

4
FIR No. 228/19
PS M S Park
S/v. Shakti Singh @ Sonu Mental

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Mohd. Anas, Id counsel for the applicant through webex VC.

This bail application U/s. 437 Cr.P.C. is moved on behalf of accused Shakti Singh @ Sonu Mental.

Reply filed by the IO.

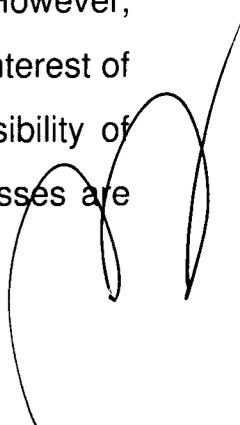
Arguments heard. Record perused

It is argued by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the present matter and the accused is in JC since 20.09.2020. It is argued further that no purpose would be served by keeping the applicant/ accused in custody. Benefit of bail is requested.

Ld. APP for the state has argued per contra and has opposed the bail application on the ground that the offences against the applicant/ accused are serious in nature. The accused is also involved in many cases.

Submissions heard.

The court is mindful of the fact that as a general rule it is the bail and not the jail, which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of the investigation. The possibility of witness tempering and the apprehension of threat to witnesses are the factors which cannot be ignored.

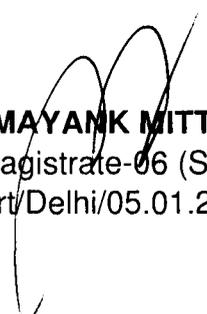


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In the case at hand, the accused was, as per the reply filed by the IO, the accused is habitual offender. The accused is also involved in many cases. The possibility of the applicant/ accused committing similar offences and the possibility of applicant/ accused fleeing the process of law cannot be ruled out.

Keeping in mind the totality of the facts and the circumstances I deem appropriate to dismiss the bail application, as the same is not warranted in the interest of justice.

Copy of order be given dasti.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

12
FIR No. 327/2020
PS M S Park
S/v. Shafiq & ors.

05.01.2021

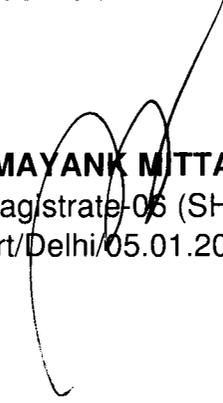
Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Present application moved for release of Auto TSR bearing no. DL-1RS-6698 on behalf of the applicant.

Reply of the IO perused. As per reply of the IO, investigation of the present case is pending and the co-accused is also yet to be arrested.

In view of the abovesaid facts, present application is dismissed.

Copy of to the order be given dasti.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

7
FIR No. 262/2020
PS M S Park
S/v. Neeraj Kumar

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Present application moved on behalf of the applicant for release of jamatalshi articles.

Heard.

Let Jamatalashi article i.e. cash of Rs.3600/- be released to the applicant/accused as per seizure memo against acknowledgement.

Application is disposed off accordingly.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

6
e-FIR No. 000346/2020
PS MS Park
U/s. 379/411 IPC
S/v. Asadul

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Sh. Kapil Singhal, Id counsel for the applicant through webex VC.

This bail application U/s. 437 Cr.P.C. is moved on behalf of accused Asadul.

Reply filed by the IO.

Arguments heard. Record perused

It is argued by the Ld. Counsel for the applicant/ accused that the applicant/ accused has been falsely implicated in the present matter and the accused is in JC since 26.12.2020. It is argued further that no purpose would be served by keeping the applicant/ accused in custody. Benefit of bail is requested.

Ld. APP for the state has argued per contra and has opposed the bail application on the ground that the offences against the applicant/ accused are serious in nature. The accused is also involved in many cases.

Submissions heard.

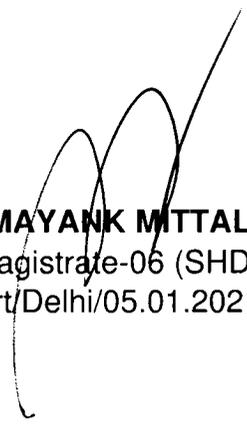
The court is mindful of the fact that as a general rule it is the bail and not the jail, which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of the investigation. The possibility of witness tempering and the apprehension of threat to witnesses are the factors which cannot be ignored.

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In the case at hand, the accused was, as per the reply filed by the IO, the accused is habitual offender. The investigation is at the initial stage and the accused has also been previously involved in the offence of similar type. The possibility of the applicant/accused committing similar offences and the possibility of applicant/accused fleeing the process of law cannot be ruled out.

Keeping in mind the totality of the facts and the circumstances I deem appropriate to dismiss the bail application, as the same is not warranted in the interest of justice.

