJ AGRAWAL)**  
**ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

**BA No. 2003 of 2020**  
**FIR No. 379/20**  
**U/s 363/366A IPC**  
**PS Amar Colony**  
**Gaurav Vs State**

**17.12.2020**

*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. Anil Malik, Ld. Counsel for applicant/accused.

Fresh application for grant of regular bail received through email. It be checked and registered.

Reply filed by the IO. Copy supplied.

After arguing for some time, Ld. Counsel seeks liberty to withdraw the present application.

In view thereof, present application stands dismissed as withdrawn.

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**(ANUJ AGRAWAL)**  
**Duty ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

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

17.12.2020

*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  
None for applicant/accused.

A letter was received from applicant complaining about ill treatment by certain jail staff namely Sushil Bhardwaj, Prahlad Sharma and Jail Superintendent. Accordingly, a report was called from DG (Prisons).

The report has been received. As per same, the allegations regarding ill treatment by jail staff namely Sushil Bhardwaj and Prahlad Sharma are false as they are not deputed in the concerned ward wherein applicant is lodged. All the allegations of the applicant have been reported as incorrect. It has further been reported that a decision has been taken to transfer the applicant from jail No. 8/9 to jail No.1.

In view of the report of concerned official, Prison Headquarters, no further intervention is required. The application stands disposed of accordingly.

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**(ANUJ AGRAWAL)**  
**ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

**FIR No. 86/2019**  
**U/s 394/397/411 IPC**  
**PS Lodhi Colony**  
**Mohd. Mukhtiyar Vs State**

17.12.2020

*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  
None for accused.

Accused was granted time till today to arrange the surety, however he has not appeared. In these circumstances, issue NBW against accused for **14.01.2021**, the date already fixed.

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**(ANUJ AGRAWAL)**  
**ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

**BA No. 474 of 2020**  
**FIR No. 213/20**  
**U/s 376 IPC**  
**PS C.R. Park**  
**Vishal Vs State**

**17.12.2020**

*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  
Applicant/accused in person (on interim bail).  
Prosecutrix in person.

Both accused and prosecutrix have appeared through VC together through same ID. It is submitted that since parties have married each other, they are living happy married life.

In these circumstances, **the interim bail granted to applicant/accused Vishal in terms of order dated 27.08.2020 is made absolute on furnishing of personal bond in the sum of Rs. 15,000/- with one surety of like amount to the satisfaction of concerned MM/Duty MM. Application stands disposed of accordingly.**

Dasti to Ld. defence counsel.

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**(ANUJ AGRAWAL)**  
**Duty ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

**BA No. 2004 of 2020**  
**FIR No. 501/2015**  
**U/s 363/366A/174A IPC**  
**PS Amar Colony**  
**Rajesh Vs State**

**17.12.2020**

*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).*

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

Fresh application for grant of regular bail received through email. It be checked and registered.

Reply filed by the IO. Copy supplied.

The case of prosecution in nutshell is that accused had enticed the minor prosecutrix to eloped with him and thereafter both of them eloped.

It is submitted by Ld. defence counsel that applicant has been falsely implicated in the present case. It is further argued that prosecutrix had gone of her own will with accused as they were in love with each other. It is argued that the accused and prosecutrix have since married each other and two children have been born out of the wedlock. It is further submitted that accused is in custody since 21.11.2020 and no more required for investigation. On these grounds, it is prayed that applicant may be granted bail.

Per contra, Ld. Addl. PP for State has vehemently opposed the bail application on the ground that allegations against accused are grave and serious.

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I have heard rival contentions and perused the record.

As reported by IO, in her statement recorded u/s 164 CrPC, prosecutrix has deposed that she has gone of her own free will with the accused and both of them have married each other. The prosecutrix was aged 17 years 6 months at the time of alleged incident. Therefore, it is evident that she has attained the age of discretion at the time of alleged incident and had gone of her own will. Therefore, it cannot be said that accused had enticed the prosecutrix, latter having accompanied the accused of her own choice. Be that as it may, accused is in custody since 21.11.2020 and no more required for investigation.

