

Circle : MRC
Vehicle No. HR 26 CU 0369

29.06.2020

This is an application for releasing of RC of vehicle No. HR 26 CU 0369 and DL of applicant on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

ZO has filed his reply. RC & DL of the accused are already seized.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, the RC of the vehicle in question and DL of the applicant be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the TI.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court within one month.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

Copy of
order Received
A. Sharma
29/6/2020

State Vs. Deepak Kapoor
FIR No. 0419/2020
PS: Punjabi Bagh
Vehicle No. DL6SAZ-1826

29.06.2020

This is an application for releasing vehicle bearing no. DL6SAZ-1826 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014**.

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL6SAZ-1826 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

Received
Deepak

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs. Latika Baluja
FIR No. 0622/2020
u/s 279/337 IPC
PS: Punjabi Bagh
Vehicle No. DL9CAG-1191

29.06.2020

This is an application for releasing vehicle bearing no. DL9CAG-1191 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL9CAG-1191 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

Received
Link
29/6/20

State Vs. DTC & Ors.
FIR No. 622/2020
PS Punjabi Bagh
Vehicle No. DL6SAY-4979
29.06.2020

This is an application for releasing vehicle bearing no. DL6SAY-4979 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama, taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL6SAY-4979 be released to the registered owner after due identity verification and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

Manish

29-06-2020

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

e-FIR No. 004141/20
PS: Hari Nagar
u/s 379 IPC
Vehicle No. DL-1LN 5758

29.06.2020

This is an application for releasing vehicle bearing no. DL-1LN 5758 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-1LN 5758 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet

Copy प्राप्त की

Roopra

Roopra

29/6/2020

(Pankaj Arora)
Link MM/West/HC/Delhi
29.06.2020

e-FIR No. 011773/20
u/s 379 IPC
PS Tilak Nagar
Vehicle No. DL-8S-BP-3283

29.06.2020

This is an application for releasing vehicle bearing no. DL-8S-BP-3283 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**.

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-8S-BP-3283 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

Received
Jatnan
29/6/20

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

FIR No. 006141/2020/2020
u/s 379 IPC
PS. Patel Nagar
u/s 379 IPC
Vehicle No. DL-12-S-0114

29.06.2020

This is an application for releasing the vehicle No. DL-12-S-0114 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-12-S-0114 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/Wes/THC/Delhi
29.06.2020

FIR No. 000292/2020
u/s 379 IPC
PS: Patel Nagar
u/s 379 IPC

29.06.2020

This is an application for releasing mobile phone on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

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72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, mobile in question be released to the owner as per invoice.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs. Unknown person.
FIR No. 04457/19
PS: Nangloi
Vehicle No. DL4SBU-5269
29.06.2020

This is an application for releasing vehicle bearing no. DL4SBU-5269 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that **Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.**

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

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72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."


The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL4SBU-5269 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020



29.06.2020

This is an application for releasing mobile phone on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

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73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**

Considering the facts and circumstances and law laid down by higher courts, mobile in question be released to the owner as per invoice.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

Received
29/6/2020

FIR No. 0044/20
PS Anand Parbat


29.06.2020

Fresh Challan received. It be checked and registered.

resent: IO in person along with case file.

File perused.

Put up for consideration on 06 07 2020


(Pankaj Arora)
Link-MM/West/TIC/Dethi
29.06.2020

State Vs. Satvik
FIR No. 624/2020
PS: Punjabi Bagh
Vehicle No. DL 4C NC 1672

29.06.2020

This is an application for releasing vehicle bearing no. DL 4C NC 1672 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL 4C NC 1672 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

Copy Received

29/6/2020

Vgha
Adhikari gha, Adh.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs. Kashiri Lal
FIR No. 303/2020
u/s 354/354A/385/506/34 IPC
PS: Patel Nagar

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Complainant in person.
Sh. Rajeev Kumar Malik, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused. It is stated that the accused was falsely implicated in the present case. It is submitted that prior to the incident, the applicant has already lodged a complaint at PS regarding prostitution racket at the salon of the complainant. The applicant is also 85% physically disabled.

Bail application is opposed by Ld. APP for the State.

There is an allegation against the accused that he had outraged the modesty of the employee of the complainant inside the salon. Serious allegation in this regard have been leveled in the FIR as well as in the statement under section 164 Cr. P.C of the victim. The accused/applicant is already previously convicted in case FIR no. 17/06 PS Karol Bagh for the offence under section 420 IPC. The allegations are serious in nature. No ground is made out for grant of bail at this stage. Accordingly, the present bail application is hereby dismissed.

Copy of this Order be given Dasti, as prayed for.



(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

FIR No. 214/20
State Vs. Khurshid Ahmed
PS: Ranjeet Nagar

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Ayub Khan, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused. It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

There is an allegation against the accused that he along with co-accused persons had committed theft in the shop of the complainant after breaking the locks of the shop. The entire incident was captured in CCTV footage collected by the IO. Allegations are serious in nature. No ground is made out for grant of bail at this stage. Accordingly, the present bail application is hereby dismissed.

Copy of this Order be given Dasti, as prayed for.

