

FIR No. 524/2016
U/s 395/364A/328/365/34 IPC
PS Jaitpur
Amir Chand Vs State

03.12.2020

*Present Application is being taken up in terms of Office Order No. Judl./F.58//Committee/SED/2020/8870-8928 dated 08.09.2020 passed by Ld. District & Sessions Judge, SED, Saket Courts (**Regular Link Roster**), by way of Video Conferencing through CISCO Webex app.*

Present: Sh. R S Negi, Ld. Addl. PP for the State
Sh. Ajay Kumar Jha, Ld. Counsel for applicant/accused.

This is an application for grant of regular bail.

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

In view thereof, the instant application is dismissed as withdrawn.

Dasti to Ld. defence counsel.

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(ANUJ AGRAWAL)
1st Link ASJ-05, South-East District
Saket Courts, New Delhi:03.12.2020

BA No. 1898 of 2020
FIR No. 239/20
U/s 420/468/471 IPC
PS NFC
Javed Ali Vs State

03.12.2020

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. Sundeep Sehgal, Ld. Counsel for applicant/accused.
IO/SI Vishnu through VC.

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

Reply filed by the IO. Copy supplied.

Part arguments heard.

During course of arguments, Ld. defence counsel submits that applicant is merely a tenant in the property of complainant and has never claimed its ownership. It is further argued that he has not filed any forged document with BSES.

The reply filed by IO is silent about the documents which have been allegedly forged by applicant/accused. IO seeks some time to obtain the same from BSES and file his comprehensive reply. Directed accordingly.

Accused is also directed to join the investigation as and when asked to do so. In the meantime, no coercive steps shall be taken against applicant/accused.

Put up on **22.01.2021**.

Dasti through e-mail.

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**Duty ASJ-05, South-East District
Saket Courts, New Delhi:03.12.2020**

BA No. 1896 & 1897 of 2020
FIR No. 191/20
U/s 354/341/323/506/34 IPC
PS NFC

1. Mahesh and
2. Narottam @ Nirotha Vs State

03.12.2020

*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. Ravinder Bhati, Ld. Counsel for applicant/accused.
Complainant alongwith Ld. Counsel Sh. M. Shakeel.
IO/SI Narasi Prasad through VC.

By this common order, I shall dispose of two separate applications moved on behalf of applicants for grant of anticipatory bail.

Reply filed by the IO. Copy supplied.

It is argued by Ld. Counsel for accused that complainant is the cousin sister of wife of co-accused Santosh @ Bhura. It is argued that the family members of complainant are not happy with the marriage of co-accused Santosh @ Bhura and the brother of complainant had assaulted the wife of said co-accused on 23.07.2020 at around 1.00 pm and when other family members i.e. her mother-in-law and brother-in-law tried to intervene, they were also assaulted by brother of complainant. He further submits that the complaint in this regard was also made on 24.07.2020 in the concerned police station. It is argued that the applicants/accused have been falsely implicated in the instant case as a counterblast. It is further argued that co-accused Santosh @

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Bhura has already been granted anticipatory bail by this court vide order dated 10.11.2020.

Per contra, Ld Addl PP for State, IO as well as Ld. Counsel for complainant have vehemently opposed the instant application on the ground that allegations against applicants are grave and serious. It is further argued that accused have not joined the investigation and they are threatening the witnesses.

I have heard rival contentions and perused the record.

The co-accused Santosh @ Bhura has already been granted anticipatory bail vide order dated 10.11.2020 with the following observations:-

“The parties are levelling allegations and counter-allegations against each other. During course of arguments, it is informed by IO that an NCR u/s 323 IPC has been registered on the complaint of wife of applicant against the complainant side. The MLC of wife of applicant and his mother has also been verified. It is evident that both the parties have received injuries in the scuffle and making allegations and counter-allegations. The rival contentions shall however be adjudged during course of trial only. In my view, custodial interrogation of accused is not required and his presence can be secured by imposing conditions.”

The role of applicants is similar to co-accused Santosh @ Bhura who has already been granted anticipatory bail by this court. Therefore, in the facts and circumstances of present case and on the ground of parity, instant applications are allowed. It is directed that in the event of arrest, the applicants Mahesh and Narottam @ Nirotha are directed to be released on bail, on furnishing personal bond in the sum of Rs.15000/- each with one surety in the like amount to the satisfaction of SHO/IO concerned. This order of anticipatory bail is subject to the following conditions:-

(i) during the period of bail, accused/applicants shall not try to

contact or influence, directly or indirectly, any of the victims/witnesses of the present case;

(ii) applicants shall not misuse the benefit of bail by indulging in commission of offences in future;

(iii) the applicants shall not leave the country without prior permission of the court;

(iv) the applicants shall join the investigation as and when directed to do so;

(v) the applicants shall intimate the court in case of change of their addresses.

