

This is an application for releasing vehicle bearing no. DL-1LX-7162 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for the 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-1LX-7162** 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)
DMM/West/THC/Delhi
31.08.2020

This is an application for releasing vehicle bearing no. DL-4SCX-0376 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for the 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-4SCX-0376** 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)
DMM/West/THC/Delhi
31.08.2020

FIR No. 0737/2020
PS Nangloi

State Vs. Jony & Rohit

31.08.2020

Present: Ld. APP for the State through the Video-conferencing in Cisco -Webex vide meeting ID No.1667367064
Sh. Rajesh Kumar, Ld. Counsel for both the applicants/accused persons Jony & Rohit through VC.

Arguments heard through video conferencing using the CISCO webex mobile application on the bail application moved on behalf of the applicants/accused persons Jony & Rohit. It is stated that the accused were falsely implicated in the present case. They are in JC since 06.07.2020.

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

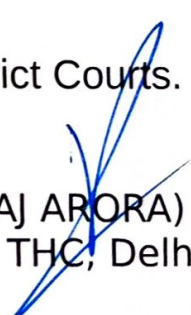
There is an allegation against the accused persons that one ATM Cloning device, two ATM cards and one mobile phone were recovered from the accused persons. The accused persons were involved in the cloning of the ATM cards of the complainant. Allegations are serious in nature. No ground is made out for grant of bail. Accordingly, bail application is hereby dismissed.

Application stands disposed of.

Copy of this order be given dasti.

Order be uploaded on the website of Delhi District Courts.

(PANKAJ ARORA)
DMM-03 (West), THC, Delhi



FIR No. 729/2020
PS Rajouri Garden

State Vs. Danish

31.08.2020

Present: Ld. APP for the State through the Video-conferencing in
Cisco -Webex vide meeting ID No.1667367064
Sh. Raj Kumar Raje, Ld. Counsel for the applicant/accused
Danish through VC.

Arguments heard through video conferencing using the
CISCO webex mobile application on the bail application
moved on behalf of the applicant/accused Danish. It is
stated that the accused was falsely implicated by the
victim. Victim is pressurizing the accused to marry her.
Bail application is strongly opposed by Ld. APP for the
State.

There is an allegation against the accused person that he
he has created the fake facebook profile of victim and
also circulated her nude photographs to her friends,
relatives and also to her financee namely Wasim.

Allegations are serious in nature. No ground is made out for
grant of bail. Accordingly, bail application is hereby
dismissed.

Application stands disposed of.

Copy of this order be given dasti.

Order be uploaded on the website of Delhi District Courts.

(PANKAJ ARORA)
DMM-03 (West), THC, Delhi

FIR No. 0128/20
PS: Nangloi
31.08.2020

Present: Ld. APP for the State through Cisco Webex meeting URL
<https://delhidistricts.webex.com/join/mm03west..>
Sh. Rajesh Kumar, Ld. counsel for the accused through
Cisco Webex meeting URL
<https://delhidistricts.webex.com/join/mm03west..>

As per report of Jail Superintendent concerned, the accused persons
have already been released by the IO concerned on 30.09.2020 at Tihar Jail.
The present bail application is hereby dismissed as infructuous.

(Pankaj Arora)
DMM/West/THC/Delhi
31.08.2020

FIR No. 293/20
PS: Nangloi
U/s 379/411 of IPC
State Vs Rajesh
31.08.2020

Present: Ld. APP for the State through Cisco Webex meeting
URL <https://delhidistricts.webex.com/join/mm03west..>
Sh. K.K. Singh, Ld LAC for the accused through Cisco Webex
meeting URL <https://delhidistricts.webex.com/join/mm03west..>

Argument heard on the interim bail application on behalf of the accused. It is stated that the accused was falsely implicated in the present case. It is further submitted that the application has been scrutinized by the High Power Committee constituted as per the minute dated 18.05.2020 of the Hon'ble High Court of Delhi.

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

As the alleged recovery has already been effected, no useful purpose will be served by keeping the accused in JC particularly in view of outbreak of COVID-19. Accordingly, the accused Rajesh be hereby released on interim bail for 45 days, if he is not required to be kept in JC in any other criminal case, on his furnishing the personal bond in the sum of Rs. 15,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent shall also ascertain from PS concerned as to whether the address of the accused is verified or not before releasing the accused.

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)
DMM/West/THC/Delhi
31.08.2020

FIR No. 293/20
PS Nangloi

29.08.2020


Present : Ld. APP for the State(through VC).

LAC Sh. Anil Kumar Sharma for accused.

The reply filed by the IO HC Satpal mentions FIR no.291/20, however, as per the application the FIR number is 293/2020.

In view of the above, let clarifications be called from the IO HC Satpal with directions to file fresh reply with correct FIR number.

