

FIR No.594/2020
U/s 25/54/59 Arms Act
PS Rajouri Garden
State Vs. Akshay

13.07.2020

Present: None for the State.
Md. Ilyas, Ld. Counsel for the applicant/accused Akshay S/o
Late Sh. Satender Kumar.

This is an application u/s 437 CrPC for grant of bail of accused Akshay.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, nothing has been recovered from his possession, he does not have any previous involvement in any criminal case, he is aged 24 years old and he is sole bread earner and there are chances of contracting infection in the jail and that he be released on bail. It has also been submitted that in all the other cases he has been granted bail.

On the other hand, IO/ASI Subhash in his report, has objected to release the accused on bail on the ground that a loaded countrymade pistol alongwith a live cartridge was recovered from his possession and that he has been involved in many other cases.

Heard. Perused.

Ld. Counsel for accused has shown order dated 30.04.2020 in FIR No.537/2019 u/s 394/411 IPC stating that accused has been granted interim bail for a period of 45 days. It has also been submitted by Ld. Counsel for the accused that as per FIR, accused was caught while he was on scooty bearing no.DL 6SN 1312, however, as per vehicle inquiry report

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dated 07.07.2020 and 13.07.2020, the said scooty has not been recovered yet. Keeping in view the overall facts & circumstances of the case as well as the age of the accused, and that he has been involved in 05 other criminal cases of which one relates to the similar offence, this Court is not inclined to grant regular bail to the accused. However, in view of minutes of High Powered Committee dated 18.05.2020, he is granted interim bail for a period of 45 days on furnishing personal bond **in the sum of Rs.10,000/- to the satisfaction of Jail Superintendent concerned** subject to conditions:-

1. That he shall not indulge into similar offence or any other offence in the event of release on bail.
2. That he shall not tamper with the evidences in any manner.
3. That in case of change of his residential address, he shall intimate the court about the same, and
4. That he shall regularly appear before this court on each and every date of hearing.
5. That he will surrender before the authorities concerned after the expiry of 45 days from the day of release.

Copy of this order be sent to the Jail Superintendent.

Copy of this order be given dasti as prayed for.

Accordingly, bail application is disposed of.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

आकांक्षा
AAKANKSHA
मेहानगर मण्डलाधिकारी महिला न्यायालय
MM Mahila Court-05
जिला पश्चिम कमरा नं. 353, तृतीय तल
West District, Room No. 353, 3rd Floor
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

FIR No.484/2020
U/s 379/411/419/34 IPC
PS Tilak Nagar
State Vs. Zakir & Ors.

13.07.2020

Present: None for the State.
Mr. Sunil Kumar, Ld. Counsel for the applicant/accused Zakir
S/o Asmat Ali.

This is an application u/s 437 CrPC for grant of bail of accused Zakir.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, investigation has already been completed, he is not involved in any other case, he belongs to a respectable family and he is the sole bread earner and that he be released on bail.

On the other hand, IO/SI Tinku Shokeen in his report, has objected to release of accused on bail on the ground that investigation is at preliminary stage, accused is in JC since 10.07.2020, he has no previous involvement.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as well as the fact that the accused has not been involved in any other criminal case, accused Zakir is granted bail on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of Jail Superintendent/Ld. Duty MM concerned subject to conditions:-

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FIR No.484/2020
U/s 379/411/419/34 IPC
PS Tilak Nagar
State Vs. Zakir & Ors.

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1. That he shall not indulge into similar offence or any other offence in the event of release on bail.
2. That he shall not tamper with the evidences in any manner.
3. That in case of change of his residential address, he shall intimate the court about the same, and
4. That he shall cooperate in investigation and regularly appear before the court on each and every date of hearing.

Bail bond/surety bond furnished. Same are accepted.

Accordingly, bail application is disposed of.

Copy of this order be given dasti as prayed for.



(Aakanksha)

महानगर दण्डाधिकारी महिला न्यायालय-05
Duty MM/West/Delhi/13.07.2020
MM Mahila Court-05

तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

FIR No.484/2020
U/s 379/411/419/34 IPC
PS Tilak Nagar
State Vs. Manoj & Ors.

