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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2963/2019**

ANWAR ALI

..... Petitioner

Through: Ms. Anu Narula, Advocate (DHCLSC)

Versus

STATE

..... Respondent

Through: Dr. M.P. Singh, APP for State with SI
Rakesh Kumar, P.S. Kotwali

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.01.2020

1. The present bail application has been filed seeking regular bail in FIR No. 398/2016 under Section 307 IPC registered at Police Station Kotwali, Delhi.
2. Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 28.09.2018. She submits that initially the FIR was registered under Section 324 IPC on the basis of the MLC and the statement of the complainant. Subsequently, as per the nature of injuries, the case was converted into Section 326 IPC and later the charge-sheet was filed under Section 307. She submits that out of 13 witnesses, the material witnesses i.e., injured and the complainant have already been examined. She submits that the complainant has not supported the prosecution case. She further submits that as per the testimony of the injured, his statement for the first time was recorded after one year of the incident. She further submits that the weapon of offence has not been recovered.

3. Learned APP for the State has vehemently opposed the bail application. He submits that injured has supported the prosecution case. He, on instructions, submits that all the material witnesses have been examined. He further submits that the petitioner has also been involved in another case i.e. FIR No. 423/2001 registered under Sections 12/9/55 Gambling Act, P.S. Kashmere Gate, Delhi.

4. In view of the facts and circumstances, the petitioner is admitted to regular bail on his furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court and subject to the following conditions:-

(i) The petitioner will not directly or indirectly make any inducement, threat or promises to the complainant or any witness during the trial or tamper with the evidence.

(ii) The petitioner shall provide the I.O./SHO Police Station Kotwali, Delhi with his mobile phone number and in the event of change of his residential address, shall inform the same to the I.O./SHO.

(iii) The petitioner will remain regularly present before the Trial Court.

5. With the above directions, the bail application is disposed of.

DASTI.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 19/2020**

SALAHUDDIN & ANR.

..... Petitioners

Through: Mr. Abhishek Sharma, Advocate with
Mr. Sachin Sharma, Advocate

Versus

STATE & ANR.

..... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
C.P. Singh, P.S. Jamia Nagar

Mr. Sunil Fernandes, Standing Counsel with Mr.
Darpan Sachdeva, Ms. Anju Thomas, & Mr.
Prastut Dalvi Advocate for respondent No. 2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.01.2020

CRL.M.A. 76/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 19/2020

1. The present proceedings are instituted seeking quashing of FIR No. 640/2017, under Section 135 of Indian Electricity Act (Amend), 2003 registered at P.S. Jamia Nagar, Delhi on the ground that parties have settled their disputes.
2. The learned counsels for the parties submit that they have entered into a settlement before Lok Adalat. In terms of the settlement, the petitioners have paid the settled amount of Rs.56,149/- to respondent No.2 company, in respect of which 'No Dues' certificate has been issued by respondent No.2

CRL.M.C. 19/2020

Page 1 of 2

company. A copy of the same is annexed as Annexure P-3 with the petition. In terms of the settlement respondent No.2, is now, left with no claim whatsoever against the petitioners.

3. Mr. Sunil Fernandes, Standing Counsel for respondent No.2/BSES, on instructions, submits that respondent No.2 company has no objection if the present FIR and consequent proceedings are quashed.

4. Learned counsels for the parties submit that no other proceedings are pending between the parties.

5. The parties are bound by the statements made in Court today.

6. In view of the fact that the parties have amicably settled their dispute, no useful purpose will be served in continuance of criminal proceedings against the petitioners. It is accordingly directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed.

7. The petition is disposed of.

8. Copy of the order be given *dasti* to the learned counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 12/2020**

NARENDER @ SUNNY

..... Petitioner

Through: Mr. Vikas Thakur, Advocate

Versus

STATE N.C.T OF DELHI

..... Respondent

Through: Dr. M.P. Singh, APP for State with
Inspector Satyapal & SI S.N. Ojha, P.S. Karol
Bagh

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **07.01.2020**

CRL.M.A. 114/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

BAIL APPLN. 12/2020

1. Issue notice.
2. Learned APP for the State accepts notice.
3. Let the Status Report be filed, indicating the list of involvements if any, before the next date of hearing.
4. List on 11th February, 2020.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 23/2020**

RAMESH & ORS

..... Petitioners

Through: Mr. Mohit Chawla, Advocate alongwith
petitioners in person.

Versus

STATE (GOVT. OF NCT OF DELHI) & ANR Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Deepak, P.S. Punjabi Bagh
Mr. B.S. Rana, Advocate with respondent No. 2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **07.01.2020**

CRL.M.A. 101/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 23/2020

1. The present proceedings are instituted seeking quashing of FIR No. 360/2017 under Sections 323/354/354(B)/506/34 IPC registered at P.S. Punjabi Bagh, Delhi on the ground of settlement having been arrived at between the petitioners and respondent no. 2.
2. As per the prosecution case, the present FIR has been filed by respondent no.2 against the present petitioners who are their neighbours. The incident occurred on account of a quarrel that took place between the parties on the issue of parking of motorcycle.

