

State Vs Manish @ Munshi
FIR NO. 491/2015
under Section 307/120-B/34 IPC r/w 25/27 Arms Act
PS Subzi Mandi
CNR NO. -DLCT01-004315-2015

06.08.2022

Present application has been filed on behalf of accused/applicant named above for grant of interim bail.

Present: Sh Virender Singh, Ld.Addl PP for State.
Sh M.S. Khan and Ms Soniya Arya, Ld. Counsel(s)
for accused/applicant.

Heard. Perused.

Ld. Counsel for accused/applicant submits that accused/applicant has been falsely implicated in this case and he is in custody since the last several years. Application in hand has been filed on the ground that niece of accused/applicant aged about 09 years is admitted in hospital and there is nobody else in the family of accused/applicant to take care of girl child. Niece of accused/applicant is suffering from various ailments and accused/applicant will make arrangements for treatment of his niece.

On the other hand, Ld. Addl. PP for State has strongly opposed the application in hand on the ground that allegations against accused/applicant are of very serious nature and accused/applicant may jump bail if granted.

I have duly considered the rival submissions. I have perused the record carefully.

As per report received from PS Subzi Mandi, niece of accused/applicant was admitted in Guru Gobind Singh Govt

Contd.....

State Vs Manish @ Munshi

FIR NO. 491/2015

Hospital w.e.f. 12.07.2022 till 15.07.2022 and later on she was discharged from hospital. The ailing niece of accused/applicant can be looked after by her mother as well as other family members of accused/applicant.

Perusal of record shows that niece of accused/applicant is no more admitted in aforesaid hospital as she was discharged on 15.07.2022. Sister-in-law/Bhabhi of accused/applicant is very much there to take care of her daughter and for ensuring proper treatment to her. Mother of accused/applicant is also there to take care of her granddaughter.

Perusal of record further shows that accused/applicant was granted interim bail for a period of one week vide order dated 15.12.2020 on the ground of death of his father. However, accused/applicant failed to surrender on expiry of period of one week and he ultimately surrendered in court on 07.12.2021 i.e. after about one year. This conduct of accused/applicant clearly shows that accused/applicant had misused the liberty/concession of interim bail granted to him. Due to long absence/non-appearance of accused/applicant the trial of present case could not proceed further for a considerable time. It is pertinent to mention that the present case is a time bound case as Hon'ble High Court of Delhi vide order dated 21.01.2021 had directed this court to conclude trial within a period of one year.

Contd.....

State Vs Manish @ Munshi

FIR NO. 491/2015

Keeping in view the aforesaid facts and circumstances, I find no merits in the present application. The same is hereby dismissed and disposed of accordingly.

Copy of this order be sent to concerned Jail Superintendent to inform the accused/applicant and one copy of this order be given dasti to Ld. Counsel for accused/ applicant.

(Deepak Dabas)
ASJ/Special Judge, NDPS
(Central) Tis Hazari Courts
Delhi/06.08.2022