13.07.2020

Present: None for the State.
Mr. Sunil Kumar, Ld. Counsel for the applicant/accused Manoj
S/o Om Prakash.

This is an application u/s 437 CrPC for grant of bail of accused Manoj.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, investigation has already been completed, he is not involved in any other case, he belongs to a respectable family and he is the sole bread earner and that he be released on bail.

On the other hand, IO/SI Tinku Shokeen in his report, has objected to release of accused on bail on the ground that investigation is at preliminary stage, accused is in JC since 10.07.2020, he has no previous involvement.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as well as the fact that the accused has not been involved in any other criminal case, accused Manoj is granted bail on furnishing personal bond **in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of Jail Superintendent/Ld. Duty MM concerned** subject to conditions:-

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1. That he shall not indulge into similar offence or any other offence in the event of release on bail.
2. That he shall not tamper with the evidences in any manner.
3. That in case of change of his residential address, he shall intimate the court about the same, and
4. That he shall cooperate in investigation and regularly appear before the court on each and every date of hearing.

Bail bond/surety bond furnished. Same are accepted.

Accordingly, bail application is disposed of.

Copy of this order be given dasti as prayed for.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.746/2019
U/s 379/411/34 IPC
PS Nangloi
State Vs. Bhupender @ Bhupa

13.07.2020 (VC through Cisco Webex at 11:20 am)

Present: Mr. Avdhesh Sharma, Ld. Counsel for accused Bhupender @ Bhupa.

This is an application U/s 437 Cr.P.C. filed on behalf of accused Bhupender @ Bhupa seeking interim bail in view of minutes of High Powered Committee. It has been argued that accused is in JC since 10.12.2019, his presence is not required for investigation, he has been falsely implicated and according to minutes of HPC dated 18.05.2020, the accused be released on interim bail for a period of 45 days.

Reply to bail application has been filed on behalf of HC Amit Kumar who has objected to the above bail application stating that the co-accused was nabbed on the spot when their motorcycle slipped but the present accused ran from the spot, in TIP proceedings he has been identified by the complainant, he has been involved in several other cases, a report of which has been annexed with the reply, and there are chances that he may jump the bail.

Arguments heard on the interim bail application.

Accused is stated to be in JC since 10.12.2019. According to report of IO, Section 356/379/411/34 IPC are attracted. As per the previous involvement report submitted by IO, accused has been involved in as many

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FIR No.746/2019
U/s 379/411/34 IPC
PS Nangloi
State Vs. Bhupender @ Bhupa

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as 15 other criminal cases of which 08 cases are of similar nature. Hence, this court is not inclined to grant bail at this stage. Also, as per minutes of High Powered Committee dated 18.05.2020, no certificate of good conduct has been produced from the Jail Superintendent. This Court does not deem fit to grant interim bail to the above accused at this stage. Application is dismissed.

Copy of this order be provided to Ld. Counsel for the accused through whatsapp (7982095400) as provided.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.613/19
U/s 365/302/34 IPC
PS Paschim Vihar West
State Vs. Harpreet Singh

13.07.2020 (VC through cisco Webex at 10:45 am)

Present: None for the State.
Mr. Amardeep Maini, Ld. Counsel for accused Harpreet Singh.

This is an application for default bail u/s 167 (2) Cr.P.C. on behalf of accused Harpreet Singh.

Ld. Counsel for accused has submitted that as per IO the charge sheet has been filed on 04.04.2020, however, charge sheet was actually not filed within 90 days from the date of arrest of accused on 18.01.2020. Report of Ahlmad has not been received in terms of order dated 29.06.2020.

Ahlmad of the concerned Court is directed to submit the report in terms of order dated 29.06.2020 today itself.

Accordingly a copy of order dated 04.04.2020 from the concerned Court has been placed on record by Ahlmad.

