

**e-FIR No. 261/2021
PS Pandav Nagar
State Vs. Pankaj
U/s 380/411 IPC.**

Application No.1

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mahesh Chand, LAC for the applicant/accused.

This is an application for release of the applicant/accused Pankaj on furnishing personal bond.

Record perused.

As the accused is unable to arrange a surety for himself to be released on bail, let the address verification report of the applicant/accused along with the report of his previous involvement in other criminal cases be called from the IO concerned for 07.08.2021.

Be put up on 07.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

**(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021**

**FIR No. 178/2021
PS Kalyanpuri
State Vs. Krishan
U/s 394/411/34 IPC**

Application No. 2

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mahesh Chand, LAC for the applicant/accused.

IO concerned is present through VC.

This is an application for grant of regular bail to the applicant/accused Krishan.

Heard the submissions from both sides.

As per the allegations levelled against the applicant/accused, he along with co-accused committed robbery with complainant and also gave him beatings while committing the robbery. Furthermore, the report of the IO also shows that the applicant/accused is involved in 7 other criminal cases, including the cases for offences under Sections 302, 307 as well as 308 IPC, besides the offences under Arms Act.

Considering the facts and circumstances of the case and the criminal antecedents of the accused, I am no inclined to grant bail to the applicant/accused at this juncture. His bail application is, accordingly, dismissed. Present bail application stands disposed of, accordingly.

A copy of this order be given dasti to counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

**(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021**

e-FIR No. 15889/2021
PS Kalyanpuri
State Vs. Vikash @ Vicky
U/s 379/411 IPC.

Application No. 3

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mahesh Chand, LAC for the applicant/accused.

IO is present through VC.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vikash @ Vicky, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since JC 17.06.2021, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.15,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

FIR No.63/2019
PS Kalyanpuri
State Vs. Usman
U/s 379/356/34 IPC

Application No. 4

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mahesh Chand, LAC for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Usman, for grant of regular bail.

Complainant has also joined through VC. As directed by this Court, IO has filed copy of the supplementary statement of the complainant recorded by him qua identification of the applicant/accused by the complainant at the PS. Complainant has confirmed the fact that he did infact went to the PS for identification of the applicant/accused.

Heard submissions from both sides.

Considering the facts and circumstance of the case, besides the fact that applicant/accused is no more required in investigation for any purposes, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.10,000/- with one local surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C. It is also clarified that the applicant/accused shall not be released on personal bond in future in the instant case considering the fact that he was allegedly evading the process of law as process under Section 82 Cr.P.C had also been initiated against him before he was arrested.

As the IO concerned had got identification of the applicant/accused conducted at PS itself through the complainant instead of adopting the legal process of proper judicial TIP proceedings, let an explanation be called from the SHO, PS Kalyanpuri, for the next date of hearing as to why such procedure was permitted at the PS.

Be put up on 05.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

FIR No. ED-PN-000492/2021
PS Pandav Nagar
State Vs. Unknown
U/s 379 IPC

Application No. 5

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.
Counsel for the applicant/superdar.

This is an application for release of **mobile phone Samsung J7Max, IMEI No. 35834408669375/13583450** to the applicant/owner Gyan Shankar Singh on superdari. Reply filed by the IO concerned.

Applicant has filed his affidavit qua the fact that the aforesaid mobile phone was purchased by him from Navajeet Subhash Mandal and now the applicant is the rightful claimant of the said mobile phone. The same is taken on record.

Record is perused and it reveals that **applicant Gyan Shankar Singh is the owner/rightful claimant of the mobile phone Samsung J7Max. IO has no objection in release of case property to the applicant.**

Keeping in view the report of IO and judgment passed by Hon'ble High Court of Delhi in ***Manjit Singh Vs State; Crl. M.C.4485/2013 and Crl. M.A.No. 16055/2013*** wherein inter-alia the law laid down by Hon'ble Supreme Court in case titled as ***Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat; (2002) 10 SSC 283*** has been reiterated; the application is allowed. Concerned IO as well as SHO are directed as under:

- (i) to release the above-mentioned mobile phone to registered owner subject to preparing detailed proper panchnama of above-mentioned mobile phone and taking photographs of above-mentioned mobile phone from all possible angles and file the same along with charge sheet;
- (ii) to get panchnama and photographs of above-mentioned mobile phone attested and countersigned by concerned party as well as by registered owner and IO.
- (iii) IO however shall release the mobile phone only after verification of ownership documents of the applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed of** accordingly.