Applications stand disposed of accordingly. Copy of this order be sent to Ld. Magistrate/SHO/IO as well as to Ld. defence counsel through email.

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(ANUJ AGRAWAL)
Duty ASJ-05, South-East District
Saket Courts, New Delhi:03.12.2020

BA No. 1895 of 2020
FIR No. 333/20
U/s 394/411/34 IPC
PS Amar Colony
Jitender @ Jitu Vs State

03.12.2020

*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. S.K. Singh, Ld. Counsel for applicant/accused.
IO/SI Abhishek through VC.

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

Reply filed by the IO. Copy supplied.

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 JC since 27.08.2020 and chargesheet has already been filed. It is argued that all the other cases have been planted upon accused after his apprehension in the instant matter. 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.

I have heard rival contentions and perused the record.

The previous bail application of accused was dismissed by this court vide order dated 05.11.2020 considering the gravity of allegations, his apprehension at the spot and his previous involvement.

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The said grounds still subsist and there is no change of circumstance since passing of order dated 05.11.2020. All the contentions as raised in the present application have already been dealt by this court previously.

Therefore, in the facts and circumstances of the present case and since there is no change of circumstance, **I am not inclined to release the applicant/accused on bail. His bail application is accordingly dismissed.**

Dasti to Ld. defence counsel.

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(ANUJ AGRAWAL)
Duty ASJ-05, South-East District
Saket Courts, New Delhi:03.12.2020

BA No. 1839 of 2020
FIR No. 45/20
U/s 420/34 IPC
PS H.N. Din
Raghubir Singh Vs State

03.12.2020

*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. Aman Mudgal, Ld. Counsel for applicant/accused.
Sh. Abhir Dutt, Ld. Counsel for complainant.

Further directions from Hon'ble Apex Court are awaited.

In these circumstances, be put up on **10.12.2020**. Till then, the interim bail of accused shall remain extended.

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(ANUJ AGRAWAL)
Duty ASJ-05, South-East District
Saket Courts, New Delhi:03.12.2020

FIR No. 307/2019
U/s 307/34 IPC
PS Govindpuri
Ganesh Vs State

03.12.2020

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. M.K. Pandey, Ld. Counsel for applicant/accused.

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

The case of prosecution in nutshell is that on 12.09.2019 at around 9pm, near Sai Mandir, Valmiki Colony Road, Bengali Colony, applicant/accused alongwith other co-accused stabbed the complainant multiple times and fled away from the spot.

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 JC since 02.07.2020 and is no more required for investigation. It is argued that remaining co-accused are already on bail. Therefore, accused also deserves to be granted bail in the instant case.

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 applicant/accused was evading his arrest in the instant case since date of incident and could only be arrested after around one

year i.e. in July, 2020. The allegations against applicant/accused are grave and serious. The regular bail application of co-accused Tarun @ Taran was dismissed by Ld. Predecessor of this court vide order dated 04.03.2020, observing that matter is at the initial stage and even the charges have not been framed. The co-accused are on interim bail and not on regular bail and therefore no question of parity arises in the instant application.

Therefore, in the facts and circumstances of the present case and since the charges are yet to be framed, **I am not inclined to release the applicant/accused on bail. His 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:03.12.2020

FIR no. 429/2012
State Vs. Rohit
PS Amar Colony

03.12.2020

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 Rohit 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 sole bread earner of his family 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 and circumstances of the case that the investigation is complete and 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 sending the accused to 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/03.12.2020

EFIR no. 043324/2019
State Vs. Azhar Ali
PS Kalindi Kunj

03.12.2020

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 Azhar Ali 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 sole bread earner of his family and is not a previous convict. It is further stated that investigation is complete and nothing incriminating has been recovered from the accused. 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 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 sending the accused to 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/03.12.2020

FIR no. 0355/2018
State Vs. Parveen @ Rahul Jaat
PS Amar Colony

03.12.2020

An application u/s 437 CrPC for grant of bail on behalf of the applicant/accused namely Parveen @ Rahul Jaat is filed by way of e-mail

Present Ld. APP for State

Ld. Counsel for accused

As the matter pertains to the offence u/s 420 IPC therefore, it would be appropriate to call the complainant at the time of hearing arguments on bail. Let notice be issued to the complainant through IO to join the court proceedings via VC on NDDH. Let both the IO's be also called to join the proceedings via VC.