Copy of order be given dasti.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

3
FIR No. 01/2021
PS Seema Puri
U/s. 33/58 Delhi Ex. Act
S/v. Mohd. Rafiq

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Sh. Pankaj Bhushan, counsel for the applicant/accused through webex VC.

An application under Section 437 Cr.P.C is moved on behalf of accused Mohd. Rafiq for grant of bail.

Arguments heard on bail application.

Accused is in JC since 01.01.2021. Recovery has already been effected. No further custodial interrogation is required from the accused. I see no reason to detain the accused further in custody.

In the totality of facts and circumstances, the accused is admitted to bail subject to furnishing bail bond in a sum of Rs.20,000/-with one surety in the like amount subject to following conditions:

- i. That he shall not indulge into similar offence or any other offence in the event of release on bail;
- ii. That he shall not tamper with evidence in any manner;
- iii. That in case of change of his residential address, he shall intimate the Court about the same; and
- iv. That he shall regularly appear before this court on each and every date of hearing.

The application stands disposed of accordingly.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

FIR No. 295/2020
PS: MS Park

05.01.2021

Present: Ld. APP for the State.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL 1 LR 6738 on superdari.

Submissions heard.

In view of above-mentioned facts, the case property i.e. vehicle bearing no. DL-1 LR 6738 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed of accordingly.

(Mayank Mittal)
MM-06/Shahdara/KKD/Delhi
05.01.2021

e-FIR No. 2991/15
PS Seema Puri
U/s. 379/411 IPC
S/v. Ashu

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

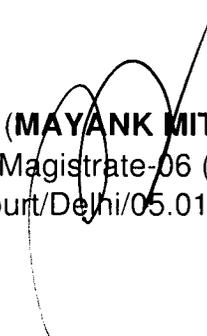
Sh. Momin Khan, counsel for the applicant/accused.

An application under Section 437 Cr.P.C is moved on behalf of accused Ashu for grant of bail.

As per reply of the IO, no one has been arrested in the present case yet. Accordingly, present application is dismissed as non maintainable.

The application stands disposed of accordingly.

Copy of order be given dasti.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

FIR No. 484/15
PS M.S. Park
S/v. Suraj Kumar

05.01.2021

Present: Sh. Narender Bhukal, Ld. APP for State through webex VC.

Present application moved on behalf of the applicant for release of original RC of vehicle bearing no. DL-2SP-6814 (Honda Activa).

Heard.

Let original RC of the abovesaid vehicle be released to the applicant/accused against acknowledgement.

Application is disposed of accordingly.

Copy of the order be given dasti.


(MAYANK MITTAL)
Metropolitan Magistrate-06 (SHD)
Karkardooma Court/Delhi/05.01.2021

E-FIR No.01/2021

PS: M S PARK

U/S 379/356/411IPC

05.01.2021

Present: Ld. APP for the State.

An application has been moved on behalf of applicant to release the case property i.e. Mobile Phone having IMEI NO. 864517059270056 Make OPPO model A53 on superdari.

Submissions heard.

In view of above-mentioned facts, the case property i.e. Mobile Phone having IMEI NO. 864517059270056 Make OPPO model A53 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. IO is directed to file objections if any.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed of accordingly.

(Mayank Mittal)
MM-06/Shahdara/KKD/Delhi
05.01.2021

FIR No. 031123/20
PS: Seemapuri

05.01.2021

Present: Ld. APP for the State.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL 5S CH 1097 on superdari.

Submissions heard.

In view of above-mentioned facts, the case property i.e. vehicle bearing no. DL-5S CH 1097 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed of accordingly.

(Mayank Mittal)
MM-06/Shahdara/KKD/Delhi
05.01.2021

E-FIR No.574/20

PS: SEEMAPURI

U/S 392/411 /34IPC

05.01.2021

Present: Ld. APP for the State.

An application has been moved on behalf of applicant to release the case property i.e. Mobile Phone having IMEI NO. 867521045882617 Make MI model 6A on superdari.

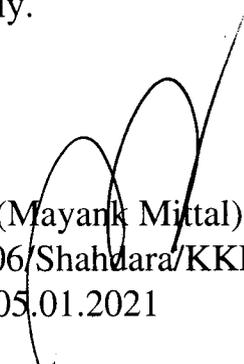
Submissions heard.

In view of above-mentioned facts, the case property i.e. Mobile Phone having IMEI NO. 867521045882617 Make MI model 6A be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. IO is directed to file objections if any.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed of accordingly.


(Mayank Mittal)
MM-06/Shahdara/KKD/Delhi
05.01.2021