

J. PRADEEP SINGH  
Metropolitan Magistrate-04  
South-East District, Court No- 2  
Saket Court Complex, New Delhi

FIR No. 43/20  
PS. Shaheen Bagh

u/s 186/353/341/188/269/34 IPC

29.03.2020

This is the application seeking grant of bail moved u/s. 437 Cr.PC on behalf of accused/applicant Syed Taseer Ahmed.

Present: Sh. Pravesh Vyas, Ld. APP for State.

Ms. Dipika Jain, Ms. Seema Misra, Sh. Tarique, Firoz Iqbal Khan and Sh. Rashid Azam Ld counsels for accused/applicant.

Heard on the above said application. Perused.

It is stated by the counsel for accused that the applicant is innocent and has nothing to do with the alleged offence. That the applicant is likely to be infected with the coronavirus if detained for long. That there is no other criminal involvement of the applicant except the present case and that if admitted to bail the applicant will abide by any condition imposed by the court.

On the other hand, Ld. APP for State assisted by the IO SI Gaurav Choudhary has opposed the bail application stating that the applicant has disobeyed the directions of the State Government and of the Union Government regarding the lockdown and prohibition of protests gathering etc. which were made to prevent the spread of the coronavirus and therefore he cannot claim release on bail. It is stated that the accused did not pay any heed to the directions of the police officials to remove himself from the protest site and he in fact had obstructed the police from discharging their duties. That if released on bail the accused may mobilise large crowd at the protest site and the same might pose problems of law and order.

It is further submitted that the applicant Syed Taseer Ahmed has previously also been booked u/s 107/151 Cr.PC for his activities which were directed to commit the breach of peace and disturbance of the public tranquility.

Heard. Record perused.

In the instant case the only offence which is non bailable and invoked



CHANDRA PRATAP SINGH  
Metropolitan Magistrate-04  
South-East District, Court No.-10,  
Saket Court Complex, New Delhi.

FIR No. 43/20  
PS. Shaheen Bagh  
u/s 186/353/341/188/269/34 IPC

29.03.2020

This is the application seeking grant of bail moved u/s. 437 Cr.PC on behalf of accused/applicant Shan Mohammed.

Present: Sh. Pravesh Vyas, Ld. APP for State.

Ms. Dipika Jain, Ms. Seema Misra, Sh. Tarique, Firoz Iqbal Khan and Sh. Rashid Azam Ld counsels for accused/applicant.

Heard on the above said application. Perused.

It is stated by the counsel for accused that the applicant is innocent and has nothing to do with the alleged offence. That the applicant is likely to be infected with the coronavirus if detained for long. That there is no other criminal involvement of the applicant except the present case and that if admitted to bail the applicant will abide by any condition imposed by the court.

On the other hand, Ld. APP for State assisted by the IO SI Gaurav Choudhary has opposed the bail application stating that the applicant has disobeyed the directions of the State Government and of the Union Government regarding the lockdown and prohibition of protests gathering etc. which were made to prevent the spread of the coronavirus and therefore he cannot claim release on bail. It is stated that the accused did not pay any heed to the directions of the police officials to remove himself from the protest site and he in fact had obstructed the police from discharging their duties. That if released on bail the accused may mobilise large crowd at the protest site and the same might pose problems of law and order.

Heard. Record perused.

In the instant case the only offence which is non bailable and invoked against the accused is Section 353 IPC. It is alleged that the accused had opposed the police officials tasked to remove the protesters from the site at Shaheen Bagh. It is not disputed that apart from the instant case the applicant has no other criminal





AMENDRA PRATAP SINGH  
Metropolitan Magistrate-04  
East District, Court No.-1  
Sector Court Complex, New Delhi

FIR No. 43/20  
PS. Shaheen Bagh  
u/s 186/353/341/188/269/34 IPC

29.03.2020

This is the application seeking grant of bail moved u/s. 437 Cr.PC on behalf of accused/applicant Syed Masood Ahmad.

Present: Sh. Pravesh Vyas, Ld. APP for State.