Be put up on 31.08.2020.


(Deepak Kumar-I)
Duty MM (West)/THC/Delhi
29.08.2020

FIR No. 291/20
PS: Nangloi
U/s 379/411 of IPC
State Vs. Rajesh
31.08.2020

Present: Ld. APP for the State through Cisco Webex meeting
URL <https://delhidistricts.webex.com/join/mm03west>.
Sh. K.K. Singh, Ld LAC for the accused through Cisco Webex
meeting URL <https://delhidistricts.webex.com/join/mm03west>.

Argument heard on the interim bail application on behalf of the accused. It is stated that the accused was falsely implicated in the present case. It is further submitted that the application has been scrutinized by the High Power Committee constituted as per the minute dated 18.05.2020 of the Hon'ble High Court of Delhi.

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

As the alleged recovery has already been effected, no useful purpose will be served by keeping the accused in JC particularly in view of outbreak of COVID-19. Accordingly, the accused Rajesh be hereby released on interim bail for 45 days, if he is not required to be kept in JC in any other criminal case, on his furnishing the personal bond in the sum of Rs. 15,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent shall also ascertain from PS concerned as to whether the address of the accused is verified or not before releasing the accused

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)
DMM/West/THC/Delhi
31.08.2020

FIR No. 717/20
PS: Nangloi
U/s 454/380/34 of IPC
State Vs. Mahesh Kumar
31.08.2020

Present: Ld. APP for the State through Cisco Webex meeting
URL <https://delhidistricts.webex.com/join/mmm03west>.
Ms. Dipika Saxena, Ld. counsel for the accused through Cisco
Webex meeting URL
<https://delhidistricts.webex.com/join/mmm03west>.

Perusal of the record reveals that the accused namely Mahesh Kumar has already been granted bail on 14.08.2020. However, he has not yet furnished the surety. Therefore, in view of the order passed by the Hon'ble High Court of Delhi in Crl. Ref. No. 1/2007, the accused namely Mahesh Kumar is hereby released on furnishing the personal bond in the sum of Rs. 20,000/-, if he is not required to be kept in JC in any other criminal case, to the satisfaction of Jail Superintendent concerned. Jail Superintendent shall also ascertain from PS concerned as to whether the address of the accused is verified or not before releasing the accused.

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)
DMM/West/THC/Delhi
31.08.2020

FIR No. 717/20
PS: Nangloi
U/s 454/380/34 of IPC
State Vs. Mahesh Kumar
31.08.2020

Present: Ld. APP for the State through Cisco Webex meeting
URL <https://delhidistricts.webex.com/join/mm03west>.
Ms. Dipika Saxena, Ld. counsel for the accused through Cisco
Webex meeting URL
<https://delhidistricts.webex.com/join/mm03west>.

Perusal of the record reveals that the accused namely Mahesh Kumar has already been granted bail on 14.08.2020. However, he has not yet furnished the surety. Therefore, in view of the order passed by the Hon'ble High Court of Delhi in CrI. Ref. No. 1/2007, the accused namely Mahesh Kumar is hereby released on furnishing the personal bond in the sum of Rs. 20,000/-, if he is not required to be kept in JC in any other criminal case, to the satisfaction of Jail Superintendent concerned. Jail Superintendent shall also ascertain from PS concerned as to whether the address of the accused is verified or not before releasing the accused.

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)
DMM/West/THC/Delhi
31.08.2020

FIR No. 103/2020
PS Nangloi
31.08.2020

SIL PANKAJ ARORA
Metropolitan Magistrate
Room No. 03 (West)
The Hazari Court, Delhi

Slu. - J. Dixit
Sp. Nalender

Present: Ld. APP for the State through the Video-conferencing in
Cisco -Webex vide meeting ID No.1667367064 .
Ld. Counsel for the accused through VC.

An application has been filed on behalf of the accused seeking extension of interim bail which was granted to the accused vide order dated 17.04.2020 and was extended vide order dated 03.06.2020.

Heard.

In view of the pandemic of Covid-19 and in view of the directions issued by the Hon'ble High Powered Committee headed by Ms. Justice Hima Kohli, the interim bail granted to the accused is further extended for a period of 60 days.

Copy of the order be sent to concerned Jail Suptd.

Accused is directed to surrender himself before the concerned Jail Suptd. after the expiry of the period of 60 days from today.

Let, the regular bail application of the accused/applicant be put up before the court concerned on NDOH.

To come up on 31.10.2020 at 2 PM. Copy of the order be given dasti to the Ld. counsel for the accused/applicant.



(PANKAJ ARORA)
DMM-03 (West), THC, Delhi

Metropolitan Magistrate
& The Hazari Court, Delhi