

FIR NO. 471/20
State vs. Waseem
U/s 356/379/34 IPC
PS Krishna Nagar

03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
Mohd. Tasleem, Id. Counsel for the accused through VC.
2nd application for grant of bail u/s 437 Cr.P.C is moved on behalf of
accused Waseem.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 12.10.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and recovery as shown from the accused has been planted upon the accused by the police. Further, the accused is the sole bread earner of his family. Ld. Counsel also submitted that the accused has been granted bail in the other three cases in which he was in JC and now he is in JC in the present case only. Further, the investigation has been completed and Accused is ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature and co-accused Nazim is still absconding. Further, this is the 2nd bail application on behalf of the accused and the first bail application of the accused was dismissed on 28.11.2020 by this court.

Heard both the parties.

In the present case, the accused is in J/C since 12.10.2020. As per clarification received from the IO through Naib Court, investigation in the present case has been completed and chargesheet has been sent to the prosecution branch for scrutiny. Further stolen property of the present case has already been recovered. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of personal bond in the sum of **Rs. 5,000/- with one surety in the like amount** subject to the conditions that :-

1. The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the accused.
3. He will not try to tamper with the evidence and will not try to contact the complainant during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Akanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO. 204/19
State vs. Nizam Shekh
PS PIA

03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
None for applicant through VC.
Office has not complied with the previous order dated
02.12.2020.
Issue fresh notice to the surety through IO, returnable for
04.12.2020.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO. 313/20
State vs. Dheeraj
PS Shakarpur

03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
Sh. Deepak Tyagi, Id. Counsel for the applicant/accused through VC.

Bail application perused. Reply of the bail application is on record. Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated. Further, the accused is young man with clear antecedent and he is in JC since 22.07.2020. Ld. Counsel further submitted that investigation has been completed and chargesheet has also been filed before the Court. Further, the applicant/accused has been arrested in the present case solely on the basis that the motorcycle used in the offence alleged belongs to him and on the basis of the CDRs of the mobile phones of the present accused and co accused persons. Ld.counsel also submitted that the main accused Upender Gupta has already been granted bail by the Id. Sessions Court and hence the present accused may also be enlarged on bail.

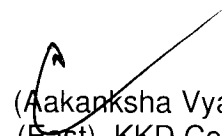
On the other hand, Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, this is the 3rd bail application of the accused as previous two bail applications of the accused were dismissed by this Court. Ld. APP also submitted that bail application of the accused was dismissed by the Id. Sessions Court also vide order dated 29.09.2020. Ld. APP for the State further submitted that there is grave apprehension that the accused can threaten the complainant and the witnesses and can also commit similar offence in future.



Heard both the parties.

I have given careful consideration to the submissions of Ld. APP for the State and Ld. Counsel for the accused. The allegations are serious in nature as reflected from the contents of the FIR. As per reply of the IO, there are various facts which connect the present accused to the alleged offence. Firstly, the motorcycle used for the commission of the alleged offence is registered in the name of the present accused. Further as per reply of IO, the CDRs obtained show that the present accused had called co-accused Madhu Pal on the date of incident in question and further the present accused and co-accused Upender and Madhu Pal were in constant contact before and on the date of incident. It is pertinent to note that after the filing of the chargesheet, a bail application was filed before the LD. sessions court in which the above-said facts have been taken note of and the bail application was dismissed by the LD. ASJ vide order dated 29/9/20. Further, as per reply of the IO, another co-accused namely Bawar is still absconding. Therefore, keeping in view the entire facts and circumstances, I am not inclined to allow the present bail application solely on the ground of parity. Accordingly, the present bail application is dismissed.

Copy of this order be given dasti to the IO. Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Akanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

Sayed Abdul Haseeb vs. Ganpati Enterprises & Anr.
CC No. 1899/20

03.12.2020

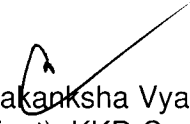
File taken up today on an application of the complainant for summoning the bank witness.

Present:- Ld. Counsel for the complainant through VC.

Application perused. Previous ordersheets perused.

The application stands allowed. Let bank witness be summoned for date already fixed i.e. 21.12.2020.

Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

Manish Manchanda vs. Harvinder Wadhwan

03.12.2020

File taken up today on an application for issuance of fresh summons against the accused.

Present:- Sh. T.R. Arora, Id. Counsel for the applicant through VC.

Application perused.

Previous ordersheets perused.

Complainant is directed to file PF within 20 days from today and let order dated 05.09.2020 be complied with afresh, returnable for date already fixed i.e. 22.01.2021.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

**FIR NO. Not known
State vs.Pawan
U/s 392/34 IPC
PS Shakarpur**

03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
None for applicant through VC.

The applicant has not mentioned the FIR number in the present application. Naib Court has submitted that in the absence of FIR number, status report cannot be filed.

Let the present application be relisted on 07.12.2020.

Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO. 306/19
State vs. Mukul Goyal
PS Krishna Nagar


03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
None for applicant through VC.

The office has informed the undersigned that the panchnama and photograph of the vehicle in question are not present on the judicial file.

Issue notice to the IO for furnishing clarifications, returnable for 07.12.2020.


Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO. 355/20
State vs. Sandeep
PS Krishna Nagar

03.12.2020

Present:- Ld. APP for the State is available for hearing through VC.
None for the applicant through VC.
Reply of the IO received and perused.
The present application is adjourned for 04.12.2020.
Issue notice to the IO to appear in person on 04.12.2020.
Copy of this order be sent to the Id. Counsel for the
applicant on his email ID and the same be uploaded on the Delhi
District Court Website today itself.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

**FIR NO.349/07
State vs. Ashok Mishra
U/s 279/304-A IPC
PS Krishna Nagar**

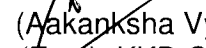
03.12.2020

Fresh application for release the property documents to the son of the surety Ashok Mishra, received through email.

Present:- Ld. APP for the State is available for hearing through VC.

None for applicant through VC.

IO/SHO PS concerned to file reply on 04.12.2020.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO.029918/20
State vs. Not Known
U/s 379 IPC
PS Krishna Nagar

03.12.2020

Fresh application for release the vehicle on superdari, received through email.

Present:- Ld. APP for the State is available for hearing through VC.

None for applicant through VC.

IO/SHO PS concerned to file reply on 04.12.2020.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO.000522/20
State vs. Not Known
U/s 379 IPC
PS PIA


03.12.2020

Fresh application for release the mobile phone on superdari, received through email.

Present:- Ld. APP for the State is available for hearing through VC.

None for applicant through VC.

IO/SHO PS concerned to file reply on 04.12.2020.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

FIR NO.026770/2019
State vs.Sanjoo & Anr.
U/s 279/411/34 IPC
PS Kalyanpuri

03.12.2020

Fresh application u/s 265-B Cr.PC, received through email.

Present:- Ld. APP for the State is available for hearing through VC.

None for applicant through VC.

Relist for consideration on 04.12.2020.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020

Ashok Sharma vs. Rakesh Gupta
U/s 138 NI Act

03.12.2020

Fresh application for summons to the bank witness, received through email.

Present:- None for applicant through VC.

Put up with file on 04.12.2020.


(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/03.12.2020