Perusal of the said order sheet reveals that **charge sheet has been filed before the concerned Court on 04.04.2020.**

This court is of the opinion that this case involves Section 302 IPC, accordingly as per proviso (a) to Section 167 (2) CrPC, the right of accused to default bail arises only if the charge sheet in the present case would not have been filed within a period of 90 days from date of arrest of accused. Since accused was arrested on 18.01.2020 and the charge sheet has



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FIR No.613/19
U/s 365/302/34 IPC
PS Paschim Vihar West
State Vs. Harpreet Singh

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been filed in the concerned Court on 04.04.2020, the said period of 90 days had not expired and the **charge sheet was filed within a period of 90 days from the date of arrest of accused. Hence, accused is not entitled to default bail u/s 167 (2) CrPC. The application is dismissed on above grounds.**

Let a copy of this order be provided to Ld. Counsel for the accused on his email id (advocatemaini@gmail.com) as provided.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.481/2020
U/s 392/411/34 IPC
PS Khyala
State Vs. Vishal @ Podha

13.07.2020

Present: None for the State.
Sh. C. P. Dubey, Ld. Counsel for applicant/accused Vishal @ Podha.

This is an application u/s 437 CrPC for grant of bail of accused Vishal @ Podha.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, nothing incriminating has been recovered from his possession, complainant has failed to identify him in the TIP proceedings, the first interim bail application has been dismissed vide order dated 11.06.2020 and that he be released on regular bail.

On the other hand, IO SI Rakesh Kumar in his report, has submitted that as per call detail report and CCTV footage of the incident, accused was present at the spot, after which he was arrested and a scooty was also recovered from his possession, however, complainant has failed to identify him in TIP, his co-associates are yet to be arrested and robbed money has to be recovered. Hence, bail application has been opposed.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case,

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the fact that a scooty was also recovered from his possession and that he has been previously involved in as many as 09 other cases of which 06 cases relate to theft and considering the gravity of offence, the Court is not inclined to grant bail to the accused.

Accordingly, bail application is dismissed. **After the pronouncement of order, Ld. Counsel for the accused prays for adjournment and sought a date instead. The above conduct is not appreciable. Even after this Ld. Counsel for applicant kept insisting that he has not come to this Court for dismissal of the application.**

Copy of this order be given dasti as prayed for.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

**FIR No.327/2020
U/s 380/511 IPC
PS Nihal Vihar
State Vs. Mohan**

13.07.2020

Present: None for the State.
Ld. LAC Mr. Nitin Arora for accused Mohan.

A bail application of UTP Mohan S/o Ravinder Kumar Sharma has been received from Dy. Superintendent Central Jail No.5, Tihar.

It has been argued that accused is in JC since 14.04.2020 and he falls in the category of minutes of HPC dated 18.05.2020.

Arguments heard on the interim bail application.

Accused is stated to be in JC since 14.04.2020. Hence, without going into the merits, in view of the minutes of High Powered Committee dated 18.05.2020, accused Mohan is granted interim bail for a period of 45 days on furnishing personal bond in the sum of Rs.20,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Applicant/accused Mohan shall surrender before the Jail Authority Concerned after expiry of interim bail for the period of 45 days. Application stands disposed of accordingly.

Copy of this order be sent to Jail Superintendent concerned.

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


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.69/2020
U/s 392/397/34 IPC
PS Anand Parbat
State Vs. Ashish

13.07.2020

Present: None for the State.
Sh. A. K. Sharma, Ld. Counsel for applicant/accused Ashish.

This is an application u/s 437 CrPC for grant of bail of accused Ashish.

Reply of IO has been received. However, Ld. Counsel for the accused without pressing for application u/s 437 CrPC, has repeatedly sought to call IO to clarify upon whether the charge sheet has been filed or not so that the court bail can be granted to him.

Heard.

Ld. Counsel for the accused is seeking default bail in an application filed for regular bail, for which a separate application can be filed.

At this stage, Ld. Counsel for the accused seeks to withdraw the present application.

At request, the present application is dismissed as withdrawn.