Ms. Dipika Jain, Ms. Seema Misra, Sh. Tarique, Firoz Iqbal Khan and Sh. Rashid Azam Ld counsels for accused/applicant.

Heard on the above said application. Perused.

It is stated by the counsel for accused that the applicant is innocent and has nothing to do with the alleged offence. That the applicant is likely to be infected with the coronavirus if detained for long. That there is no other criminal involvement of the applicant except the present case and that if admitted to bail the applicant will abide by any condition imposed by the court.

On the other hand, Ld. APP for State assisted by the IO SI Gaurav Choudhary has opposed the bail application stating that the applicant has disobeyed the directions of the State Government and of the Union Government regarding the lockdown and prohibition of protests gathering etc. which were made to prevent the spread of the coronavirus and therefore he cannot claim release on bail. It is stated that the accused did not pay any heed to the directions of the police officials to remove himself from the protest site and he in fact had obstructed the police from discharging their duties. That if released on bail the accused may mobilise large crowd at the protest site and the same might pose problems of law and order.

Heard. Record perused.

In the instant case the only offence which is non bailable and invoked against the accused is Section 353 IPC. It is alleged that the accused had opposed the police officials tasked to remove the protesters from the site at Shaheen Bagh. It is not disputed that apart from the instant case the applicant has no other criminal

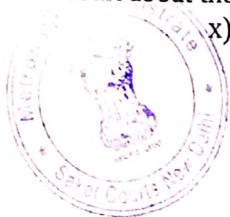


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involvement. It is also well known that in the current scenario in the wake of COVID 19 epidemic, the Hon'ble Supreme Court of India and the Hon'ble High Court of Delhi have both passed the directions regarding the de-congestion of already overpopulated prisons. Qua the instant applicant the bail has been opposed by the State primarily on the ground that the applicant might mobilise a crowd at the protest site and that the same can prejudice the maintenance of law and order and also may affect adversely the efforts of the State to contain the spread of Corona virus.

In view of this court, this reasonable apprehension can be addressed by imposing suitable restrictions on the applicant. Accordingly this court allows the instant bail application on the applicant furnishing a personal bond for a sum of **Rs. 25,000/- with two sureties of like amount** and further subject to the following conditions:-

- i) That the applicant shall be marking his attendance at PS Shaheen Bagh every Monday at 10 AM during the investigation period of this case;
- ii) That the applicant shall not visit the site of the protest regarding Citizenship Amendment Act/NRC/NPR at Road No.13A, Shaheen Bagh (Kalindi Kunj – Sarita Vihar Road) for the purpose of any protest etc;
- iii) That the applicant shall not participate in any meeting/gathering where more than 5 persons in total including the applicant are assembled during the existence of the advisories/directions of the State Government and of the Union Government qua the COVID 19;
- iv) That the applicant shall not be posting any opinion regarding the Citizenship Amendment Act/National Population Register/National Register Citizen on any social media, instant messengers nor will be giving any interview in this regard to print and electronic media;
- v) That the applicant shall be complying with the directions of the State Government and of the Union Government and that of the local self governing bodies made to contain the spread of the Corona virus;
- vi) That the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the court or to any other authority;
- vii) That he shall not indulge into similar offence or any other offence in the event of release on bail;
- viii) That he shall not tamper with evidence in any manner;
- ix) That in case of change of his residential address, he shall intimate the court about the same;
- x) That he shall regularly appear before the court on each and every date



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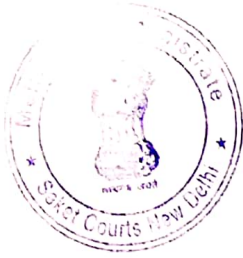
of hearing; and


xi) That he shall not leave the territory of the Union of India without prior permission of the court.

Application stands disposed off.

Copy of this order be sent to concerned Jail Superintendent through the SHO PS Shaheen Bagh for necessary information and for delivering it to the accused.

Copy be also given dasti.



  
(Jitendra Pratap Singh)  
Duty MM/South East Saker Court  
Delhi/29.09.2020  
New Delhi