

Session Case No. 256/2019
FIR No. 485/2018
PS-Bawana
State Vs. Harsh @ Deepak @ Joni & Ors.

01/10/2020

Pursuant to the directions contained in letter no. 417/RG/DHC/2020 dated 27.08.2020 of the Hon'ble High Court of Delhi and circular No.33739-33799/D&SJ Sectt./COVID/North/RC/2020 dated 28.09.2020, the undersigned is also holding physical hearing in the Court today.

As per order no. 322/RG/DHC/2020 dated 15/08/2020 of Hon'ble Delhi High Court & subsequent order no. 29966-30040/D&SJ/Sectt. (N & NW)/RC/2020 dated 16/08/2020 of Id. District & Sessions Judge, North, Delhi, the functioning of subordinates Courts will be as per earlier order of Hon'ble Delhi High Court bearing no. 26/DHC/2020 dated 30/07/2020, whereby it was directed that all the Courts shall take-up all the cases listed before them through videoconferencing 10 AM onwards. However, evidence shall be recorded only in ex-parte and uncontested matters where the same is required to be tendered by way of affidavit. It has also been directed that subordinate courts, may, adjourn the matters which can be heard appropriately through regular mode only. It has also been directed that no adverse order in non-urgent/routine matters, where the concerned advocate/litigant is unable to join the proceedings through videoconferencing, shall be passed, till the time the physical functioning of the Courts is resumed.

Present in the Court : Sh. Sanjay Jindal, Id. substitute Addl. PP for the State.
Sh. J.P. Singh, Id. Counsel for Ankit Maan (A-2).
A-3 to A-5 are POs.

Presence through Webex : Sh. Ujjwal Puri, Id. Counsel for A-1.

The present matter is fixed for arguments on charge as well as for consideration of application for extension of interim bail for a period of 45 days moved on behalf of applicant/accused Deepak @ Harsh. The same is taken-up through videoconferencing with the consent of the parties.

After hearing some arguments, respective Id. Counsel for accused Deepak @ Harsh (A-1) & Ankit Maan @ Mann (A-2) have conceded on the point of charge and have stated that charge under appropriate Sections maybe framed against both the said accused.

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As regards the pending bail application of applicant/accused Deepak @ Harsh (A-1), Id. Counsel has submitted that applicant/accused was granted interim bail for seven days vide order dated 15/09/2020. He has further submitted that on 24/09/2020, the applicant/accused was having slight fever and on 25/09/2020, his COVID test was done and for confirmation whether he was tested positive or negative, he was discharged and as a precautionary measure, the doctor advised him to isolate himself for 14 days and get the COVID-19 test done again. On earlier occasion, a contrary submission was given by the Id. Counsel that by next date, he will file the report regarding COVID-19 and today a different stand has been taken by him. Earlier, the bail was granted to applicant/accused Deepak @ Harsh since there was a family function. Now, no urgency is shown for extending the interim bail. Hence, the present application for extension of interim bail of applicant/accused Deepak @ Harsh is dismissed and is disposed of accordingly. **The applicant/accused is directed to surrender before the concerned Jail Superintendent by 5.00 p.m. tomorrow i.e. 02/10/2020. Let copy of this order be sent to concerned Jail Superintendent for information in this regard.**

Put up for framing of charge on **08/10/2020**.

Let copy of this order be sent on the email/whatsapp of Id. counsels for the accused A-1 & A-2 as well as to Id. Substitute Addl. PP for the State.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:01/10/2020(A)