

\$~VC-10, 11 & 12

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

10.

+ BAIL APPLN. 907/2020

MOHSIN alias TOTAL Petitioner

Through: Mr. Shivendra Singh, Advocate

versus

STATE

..... Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor

11.

+ BAIL APPLN. 860/2020

YASIN alias GILLI Petitioner

Through: Mr. Shivendra Singh, Advocate

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Tarang Srivastava, Additional
Public Prosecutor

AND

12.

+ BAIL APPLN. 861/2020

ANIL Petitioner

Through: Mr. Shivendra Singh, Advocate

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Tarang Srivastava, Additional
Public Prosecutor

CORAM:
HON'BLE MS. JUSTICE ASHA MENON

ORDER
% **19.05.2020**

1. These three applications for interim bail are taken up together for disposal as the applicants are co-accused in FIR No.195/2017 registered under Sections 302/201/120-B/34 IPC, at P.S. Subzi Mandi (North Distt.), Delhi.
2. The Status Reports have been received with a list containing details of previous involvements of the applicant/Mohsin @ Total and Mohd. Yasin. A perusal of these reports reveal the involvement of applicant Mohsin in 11 other cases and the involvement of Mohd Yasin in 12 other cases, under the Arms Act and the IPC including under Section 307 of the IPC.
3. Smt. Neelam Sharma and Sh.Tarang Srivastava, learned APPs submit that Nominal Rolls of the applicants/Mohsin and Yasin are not satisfactory in the least, inasmuch as they have been repeatedly punished for their misconduct, including misbehaving with DAP 3rd Bn. Staff at Court Lock-up.
4. In these circumstances, this Court does not consider it appropriate to allow the bail applications of applicants/Mohsin and Yasin.
5. At this stage, Sh.Shivendra Singh, learned Legal Aid Counsel appearing for the applicants submits that in view of the extraordinary

conditions prevailing on account of Covid-19 pandemic and since the trial is yet to conclude, interim bail may be granted to these applicants upto 24.06.2020, the next date fixed before the Trial Court.

6. Considering the previous history of both the applicants, this Court cannot accede to the request made by the learned Legal Aid Counsel for grant of interim bail and no such relief can be granted to the applicants/Yasin and Mohsin. Accordingly, the bail applications of both these applicants are dismissed.

7. Coming to the application of applicant/Anil, there is no dispute that nothing was recovered from his possession and his alleged role in the commission of the offence is similar to that of co-accused/Deepak and nothing had been recovered from him.

8. In the circumstances, without commenting on the merits of the case, on parity, the application is allowed and the applicant/Anil is admitted to bail subject to his furnishing a personal bond and a surety bond of Rs.15,000/- each, to the satisfaction of the Trial Court/Duty MM, and subject to the further following conditions: -

- (i) The applicant will not make any effort to talk to the witnesses or interfere, directly or indirectly, with the trial or tamper with the evidence.
- (ii) The applicant will furnish his mobile phone/landline number and residential address as well as that of his surety to the I.O./SHO

concerned and both shall keep their mobile/landline phones operational at all times during this period and in the event of any change of the same, will immediately inform the same to the I.O./SHO.

- (iii) That applicant will leave/drop his PIN location on Google maps with the SHO concerned every day.
- (iv) Neither the applicant nor the surety will leave the jurisdiction of the Delhi courts, even if the lockdown is eased, without specific permission from the Trial Court/Duty MM.

9. The applications are disposed of accordingly.

ASHA MENON, J

MAY 19, 2020
s/pkb