

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR No. 729/2020
PS : Khyala
State Vs. Sonu @ Tathu
U/s 380/454/34 IPC

12.08.2020

Present : Ld. APP for the State.
Ld. Counsel for the accused/applicant.
Ld. Counsel for the applicant/accused has submitted that the present applicant has been falsely implicated in the present case and there is no evidence except disclosure. Ld. Counsel has further submitted that nothing was recovered from the possession of the applicant and accused is in JC since 23.07.2020.

Ld. Counsel has further submitted that the accused Manjeet falsely implicated the applicant since they are not on good terms.

Reply of the IO perused.

Ld. APP is vehemently opposed the application.

The accused is in JC since 23.07.2020 and as per reply of the IO no evidence except the disclosure of the main accused is available on record. The alleged recovery has already been effected. In such scenario, no fruitful purpose will be served by keeping the accused in custody, hence, he is released on bail subject to furnishing a bail bond to the sum of Rs. 10,000/- with one surety of the like amount.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original RC be retained on record.

The accused Sonu @ Pachu S/o Shri Gagan Kamat shall be released from the custody forthwith, if not required in any other case.

Copy of this order be sent to Jail Superintendent concerned, which shall also be treated as release warrant.

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)
Duty MM, West Dist, THC, Delhi
12.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR No. 588/2020
PS : Rajouri Garden
State Vs. Yogesh @ Kati
U/s 323/341/304 IPC

11.08.2020

Present : Ld. APP for the State.
Shri Kaushlender Singh, Ld. Counsel for the
accused/applicant.

Ld. Counsel has submitted that vide order dated
10.08.2020 of Shri Vrinda Kumari, Ld. ASJ-07 (POCSO) (West),
accused has been granted bail subject to furnishing bail bond.

Ld. Counsel for the accused has furnished bail bond.
Same is taken on record. Original FD of Rs. 35,000/- dated
11.08.2020 drawn on Punjab National Bank be retained on record.

**The accused Yogesh @ Kati S/o Shri Leela Ram shall
be released from the custody forthwith, if not required in any
other case.**

Copy of this order be sent to Jail Superintendent
concerned, which shall also be treated as release warrant.

Copy of this order be given dasti to Ld. Advocate, as
prayed for.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist, THC, Delhi
13.08.2020.

... if IO has no
... required in further
... verification of valid

... directions of Hon'ble
Jalal Desai Vs. State of
Supreme Court has been
... as **Manjeet Singh vs.**
... held that :-

... may be released to the person,
... entitled to claim such as the
... dacoity has taken place, after
... es; taking photographs of such
... could be attested or countersigned
... the person to whom the custody is
... court may get the jewellery articles

al should

na should

id down by

CP-6388 be

s regarding

urnishing an

cted that the

phed from all

otographs be

GH PARIHAR)

ist., THC, Delhi

11.08.2020

**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar**

FIR No. OD-NG-000683/2020

U/s 379 IPC

PS Nangloi

12.08.2020

Fresh application for release of mobile phone MI Redmi 6 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
Applicant in person.

No reply is filed.

The Mobile **MI Redmi 6** may be released if IO has no objection in releasing the mobile and the same is not required in further investigation.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should

suffice for the purposes of evidence."

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. mobile **MI Redmi 6** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **mobile MI Redmi 6** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-II, West Dist., THC, Delhi
12.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

Lost Report No. 422683/2020
PS Hari Nagar

12.08.2020

Fresh application for release of mobile phone Vivo 11 Pro on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
Applicant in person.

No objection to the release of the mobile phone Vivo 11 Pro of the applicant is tendered on behalf of the IO/ASI Sohanvir Singh and State by Ld. APP.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. **mobile Vivo 11 Pro** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **mobile Vivo 11 Pro** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist., THC, Delhi
12.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

DD No. 6A dated 27.07.2020
U/s 184/185/3/181/39/192/146/196 M.V. Act
PS Rajouri Garden

13.08.2020

Fresh application for release of vehicle bearing no. DL-8CAF5746 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
Applicant Jai Mala Thevar in person.