(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

Copy Reviewed
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State Vs. Jaidev @ Deva
FIR No. 012723/20
PS: Ranjeet Nagar
u/s 379/411 IPC

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Ayub Khan, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

As the alleged recovery has already been effected, investigation
qua the accused is complete and accused is not previously involved in any
other criminal case, no useful purpose shall be served by keeping the
accused in JC. Accordingly, accused be released on bail on his furnishing
personal bond in the sum of Rs. 10,000/- and one surety in the like amount.
Accordingly, the present bail application stands disposed of.

Copy of this Order be given Dasti, as prayed for.

(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

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Akh

State Vs. Kishan Rai
FIR No.57/20
U/s 356/379/34 IPC
PS: Hari Nagar

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403 936.
Ld. counsel for accused/applicant Kishan Rai.

Argument heard on the bail application on behalf of the accused. It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

Since the accused has already been on interim bail, interim bail of the accused is hereby extended for further period of 45 days w.e.f. 02.07.2020.

Full signed duplicate of this order be sent to Jail Superintendent concerned, which shall also be treated as release warrant upon the acceptance of personal bond.

Copy of this order be given Dasti, as prayed for.


(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

State Vs. Sandeep
FIR No. 747/20
PS: Nangloi
u/s 33 Delhi Excise Act

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Sanjeev Bisla, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

As the alleged recovery has already been effected, no useful
purpose shall be served by keeping the accused in JC. Accordingly, accused
be released on bail on his furnishing personal bond in the sum of Rs.
20,000/- and one surety in the like amount. Accordingly, the present bail
application stands disposed of.

Copy of this Order be given Dasti, as prayed for.

(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

FIR No. 699/20
PS: Nihal Vihar
u/s 33/38 Delhi Excise Act

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Pranay Abhishek, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case. It is
submitted that the accused is not previously convicted in any case.

Bail application is opposed by Ld. APP for the State.

As the alleged recovery has already been effected, no useful
purpose shall be served by keeping the accused in JC. Accordingly, accused
be released on bail on his furnishing personal bond in the sum of Rs.
20,000/- and one surety in the like amount. Accordingly, the present bail
application stands disposed of.

Copy of this Order be given Dasti, as prayed for.


(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

State Vs. Pankaj @ Hira
FIR No. 113/20
PS: Paschim Vihar
u/s 392/411 IPC

29.06.2020


Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Roshan Lal, Ld. counsel for the
applicant/accused.


Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

As the investigation in this matter has been completed, charge
sheet is filed and accused is not previously involved in any other criminal
case, no useful purpose shall be served by keeping the accused in JC.
Accordingly, accused Pankaj @ Hira be released on bail on his furnishing
personal bond in the sum of Rs. 20,000/- and one surety in the like amount.
Accordingly, the present bail application stands disposed of.

Copy of this Order be given Dasti, as prayed for.

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Ranjana A.M.


(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

State Vs. Sonu
FIR No. 697/20
PS: Nihal Vihar
u/s 33 Delhi Excise Act

29.06.2020


Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Pranay Abhishek, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case. It is
submitted that the accused is not previously convicted in any case and he
has been acquitted in most of the pending cases.

Bail application is opposed by Ld. APP for the State.

As the alleged recovery has already been effected, no useful
purpose shall be served by keeping the accused in JC. Accordingly, accused
be released on bail on his furnishing personal bond in the sum of Rs.
20,000/- and one surety in the like amount. Accordingly, the present bail
application stands disposed of.

Copy of this Order be given Dasti, as prayed for.


(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

e-FIR No. 002399/2020
u/s 379 IPC
PS. Tilak Nagar
Vehicle No. DL1SY4498

29.06.2020

This is an application for releasing vehicle bearing no. DL1SY4498 on Superdari.

Present - Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL1SY4498 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

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(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs. Lal Chand
FIR No. 006132
PS: Paschim Vihar
u/s 379 IPC
Mobil No. DL4SL/2019

29.06.2020

This is an application for releasing mobile phone on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, mobile in question be released to the owner as per invoice.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

*made by
my
[Signature]*

e-FIR No. 037981/2019
PS: Nangloi
Vehicle No. DL4SCK-8608

29.06.2020

This is an application for releasing vehicle bearing no. DL4SCK-8608 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014**.

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. **DL4SCK-8608** be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

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(G. Ray) (SANJAY)

D-434/14

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs. Not known
FIR No. 010052/2020
u/s 379IPC
PS: Nihal Vihar
Vehicle No. DL4SCB-7462

29.06.2020

This is an application for releasing vehicle bearing no. DL4SCB-7462 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL4SCB-7462 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(Pankaj Arora)
Link MM/West/THC/Delhi
29.06.2020

State Vs.Devender @ Parvesh@Vikas
e-FIR No. 006076/20
PS: Hari Nagar
u/s 379/411/34 IPC

29.06.2020

Present: Ld. APP for the State through video-conferencing in
Cisco-Webex Application vide Meeting No. 576 403936.
Sh. Vikas Sharma, Ld. counsel for the
applicant/accused.

Argument heard on the bail application on behalf of the accused.
It is stated that the accused was falsely implicated in the present case.

Bail application is opposed by Ld. APP for the State.

As the alleged recovery has already been effected, no useful
purpose shall be served by keeping the accused in JC. Accordingly, accused
be released on bail on his furnishing personal bond in the sum of Rs.
10,000/- and one surety in the like amount. Accordingly, the present bail
application stands disposed of.

Copy of this Order be given Dasti, as prayed for.

(Pankaj Arora)
Link-MM/West/THC/Delhi
29.06.2020

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