At request, copy of this order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

FIR No. 345/2021
PS Pandav Nagar
State Vs. Jatin Chauhan
U/s 379/356/34 IPC
03.08.2021

Application No.6

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.
Counsel for the applicant/accused.
IO is present through VC.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Jatin Chauhan, for grant of regular bail.

IO has sent the CCTV footage of the time and place, where the alleged offences were committed, along with photographs of the offenders who allegedly committed alleged offences in the case. In one of the photographs, the face of the applicant/accused is visible.

Counsel for the applicant/accused has contended that complainant has not joined the TIP proceedings of the case. Moreover, no recovery has been effected from the applicant/accused. Hence, he claims that applicant/accused is entitled to be enlarged on bail in the case.

On the other hand, Ld. APP for the State has vehemently opposed the contention of the Ld. Counsel for the applicant/accused on the ground that when the face of the applicant/accused is quite visible in CCTV footage, then there is no necessity to conduct any TIP of the applicant/accused. Recovery of case property is also immaterial in such a case.

Heard.

I am in consonance with the submissions made by Ld. APP for the State as the CCTV footage is a strong piece of evidence against the applicant/accused. Moreover, the applicant/accused is also involved in several other criminal cases, besides the present case. Hence, this Court is not inclined to grant bail to the applicant/accused at this juncture. His bail application is, accordingly, dismissed. Present application stands disposed of, accordingly.

A copy of this order be given dasti to the counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

FIR No. 140/2018

PS EOW

State Vs. Himanshu Singh @ Reshu

U/s 406/420/120B/174A IPC

Application No. 8

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

IO/SI Chetan Mandia is present through VC.

None for accused

This is an application moved by the IO, whereby he is seeking declaration of the accused Himanshu Singh @ Reshu as absconder/proclaimed offender.

It is now informed by the Reader of the court that an email has been received from one Mr. KK Advocate, purportedly on behalf of accused wherein three documents have been attached i.e. one screenshot, one medical paper and a judgment of Hon'ble High Court of Delhi.

The above facts make it clear that the accused herein is monitoring the proceedings clandestinely instead of joining investigation or attending court hearings.

As regular functioning of the Court has not yet resumed due to corona pandemic outbreak and I need to peruse the record before disposing off the application, the present matter is adjourned **to 03.09.2021** for recording statement of the process server, who executed process under Section 82 Cr.P.C against the accused Himanshu Singh @ Reshu and/or further proceedings. In the meantime, IO is at liberty to continue efforts to apprehend the accused.

Copy of the order be sent to IO.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

FIR No. 74/2021

PS Crime Branch

Yash Gupta Vs. State.

**U/s 420/188/120B/34/274/275/468/471 IPC & Sec. 3/7 E.C. Act & Sec.3 E.D. Act
& U/s 63 Copy Right Act.**

Application No. 9

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

IO concerned is present through VC.

Present application is taken up in view of the order dated 12.07.2021 and 19.07.2021 passed by this Court, whereby presence of the IO was required in the present qua his explanation as to how an offence of violation of Copyright is attracted in this case when the accused was allegedly found in possession of a fake medicine.

As the undersigned is yet to peruse the physical record of the case before forming an opinion qua the aforementioned query raised to the IO concerned and physical functioning of the Courts has not yet resumed, so the matter is adjourned to 22.08.2021.

Be put up on 22.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021

**FIR No. 462/2020
PS Pandav Nagar
State Vs. Rahul @ Devid
U/s 379/356/411 IPC.**

Application No. 10

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application for calling the status report of Jail Superintendent concerned as to why accused Rahul @ Devid has not been released from Mandoli Jail.

Report of Jail Superintendent concerned received. The same is taken on record. In view of the said report, applicant/accused has not been released from JC as he is still running in JC in case FIR No.30/2020, U/s 392/411 IPC, PS Mayur Vihar, whereas the applicant/accused was granted bail in the instant case vide order dated 30.07.2021.

Let a copy of the said report be supplied to the counsel for the applicant/accused. No further directions are required in the application. Accordingly, present applications stands disposed of.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

**(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021**

Misc. CrI. No. 26/2021
HDB Financial Services Ltd
Vs.
Rajesh Sahdev

Application No. 11

03.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

The Court Receiver is present through VC.

This is an application moved by the Court Receiver seeking clarification regarding order dated 15.03.2021 passed by this Court.

Let notice of the application be issued to the Financial Institution for 07.08.2021.

Be put up on 07.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/03.08.2021