Therefore, in the facts and circumstances of the present case, **accused Rajesh is admitted to bail on furnishing of personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of Ld. MM/Duty MM.**

I may clarify that nothing expressed herein shall tantamount to an expression on the merit of present case.

Dasti to Ld. defence counsel.

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**(ANUJ AGRAWAL)**  
**Duty ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

**FIR No. 86/2019**  
**U/s 394/397/411 IPC**  
**PS Lodhi Colony**  
**Mohd. Mukhtiyar Vs State**

17.12.2020

At this stage, accused has appeared alongwith his surety and furnished personal bond/surety bond. The surety is the same person who was discharged on last date of hearing on his request. Surety submits that since accused is his relative, therefore, he has agreed to furnish surety for him today.

In these circumstances, the surety bond is accepted. NBW against accused stands cancelled.

Put up on date fixed i.e. **14.01.2021**.

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**(ANUJ AGRAWAL)**  
**ASJ-05, South-East District**  
**Saket Courts, New Delhi:17.12.2020**

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

17.12.2020

*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.

This is an application for grant of interim bail.

It is submitted by Ld. defence counsel that applicant has been falsely implicated in the present case. It is further argued that applicant is in custody since more than eight years and due to long incarceration in jail, he has suffered severe psychiatric/neurological issues. It is argued that applicant may be granted interim bail so that he can take appropriate treatment for his illness. It is further argued that there is no possibility of applicant tampering with the evidence as all the prosecution witnesses have already been examined. It is argued that there are no chances of applicant fleeing from course of justice as his surety would be arranged by Afghanistan Embassy. On these grounds, it is prayed that applicant may be granted interim bail.

Per contra, Ld. Addl. PP for State has vehemently opposed the bail application on the ground that in view of the report of concerned Jail Doctor, the condition of applicant is stable and satisfactory.

I have heard rival contentions and perused the record.

The medical report from concerned Medical Officer, Tihar

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Jail has been received which reveals that the applicant is being reviewed by jail visiting SR, Psychiatry on regular basis and last of such examination/review took place on 27.11.2020. The general condition of applicant has been reported as stable and satisfactory and he is being provided prescribed medicines from jail dispensary itself.

Therefore, considering the report of concerned Medical Officer, Tihar Jail, **I am not inclined to release the applicant/accused on interim bail. His application for interim bail is accordingly dismissed.**

Dasti to Ld. defence counsel.

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**(ANUJ AGRAWAL)**

**ASJ-05, South-East District  
Saket Courts, New Delhi:17.12.2020**

FIR no. 450/2020  
State Vs. Ubaish  
PS PPP

MS SWATI SHARMA  
Metropolitan Magistrate  
Room 10, District Court  
Saket, New Delhi

17.12.2020.

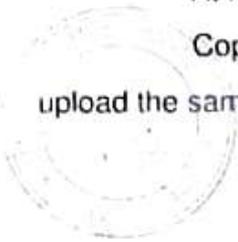
Arguments on the present application are heard via video conferencing through CISCO Webex app.

Present: Ld. APP for State.  
Ld. Counsel for accused.

Ld. Counsel for accused seeks adjournment to address the clarification and requests that the matter be adjourned for tomorrow.

At request, put up on 18.12.2020.

Copy of this order be sent to the Computer Branch who are directed to upload the same on the official website of Delhi District Courts.



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SWATI SHARMA  
MM-10/SE/Saket/  
New Delhi/17.12.2020

FIR no. 499/2020  
Gulam Sarwar Vs. Kalindi Kunj  
PS Kalindi Kunj

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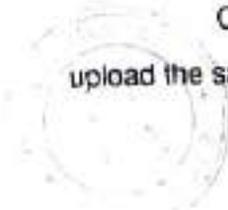
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Arguments on the present application are heard via video conferencing through CISCO Webex app.

Present: None.

Put up on date already fixed i.e. on 24.01.2021.

Copy of this order be sent to the Computer Branch who are directed to upload the same on the official website of Delhi District Courts.



*Swati*  
SWATI SHARMA  
MM-10/SE/Saket/  
New Delhi/17.12.2020

FIR no. 462/2008  
State Vs. Manish Kumar  
PS Amar Colony

17.12.2020

Arguments on the present bail application are heard via video conferencing through CISCO Webex app.