Copy of this order be given dasti.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

सौम्या चौहान
SAUMYA CHAUHAN
महानगर दण्डाधिकारी महिला न्यायालय-05
MM Mahila Court-05
जिला पश्चिम कमरा नं. 353, तृतीय तल
West District Room No. 353, 3rd Floor
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

FIR No.443/2020

U/s 279/337 IPC

PS Khyala

State Vs. Aurkya Dass Gupta

13.07.2020

Present: None.

This is an application on behalf of owner Aurkya Dass Gupta for release of vehicle bearing No.DL 2C AV 2869 (Maruti WagonR) on superdari.

No objection to the release of the vehicle bearing registration no. **DL 2C AV 2869 (Maruti WagonR)** is tendered on behalf of the IO/ASI Dharmvir Singh.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to 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.



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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 2C AV 2869 (Maruti WagonR)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 2C AV 2869 (Maruti WagonR)** 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 provided to Ld. Counsel for applicant through email (adv.sahilkakkar@gmail.com)/whatsapp (7838276040) as provided.

(Aakanksha)

Duty MM/West/Delhi/13.07.2020

महानगर दण्डाधिकारी महिला न्यायालय-05
MM Mahila Court-05
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi



FIR No.186/2020
U/s 380/411 IPC
PS Khyala
State Vs. Ravi & Ors.

13.07.2020

Present: None for the State.

Sh. Raj Kumar, Ld. Counsel for applicant/owner Parveen Gupta.

This is an application on behalf of applicant/owner Parveen Gupta for correction in order of Superdari passed by Ld. Duty MM Sh. Rinku Jain dated 30.06.2020.

No objection to the release of Laptop along with Charger, Marks Sheet of Abhay Gupta, Certificate of Parveen Kumar, I Card of Sunita with other documents, 04 lead, glass, 02 Pen Drive, Rs.9,700/- cash and a bag is tendered on behalf of the IO/SI Chhote Lal.

Ld. Counsel for applicant has submitted that application for release of articles on superdari has already been disposed of by Ld. Duty MM vide order dated 30.06.2020. However, IO/SI Chhote Lal and Mr. Randhir Singh ^{Pragat} Panwar - Malkhana In-charge has refused to release the said articles on superdari as per order dated 30.06.2020 stating that an order be obtained from this Court according to reply submitted by them. Ld. Counsel for applicant has sought for directions for compliance of order dated 30.06.2020 and does not press his application for correction of the said order.

Heard. Application perused.

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It transpires that vide order dated 30.06.2020 Ld. Duty MM, West, Tis Hazari has directed to release the articles listed therein by IO to applicant upon furnishing of ownership proof and other documents. As exercising the jurisdiction of Criminal Court, this Court does not have any power to review the said order. **It is unacceptable on part of concerned IO to not comply with the order dated 30.06.2020 passed by Ld. Duty MM.** In case IO has any objection to release of certain articles on the ground that the said articles has not been recovered from the possession of the accused, IO is at liberty to mention those articles while handing over the remaining documents and articles on superdari to the applicant, since it cannot be expected from IO to return some articles to the applicant in absence of its possession with the IO himself. **Hence, concerned IO is directed to comply with order dated 30.06.2020.**

A copy of this order regarding negligence of IO in fulfilling his duty be also sent to DCP concerned.

The application is disposed of accordingly.

Copy of the order be provided to Ld. Counsel for applicant.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.14210/2020
U/s 379 IPC
PS Rajouri Garden
State Vs. unknown

13.07.2020

Present: None for the State.
Mr. Chaman Lal Bhatti/applicant in person.

No objection to the release of the vehicle bearing registration no. **DL 5CR 9500 (Maruti Vitara Brezza)** is tendered on behalf of the IO/HC Om Prakash.

Application perused. Submissions heard.

Applicant has submitted his authority letter on behalf of the registered owner of the above vehicle i.e. Abhijeet Bhatti.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to 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.



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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 5CR 9500 (Maruti Vitara Brezza)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 5CR 9500 (Maruti Vitara Brezza)** 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.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.014614/2020
U/s 379 IPC
PS Paschim Vihar
State Vs. Not Known

13.07.2020

Present: None for the State.
Mr. Nitin Sachdeva, applicant/owner in person.