3. Ms. Manjeet Arya, learned APP for the State, submits that the charge sheet in the present case has been filed under the aforesaid sections against the petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that the petitioners and respondent no.2 have entered into a settlement on 23.12.2019. A copy of the same is annexed with the petition as Annexure P-7. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.
5. The petitioners and respondent no.2 who are present in person are identified by their respective counsels as well as by the Investigating Officer. The petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future.
6. Respondent no. 2 states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further states that the petitioners have not repeated the same incident and that she has no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsels for the parties submit that besides the present FIR there is cross FIR No. 268/2017, under Sections 354/323/341/506/34 P.S. Punjabi Bagh, Delhi and quashing of the same is sought in CRL.M.C. 26/2020.
8. The parties shall remain bound by their statements made in Court today.
9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present

criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to costs of Rs.5,000/- to be deposited with '*Delhi High Court Legal Services Committee*' by the petitioners within one week. Receipt evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

10. With the above directions, the petition is disposed of.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 26/2020**

AMIT DUTT @ ANSHU & ORS

..... Petitioners

Through: Mr. B.S. Rana, Advocate alongwith
petitioners in person.

Versus

STATE & ANR

..... Respondents

Through: Ms. Manjeet Arya, APP for State with SI
Deepak, P.S. Punjabi Bagh
Mr. Mohit Chawla, Advocate with respondent No.
2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.01.2020

CRL.M.A. 107/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 26/2020

1. The present proceedings are instituted seeking quashing of FIR No. 268/2017 under Sections 354/323/341/506/34 IPC registered at P.S. Punjabi Bagh, Delhi on the ground of settlement having been arrived at between the petitioners and respondent no. 2.
2. As per the prosecution case, the present FIR has been filed by respondent no.2 against the present petitioners who are their neighbours. The incident occurred on account of a quarrel that took place between the parties on the issue of parking of motorcycle.

3. Ms. Manjeet Arya, learned APP for the State, submits that the charge sheet in the present case has been filed under the aforesaid sections against the petitioners and respondent no.2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that the petitioners and respondent no.2 have entered into a settlement on 23.12.2019. A copy of the same is annexed with the petition as Annexure P-7. In terms of the settlement, respondent no.2 is now left with no claim whatsoever against the petitioners.
5. The petitioners and respondent no.2 who are present in person are identified by their respective counsels as well as by the Investigating Officer. The petitioners have shown remorse for their conduct and have undertaken not to repeat the same in future.
6. Respondent no. 2 states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further states that the petitioners have not repeated the same incident and that she has no objection if the present FIR and consequent proceedings are quashed.
7. Learned counsels for the parties submit that besides the present FIR there is cross FIR No. 360/2017 under Sections 323/354/354(B)/506/34 IPC P.S. Punjabi Bagh, Delhi and quashing of the same is sought in CRL.M.C. 23/2020.
8. The parties shall remain bound by their statements made in Court today.
9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present

criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed, subject to costs of Rs.5,000/- to be deposited with '*Delhi High Court Legal Services Committee*' by the petitioners within one week. Receipt evidencing deposit of costs be filed in the Registry as well as with the Investigating Officer.

10. With the above directions, the petition is disposed of.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2588/2019**

MOHD. AKHTAR @ RAJA Petitioner

Through: Mr. Sumel Mehta, Advocate

Versus

STATE Respondent

Through: Dr. M.P. Singh, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **07.01.2020**

CRL.M.A. 143/2020 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.A. 142/2020 (extension of interim bail)

At request of learned counsel for the petitioner, list on 8th January, 2020.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3022/2019**

CHIMA CHUKWU EMEKA SAMUEL Petitioner

Through: Ms. Shilpa Dua, Advocate

Versus

STATE (NCT OF DELHI) Respondent

Through: Ms. Manjeet Arya, APP for State with
ASI Ram Niwas, P.S. Maidan Garhi

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **07.01.2020**

CRL.M.A. 124/2020

1. The present application is filed on behalf of the petitioner seeking withdrawal of the bail application.
2. The application is allowed as prayed for and the petitioner is permitted to withdraw the present bail application.
3. The application stands disposed of.

BAIL APPLN. 3022/2019

1. In view of the order passed in CRL.M.A. 124/2020, the bail application is dismissed as withdrawn.
2. The date already fixed i.e. 3rd February, 2020 stands cancelled.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 1261/2015

SUDARSHAN MISHRA Appellant

Through: Ms. Dolly Sharma, Advocate for Mr.
Sumer Sethi, Advocate

Versus

STATE Respondent

Through: Ms. Manjeet Arya, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **07.01.2020**

At request of learned counsel for the appellant, list on 8th January,
2020.

MANOJ KUMAR OHRI, J

JANUARY 07, 2020/p'ma