Present: Ld. APP for State  
Ld. Counsel for accused

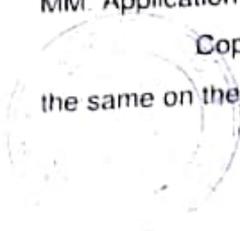
An application u/s 437 CrPC for grant of bail has been filed on behalf of the accused Manish Kumar by way of e-mail. In the present application it is stated that the accused is in JC since many days. It is further submitted that accused is falsely implicated in the present case and is innocent and is not a previous convict. It is further stated that investigation is complete and the accused is the sole bread earner of his family. It is therefore prayed that the accused be granted bail.

Ld. APP for State has opposed the bail application stating that accused is involved in the alleged offence. It is therefore prayed that the application be dismissed.

Heard. Perused.

Considering the facts and circumstances of the case that the investigation is complete and the accused has remained in JC for a considerable period of time. Further the aspect of de-congestion of jails due to Covid-19 pandemic is also of relevant consideration. Therefore no purpose would be served by keeping the accused in JC. Hence accused admitted to bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety in like amount both the subject to the satisfaction of the concerned Duty MM. Application is hereby allowed.

Copy of this order be sent to the Computer Branch who are directed to upload the same on the official website of Delhi District Courts.

  
SWATI SHARMA  
MM-10/SE/Sake/  
New Delhi/17.12.2020

FIR no- 479/2020  
State Vs. Danish  
PS Kalindi Kunj  
17.12.2020

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Arguments on the present bail application are heard via video conferencing through CISCO Webex app.

Present. Ld. APP for State.

Ld. Counsel for accused.

An application u/s 437 CrPC for grant of bail has been filed on behalf of the accused Danish by way of e-mail. In the present application it is stated that the accused is in JC since many days. It is further submitted that accused is falsely implicated in the present case and is innocent and nothing incriminating has been recovered from the possession of accused and the recovery shown by the police is planted upon him and is not a previous convict. It is further stated that investigation is complete. It is therefore prayed that the accused be granted bail.

Ld. APP for State has opposed the bail application stating that accused is involved in the alleged offence. It is therefore prayed that the application be dismissed.

Heard. Perused.

Considering the facts & circumstances of the case that the allegations against the accused are serious in nature, I do not deem it fit to grant bail to the accused and if accused released on bail he might influence the witness, I am not inclined to grant bail to the accused, hence his bail application stands dismissed.

Copy of this order be sent to the Computer Branch who are directed to upload the same on the official website of Delhi District Courts.

  
SWATI SHARMA  
MM-10/SE/Sake/  
New Delhi/17.12.2020

EFIR no. 17411/2020  
State Vs. Arbaz  
PS PPP

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17.12.2020.

Arguments on the present bail application are heard via video conferencing through CISCO Webex app.

Present: Ld. APP for State.

Ld. Counsel for accused.

An application u/s 437 CrPC for grant of bail has been filed on behalf of the accused Arbaz by way of e-mail. In the present application it is stated that the accused is in JC since many days. It is further submitted that accused is falsely implicated in the present case and is innocent and nothing incriminating has been recovered from the possession of accused and the recovery shown by the police is planted upon him and is not a previous convict. It is further stated that investigation is complete and chargesheet is filed. It is therefore prayed that the accused be granted bail.

Ld. APP for State has opposed the bail application stating that accused is involved in the alleged offence. It is therefore prayed that the application be dismissed.

Heard. Perused.

Considering the facts and circumstances of the case that the investigation is complete and the chargesheet is filed. Further the aspect of de-congestion of jails due to Covid-19 pandemic is also of relevant consideration. Therefore no purpose would be served by keeping the accused in JC. Hence accused admitted to bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety in like amount both the subject to the satisfaction of the concerned Duty MM. Application is hereby allowed.

Copy of this order be sent to the Computer Branch who are directed to upload the same on the official website of Delhi District Courts.

  
SWATI SHARMA  
MM-10/SE/Saket  
New Delhi/17.12.2020