

07.08.2020

Joined through Video conferencing at 10:50 am.

Present : None for the State.

Accused Virender Soni joined through Cisco Webex.

Accused submits that mediation got failed. However, no order received by this

Court.

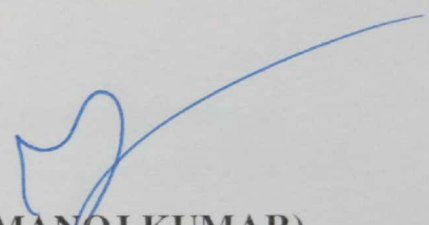
Under these circumstances, let the matter be proceeded with.

Let, complainant Gurbachan Singh and DO/HC Anit Kumar be summoned for evidence for NDOH.

Let, MHC(M)/superdar with case property be also summoned for NDOH.

Put up for PE/further proceedings on 02.11.2020.

One copy of order be uploaded on CIS.


(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

07.08.2020

Joined through Video conferencing at 10:55 am.

Present : None for the State.

Accused Nitin Sharma has already been declared absconder.

Sh. Rohit Goel, Ld. Counsel on behalf of accused Rakesh Suri joined through
Cisco Webex.

Let, witness Pradeep be summoned for evidence for NDOH.

Let, MHC(M)/superdar with case property be also summoned for NDOH.

Put up for PE/further proceedings on 04.11.2020.

One copy of order be uploaded on CIS.


(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

07.08.2020

Through Video conferencing at 11:00 am.

This is an application for releasing article i.e mobile phone.

Present : None for the State.

Applicant Vipin has joined through Cisco Webex.

IO has filed his reply electronically. Copy of same supplied to Ld. Counsel electronically.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of **Hon'ble High Court of Delhi** in matter of "**Manjit Singh Vs. State**" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of **Hon'ble Supreme Court of India** in matter of "**Sunderbhai Ambalal Desai Vs. State of Gujarat**", AIR 2003 SUPREME COURT 638, "**General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.**" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "**Basavva Kom Dyamangouda Patil Vs. State of Mysore**", (1977) 4 SCC 358 has held :-

"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. Whenever 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 circumstances and law laid down by **Hon'ble High Court of Delhi**, article in question i.e. mobile phone be released to the applicant on furnishing security bond as per valuation report of the article and after preparation of panchnama and taking photographs of article including IMEI number as per directions of **Hon'ble High of Delhi** in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of **Hon'ble High Court of Delhi**. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout out of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

07.08.2020

Joined through Video conferencing from 11:05 to 11:15 am.

Present : Ld. APP for the State.

MHC(M) HC Baljeet joined through Cisco Webex.

None for the claimant.

Vide this common order, I am disposing off the applications for disposal of case property.

As per the applications, cases have already been disposed off.

SHO concerned is directed to find out the lawful / rightful owner(s) of case properties and to deliver the case property to them. In case, the rightful / lawful owner(s) are not traceable, case properties be deposited to District Nazir for disposal.

Applications stand disposed off accordingly.

Case properties in question be deposited to District Nazir.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the applications and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

07.08.2020

Joined through Video conferencing from 11:20 to 11:30 am.

Present : Ld. APP for the State.

MHC(M) HC Baljeet joined through Cisco Webex.

None for the claimant.

As per the application, case has already been disposed off.

Application stands disposed off accordingly.

Case property in question be deposited to District Nazir.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

FIR No. 291/20, 260/20, 287/20, 291/20,
268/20, 259/20, 270/20, 269/20

PS – Civil Lines

07.08.2020

Joined through Video conferencing at 12:20 pm.

Present : None for the State

Ms. Afshan, Ld. Counsel for the applicant/accused Aman joined through Cisco Webex.

No report filed by IO despite specific direction through e-mail and telephonic intimation.

Ld. Counsel for applicant/accused joined the video conference few times since morning. Thus, let necessary intimation be sent to the concerned DCP. Concerned DCP is directed to ensure in filing of fresh report through e-mail on **10.08.2020 before 10:00 am.**

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Sadar Bazar and concerned DCP.

(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020

FIR No. 26/20
PS – Sadar Bazar

07.08.2020
Present :

None for the State.

IO/ASI Jagroshni in person.

Heard.

Charge-sheet perused and I take cognizance of offence under Section 498A/406/313/509/504/323/34 IPC.

Accused Prakash, Manish, Sapna and Jyoti are without arrest in this matter.

Issue summons to all accused persons through IO for appearance for NDOH.

Let, fresh notice be issued to IO for appearance for NDOH.

Put up for appearance of accused persons/further proceedings on 17.09.2020.

(MANOJ KUMAR)

MM-06/THC/Central/07.08.2020