No reply is filed.

The vehicle No. **DL-8CAF5746** may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-8CAFF5746** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-8CAFF5746** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist., THC, Delhi
13.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR No. 006246/2020
U/s 379 IPC
PS Hari Nagar

13.08.2020

Fresh application for release of vehicle bearing no. DL-4SBX-7585 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
Applicant in person.

No reply is filed.

The vehicle No. **DL-4SBX-7585** may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

-2-

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-4SBX-7585** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-4SBX-7585** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist., THC, Delhi
13.08.2020

FIR no. 010057/2010
U/s 379 IPC
PS Tilak Nagar

13.08.2020
Fresh application for
superdari moved on be

Present: Ld. APP for
None for th

No reply is
The vehicle

objection in releasing the
investigation. IO shall rel
Insurance Certificate of the
Application pe

The vehicle

Supreme Court in case titled
Gujarat, AIR 2003 SC 638. T
reiterated by Hon'ble Delhi H
State, (2014) 214 DLT 646 wh

*"59. The valuable articles seized
who, in the opinion of the Co
complainant at whose house th
preparing detailed panchnama
articles and a security bond.*

*60. The photographs of such
by the complainant, accused as w
handed over. Wherever necessar
valued from a government approve*

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-6S-AB-2701** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-6S-AB-2701** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist., THC, Delhi
13.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR No. 581/2020
U/s 356/379/411 IPC
PS Paschim Vihar (West)

13.08.2020

Present : Ld. APP for the State.
Ld. Counsel for the applicant/accused.
Ld. Counsel has sought permission to withdraw the
application.

Application stands withdrawn.

(AJAY SINGH PARIHAR)
Duty MM, West Dist, THC, Delhi
13.08.2020.

FIR. No. 482/2020
PS Hari Nagar

13.08.2020

Present: Id. APP for the State.

Shri K.K. Singh, Id. LAC for the accused.

Ld. LAC has submitted that he was appointed as legal aid counsel for the accused in case FIR No. 482/2020, however, no bail application has been filed in the present FIR. Ld. LAC has sought permission to move application in this case.

Heard. Allowed.

(AJAY SINGH PARIHAR)
Duty MM-I, (West)
THC, Delhi / 13.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR No. 811/2020
PS Nangloi
U/s 33/38 Delhi Excise Act

13.08.2020

Fresh application for release of mobile phone / Wallet with ID Card and other documents on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
Applicant in person.

No objection to the release of the mobile phone of the applicant is tendered on behalf of the IO/ASI Rajender Singh and State by Ld. APP.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. **mobile phone** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **mobile phone** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-I, West Dist., THC, Delhi
13.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST
DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Shri Ajay Singh Parihar

FIR no. 010953/2020
U/s 379 IPC
PS Rajouri Garden

13.08.2020

Fresh application for release of vehicle bearing no. DL-4SCL-5731 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.
None for the applicant/accused.

No reply is filed.

The vehicle No. **DL-4SCL-5731** may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.*”

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-4SCL-5731** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-4SCL-5731** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-1, West Dist., THC, Delhi
13.08.2020

released if IO has no
not required in further
or verification of valid

directions of Hon'ble
Justice Desai Vs. State of
Supreme Court has been
as **Manjeet Singh vs.**

that :-

*be released to the person,
ed to claim such as the
ity has taken place, after
king photographs of such*

*attested or countersigned
son to whom the custody is
y get the jewellery articles*

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.* "

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-4CND0812** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-4CND0812** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)
Duty MM-1, West Dist, THC, Delhi
13.08.2020

d if IO has
d in further
on of valid

of Hon'ble

Vs. State of

ourt has been

et Singh vs.

to the person,

n such as the

ken place, after

ographs of such

or countersigned

om the custody is

jewellery articles

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.* "

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. **E-Rickshaw no. SGA M 3805** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. **E-Rickshaw no. SGA M 3805** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(**AJAY SINGH PARIHAR**)
Duty MM-I, West Dist., THC, Delhi
13.08.2020