

IN THE COURT OF SH. ASHUTOSH KUMAR : ASJ-01 :
PATIALA HOUSE COURTS : NEW DELHI.

Bail Application No. 1656/2021
State Vs Bhupender Tomer @ Pinki Chaudhary
FIR No. 0152/2021
P.S. Connaught Place
U/s 188/269/270/153A/120B/34 IPC
& U/s 3 of EPIDEMIC Diseases Act & U/s 51B of
Disaster Management Act 2005

13.08.2021

Vide order No.9871-9900/Bail & Filing/Judl./Prin.D&SJ/NDD/2021 dated 13.08.2021, the undersigned has been deputed for duty today to hear and dispose of fresh bail/urgent criminal applications and pending bail applications pertaining to New Delhi District Sessions Division through video-conferencing mode in accordance with law.

This bail application u/s 438 Cr. P.C for grant of anticipatory bail is moved on behalf of applicant/accused Bhupender Tomer @ Pinki Chaudhary.

Present : Sh. Sanket Katara, Sh. Pradeep Chauhan, Sh. Ambuj Chauhan and Sh. Saurabh Gupta, Ld counsels for applicant/accused (through VC).
Sh. S.K. Kain, Ld. Addl. PP for State (through VC).

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KUMAR**

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SHO Inspector I.K. Jha, of P.S. Connaught Place
(through VC).

Reply to the bail application has been filed by IO, duly
forwarded by SHO concerned.

Heard. Perused.

At request, e-copy of reply be supplied to Ld counsels
for the applicant/accused on their coordination with the IO/SHO and
on furnishing their e-mail IDs .

At request of Ld counsels for the applicant/accused, the
SHO concerned has agreed to supply the video footage qua the
incident, showing the presence of the applicant/accused and the
words uttered by the applicant/accused. SHO concerned further
undertakes to file the transcript of the words uttered by the
applicant/accused in the aforesaid video footage, on the next date of
hearing. The SHO concerned has played the aforesaid video footage
but the words uttered by the applicant/accused, are not audible. He
undertakes to make arrangements for the proper playing of the said
video footage on the next date of hearing.

Ld counsels for applicant/accused have submitted that
the applicant/accused is not named in the FIR, was not present at the
spot and had not raised any communal slogans or uttered any words
to hurt the religious sentiments of another community.

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The reply of the IO does not specify as to what communal slogans were raised or which were the words uttered by the applicant/accused, to hurt the religious sentiments of another community.

The main organizer and one of the accused Ashwani Upadhyay has already been granted regular bail.

Considering the totality of the aforesaid and in the facts and circumstances, it is ordered that no coercive action against the applicant/accused be taken till the next date of hearing. However, the applicant is directed to join the investigation as and when required and to co-operate in the same. Applicant/accused is further directed not to try to influence the witnesses or to tamper with the evidence.

Re-notify on **16.08.2021**.

Dasti to all concerned.

This Court is satisfied qua the audio & video connectivity of the video conference hearing.

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KUMAR**

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(Ashutosh Kumar)
Roster Judge/ASJ-01/Special Court POCSO
NDD/PHC/ND/13.08.2021/P