No objection to the release of the vehicle bearing registration no. **DL 4C AH 1176 (Honda City)** is tendered on behalf of the IO/HC Umesh Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to 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.

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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 4C AH 1176 (Honda City)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 4C AH 1176 (Honda City)** 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.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.14111/2020

U/s 379 IPC

PS Nihal Vihar

State Vs. unknown

13.07.2020

Present: None for the State.

Mr. Vishnu Kumar Ld. Counsel for the applicant/owner Monu.

No objection to the release of the vehicle bearing registration no. **DL 4ER 9593 (E- Rikshaw)** is tendered on behalf of the IO/HC Pardeep Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to 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.

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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 4ER 9593 (E- Rikshaw)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 4ER 9593 (E- Rikshaw)** 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.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.179/2020
U/s 279/337/186/353 IPC
PS Paschim Vihar East
State Vs. Vimal Singh

13.07.2020

Present: None.

This is an application for release of vehicle bearing No.DL 8C AR 1243 (WagonR) on superdari to the applicant Vimal Singh.

No objection to the release of the vehicle bearing registration no. **DL 8C AR 1243 (WagonR)** is tendered on behalf of the IO/SI Baljeet Singh.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to 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.

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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 8C AR 1243 (WagonR)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 8C AR 1243 (WagonR)** 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 provided to Ld. Counsel for applicant on his email id (manishkaushik.law@gmail.com) as provided.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

**Complaint u/s 200 CrPC
u/s 380/454/323/328/506/34 IPC
PS Tilak Nagar
Om Prakash vs. Bharti**

13.07.2020

Present: Mr. Sahil Sharma, Ld. Counsel for applicant/complainant Om Prakash.

It transpires that this is a complaint u/s 200 CrPC. As per recent directions passed by Ld. District & Sessions Judge, West, Tis Hazari, the above complaint shall be dealt with by the concerned Court through VC. Ld. Counsel for the applicant/complainant is directed to submit his email id for further proceedings through VC. The email id has been provided as Yashpal.jolly.adv@gmail.com.

Ld. Counsel for applicant has submitted that ATR has not been received till date despite orders. Niab Court is directed to contact the concerned IO for submission of ATR.

It has been brought to the knowledge of undersigned by Niab Court that the concerned IO did not pick up the call.

IO/SHO concerned is directed to file a detailed ATR in compliance of order dated 04.07.2020 without any failure on or before the next date of hearing.

A copy of this order be also sent to ACP concerned.

Be put up for detailed ATR before the concerned Court on 18.07.2020.

Copy of this order be given dasti to Ld. Counsel.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.132/2020
U/s 436/34 IPC & u/s 25/27 Arms Act
PS Anand Parbat
State Vs. Vicky @ Pangae

13.07.2020

Present: None for the State.
Sh. A. K. Sharma, *Ld. counsel for applicant/accused Vicky @ Pangae*

This is an application u/s 437 CrPC for grant of bail of accused Vicky @ Pangae.

Reply to the bail application has been filed by SI Amit.

Arguments heard.

The above case also attracts Section 436 IPC which is punishable with imprisonment for life.

At this stage, Ld. Counsel for accused seeks to withdraw the above application.

At request, the present application is dismissed as withdrawn.

Copy of this order be given dasti.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.475/2020
U/s 356/379/411 IPC
PS Paschim Vihar East
State Vs. Pawan @ Kaka

13.07.2020

Present: None for the State.
Sh. C. P. Dubey, Ld. Counsel for applicant/accused Pawan @
Kaka.

This is an application seeking necessary directions to Jail Superintendent, Tihar to submit report as to why accused has not been released despite release order dated 09.06.2020.

Report from Dy. Superintendent, Central Jail No.10, Rohini has been received stating that the accused is also wanted in two other cases bearing FIR No.178/2020 and 11025/2020.

Accordingly, the application is disposed of.

Copy of this order be given dasti.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No. not known
U/s 379/411 IPC
PS Paschim Vihar East
State Vs. Kalu

13.07.2020

Present: None.