Put up on 04.12.2020 at 1:00 pm.

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/03.12.2020

FIR no. 479/2020
State Vs Ramzani & Ors
PS Kalindi Kunj

03.12.2020

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 Ramzani 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 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 and circumstances of the case that the allegations against the accused are serious in nature 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/Saket/
New Delhi/03.12.2020

EFIR no. 000417/2020
State Vs. Unknown
PS Amar Colony

03.12.2020

Fresh application for release of HP Laptop on superdari filed through e-mail on behalf of applicant owner namely Himanshu Chugh

Present: Lt. APP for State
None for applicant

Reply has been received from the IO through e-mail. IO has tendered no objection to release of the above said mobile phone.

Arguments on the application heard through CISCO WEBEX. Report perused.
Photocopy of receipt of laptop of the applicant is also received with application.
Submission heard.

Abovesaid laptop, as per seizure memo, be released to the applicant / rightful owner on furnishing an **Indemnity Bond** in the sum of **Rs. 10,000/-** to satisfaction of IO/SHO concerned. The applicant/rightful owner shall not dispose it of or shall not make any change without prior permission of the Court in any manner whatsoever and further shall produce the laptop as and when required.

IO SHO, PS Amar Colony is directed to retain photographs of the abovesaid laptop. IO is directed to record the details of the laptop before releasing the same to the applicant. The same should be made part of chargesheet.

IO / SHO, PS Amar Colony is also directed to attach set of photographs of said laptop with judicial file at the time of filing of chargesheet before the Court.

Applicant shall bear the expenses of photographs.

Application moved by applicant stands disposed off accordingly.

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/03.12.2020

FIR no. 37/2020
State Vs. Amir
PS Kalindi Kurlj

03.12.2020

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 Amir 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 is not a previous convict. It is further stated that investigation is complete and recovery is already effected. 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 accused is first time offender. 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 sending the accused to JC. Hence accused admitted to bail on furnishing a personal bond in the sum of Rs. 10,000/- 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/03.12.2020

FIR no. 0428/2020
State Vs. Harbinder Singh
PS Pul Prahladpur

03.12.2020

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 Harbinder Singh 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 is not a previous convict. It is further stated that there is no any public witness at the time of recovery/arrest. It is further stated that investigation is complete and recovery is already effected. 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 complet and accused is first time offender. 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 sending the accused to JC. Hence accused admitted to bail on furnishing a personal bond in the sum of Rs. 10,000/- 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/03.12.2020

FIR no. 458/2020
State Vs. Tofik
PS Amar Colony

03.12.2020

An application for release of vehicle bearing no. DL1LAD6518 to the applicant is filed by way of e-mail.

Present: Ld. APP for State

Ld. Counsel for applicant.

As per the reply of the IO, the insurance policy is yet to be verified. IO is directed to get it verified by the NDOH.

Put up on 07.12.2020

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.

SWATI SHARMA
MM-10/SE/Saket/
New Delhi/03.12.2020

FIR no. 491/2020
State Vs. Unknown
PS Amar Colony
03.12.2020

Fresh application for release of vehicle bearing No. DL2CAT0275 on superdari filed through e-mail on behalf of applicant/ registered owner namely Taranpreet Singh.

Present. Ld. APP for State
None for applicant

Reply has been received from the IO through e-mail. IO has tendered no objection to release of the vehicle.

Arguments on the application heard through CISCO WEBEX. Report perused.

Keeping in view the report of the IO and law laid down by Hon'ble High Court of Delhi in case titled as **Manjit Singh v/s State; Crl. M. C. 4485/2013 and Crl. M. A. No. 16055/2013** wherein inter alia the law laid down by Hon'ble Supreme Court of India in case titled as **Sunderbhai Ambatal Desai and C. M. Mudaliar v/s State of Gujarat; (2002) 10 SCC 283** has been reiterated, SHO concerned is directed as under:

- i) to release the above mentioned vehicle to applicant/ registered owner subject to preparing detailed proper panchnama of above mentioned vehicle,
- ii) take photographs of above mentioned vehicle from all possible angles including engine number and chasis number and file the same along with chargesheet;
- iii) Take a security bond from applicant/ registered owner stating that abovementioned vehicle shall be produced by him/her as and when directed and shall also indemnify to the amount mentioned as per applicant, in case any claim regarding ownership of vehicle arises in future;
- iv) to get panchnama and photographs of abovementioned vehicle attested and countersigned by complainant as well as by applicant/ registered owner and IO;

Application moved by applicant stands disposed off accordingly.

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/03.12.2020