This is an application calling for report regarding involvement of accused Kalu S/o Sikandar in a case where he is in JC since 19.03.2020.

Report from Dy. Superintendent, Central Jail No.3, Tihar has been received stating that accused namely Deepak @ Kalu S/o Sikandar R/o House No.D-7/104, Sultan Puri, Delhi was admitted in jail in three cases bearing FIR No.112/20, FIR No.775/19 and e-FIR No.00186/20.

Accordingly, the application is disposed of.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.447/20
U/s 25 Arms Act
PS Mohan Garden
State Vs. Ashu

13.07.2020

Present: None.

This is an application seeking necessary directions regarding non-release of accused from Tihar Jail despite bail order dated 03.07.2020.

Report from Dy. Superintendent, Central Jail No.4, Tihar has been received stating that the order from the Hon'ble Court of Sh. Pranat Kumar Joshi, Ld. MM, Dwarka Court was received on 10.07.2020 but the same was not legible and the contents of the order could not be read and the said Court has been requested to provide fresh copy of order for compliance.

Accordingly, the application is disposed of.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.254/17
U/s 420/406/34 IPC
PS Paschim Vihar
State Vs. Yudhvir Singh Manhas

13.07.2020

Present: None.

Judicial record has not been placed on record in terms of order dated 10.07.2020. It transpires that this is an application for cancellation of interim bail granted to the accused vide order dated 22.04.2019, which has been filed in a case already pending before another Court in view of directions issued by Ld. District & Sessions Judge, West, Tis Hazari.

Let both the parties be informed about this order.

The present application be placed before the concerned Court on 18.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.665/2020

U/s 33/38/58 Delhi Excise Act

PS Khyala

State Vs. Kailash @ Mahesh

13.07.2020

Present: None for the State.

Sh. A. K. Sharma, Ld. Counsel for applicant/accused Kailash @ Mahesh.

Report has not been received till date despite several opportunities.

Let fresh report be filed in terms of order dated 07.07.2020 through DCP concerned.

Put up for 15.07.2020.

Copy of this order be given dasti.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.007750/2018
U/s 379 IPC
PS Nihal Vihar
State Vs. unknown

13.07.2020 (through VC)

Present: None for the State.
Mr. Gourav Singhal, Ld. Counsel for applicant.

Report not received.

Let fresh report be called from IO/SHO concerned on
16.07.2020.

Copy of the order be provided to Ld. Counsel for applicant on
his email id as provided.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.619/2020
U/s 380/34 IPC
PS Khyala
State Vs. Aakash @ Mogli

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on

16.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.11151/2020
U/s379 IPC
PS Rajouri Garden
State Vs. Subhash Harjai

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on
17.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.616/2020
U/s 307 IPC
PS Khyala
State Vs. Dheeraj

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on
17.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.512/2020
U/s 356/379/34 IPC
PS Khyala
State Vs. Sharukh Khan

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on
17.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.428/2020
PS Paschim Vihar East
State Vs. Shankar

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on

18.07.2020.

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(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.623/2020
U/s 454/380 IPC
PS Nangloi
State Vs. Kamaljeet Kaur

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on

18.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

FIR No.3011/2020
U/s 379 IPC
PS Rajouri Garden
State Vs. Vehicle No.DL 4SCF 7099

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on
18.07.2020.



(Aakanksha)

Duty MM/West/Delhi/13.07.2020

Challan No.DL 3SDX 8415
U/s 185, 146/196 MV Act
PS/Circle KMC
State Vs. Rashid Hasan

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on

18.07.2020.


(Aakanksha)

Duty MM/West/Delhi/13.07.2020

e-FIR No.3449/2020
U/s 379/411 IPC
PS Paschim Vihar West
State Vs. Sombir

13.07.2020

Present: None.

It transpires that the matter was listed for consideration repeatedly.

Application has been perused.

This is an application seeking bail u/s 437 CrPC but report has not been called till date.

Let report be called from IO/SHO concerned on 18.07.2020.

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(Aakanksha)

Duty MM/West/Delhi/13.07.2020