

FIR No. 000826/20
PS Khajuri Khas
U/s 379/411 IPC
State Vs. Akash @ Lomdi

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is a bail application u/s 437 CrPC of accused Akash @ Lomdi
Present: Ld. APP for the State.

None for applicant.

Reply filed. Perused.

As none has joined on behalf of applicant, let the matter be re-listed for

07.01.2021.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

FIR No. 025495/20
PS Khajuri Khas
U/s 379/411 IPC
State Vs. Azam

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is a bail application u/s 437 CrPC of accused Azam
Present: Ld. APP for the State.

Ld. Counsel for applicant.

Heard on the above said application. Perused.

It is stated by the counsel for accused that accused has been falsely implicated in the present case, who has nothing to do with the alleged offence. It is stated that nothing was recovered from the possession of the accused. It is further stated that accused is only earning member in the family. It is further stated that accused is in JC since 16.10.2020 and no fruitful purpose will be served by keeping the accused in judicial custody as chargesheet has already been filed with request to grant bail to the accused.

Ld. APP for state has opposed the bail application under consideration.

Reply has also been filed by the IO wherein he had also opposed the application.

After considering the respective arguments, period of custody and the fact that chargesheet has already been filed and trial will take its time, this court of view that no fruitful purpose will be served by keeping the accused in judicial custody any longer pending investigation/trial. After considering the entire facts and circumstances of the case, accused is admitted to bail upon furnishing a personal bond for a sum of Rs. 20,000/- with one surety of like amount subject to the following conditions:-

i) That the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the court or to any other authority;

ii) That he shall not indulge into similar offence or any other offence in the event of release on bail;

- iii) That he shall not tamper with evidence in any manner;
iv) That in case of change of his residential address, he shall intimate the court about the same;
v) That he shall regularly appear before the court on each and every date of hearing; and
vi) That he shall not leave the territory of the Union of India without prior permission of the court.

Application stands disposed off.

Copy of this order be sent to all the concerned quarters through e-mode and concerned Jail Superintendent for being delivered it to accused.

Copy Dasti.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

DD No. 103A
PS Khajuri Khas
State Vs. Zeng Qingdong

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is an application for calling status report

Present: Ld. APP for the State.

Ld. Counsel for applicant.

Report filed. As per report, some more time is sought to carry out investigation.

At request, put up for 18.02.2021.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

FIR No. 542/20
PS Gokulpuri
U/s 323/341/506 IPC
State Vs. Salman

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is an application for calling status report

Present: Ld. APP for the State.

None for applicant.

Status report has been filed. Same is taken on record.

As none has joined the proceedings today, let the matter be re-listed for

08.01.2021.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is a bail application u/s 437 CrPC of accused Mohd Laiq

Present: Ld. APP for the State.

Ld. Counsel for accused.

Heard on the above said application. Perused.

It is stated by the counsel for accused that accused has been falsely implicated in the present case, who has nothing to do with the alleged offence. It is further stated that accused is only earning member in the family. It is further stated that accused is in JC since 12.09.2020 and no fruitful purpose will be served by keeping the accused in judicial custody as chargesheet has already been filed with request to grant bail to the accused.

Ld. APP for state has opposed the bail application under consideration.

Reply has also been filed by the IO wherein he had also opposed the application.

After considering the respective arguments, period of custody and the fact that chargesheet has already been filed and trial will take its time, this court of view that no fruitful purpose will be served by keeping the accused in judicial custody any longer pending trial. After considering the entire facts and circumstances of the case, accused is admitted to bail upon furnishing a personal bond for a sum of Rs. 15,000/- with one surety of like amount subject to the following conditions:-

i) That the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him to disclose such facts to the court or to any other authority;

ii) That he shall not indulge into similar offence or any other offence in the event of release on bail;

iii) That he shall not tamper with evidence in any manner;

iv) That in case of change of his residential address, he shall intimate the court about the same;

v) That he shall regularly appear before the court on each and every date of hearing; and

vi) That he shall not leave the territory of the Union of India without prior permission of the court.

Application stands disposed off.

Copy of this order be sent to all the concerned quarters through e-mode and concerned Jail Superintendent for being delivered it to accused.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

FIR No. 268/20
PS Shastri Park
U/s 356/379/34 IPC
State Vs. Aman Deval

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is an application for calling status report from jail superintendent.

Present: Ld. APP for the State.

Ld. Counsel for applicant.

Reply filed on behalf of Jail Superintendent. As per reply, applicant is in judicial custody in FIR No. 141/2020 PS Jafrabad.

Copy of reply be shared with counsel for applicant.

Application stands disposed of accordingly.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

FIR No. 482/20
PS Khajuri Khas
U/s 356/379/34 IPC
State Vs. Dharmendra

06.01.2021

Proceedings conducted through Cisco Webex meeting VC.

This is an application for getting vehicle DL5SCM5914 released on superdari.

Present: Ld. APP for the State.

Ld. Counsel for applicant

Reply filed by the IO . Same is taken on record. The prosecution has no objection if the vehicle is released to the applicant.

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 High Court of Delhi in case titled as **Manjit Singh Vs. State Crl. M.C. 4485/2013 decided on 10.09.2014** 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.

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.

The production of the vehicle should not be insisted upon during the trail. The panchnama and photographs alongwith the valuation report should suffice for the purposes of evidence.

Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

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.

Contd.....

If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.”

Considering the facts and circumstances and law laid down by Hon'ble High Court, the vehicle in question bearing registration no. **DL5SCM5914** be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the vehicle. SHO concerned is directed to get the valuation of the vehicle done prior to releasing the same to the applicant as per directions of the Hon'ble High Court. Coloured photographs of the vehicle be taken and Panchnama of the vehicle in question be also prepared as per above mentioned judgment. The photographs of the vehicle shall also be attested and countersigned in the manner stated above.

Copy of this order be given dasti to the applicant.

Panchnama alongwith photographs, valuations report etc. shall be filed in the court.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021

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FIR No. 455/20
PS Gokalpuri
U/s 25/54/59 Arms Act
State Vs. Javed

06.01.2021

**Proceedings conducted through Cisco Webex meeting VC.
This is a bail application u/s 437 CrPC of accused Javed**

Present: Ld. APP for the State.

Ld. Counsel for accused

Heard on the above said application. Perused.

It is stated by the counsel for accused that accused has been falsely implicated in the present case, who has nothing to do with the alleged offence. It is further stated that accused is only earning member in the family. It is further stated that accused is in JC since 24.09.2020 and no fruitful purpose will be served by keeping the accused in judicial custody as chargesheet has already been filed with request to grant bail to the accused.

Ld. APP for state has opposed the bail application under consideration.

Reply has also been filed by the IO wherein he had also opposed the application.

After considering the respective arguments, period of custody and the fact that chargesheet has already been filed and trial will take its time, this court of view that no fruitful purpose will be served by keeping the accused in judicial custody any longer pending investigation/trial. After considering the entire facts and circumstances of the case, accused is admitted to bail upon furnishing a personal bond for a sum of Rs. 15,000/- with one surety of like amount

Application stands disposed off.

Copy of this order be sent to all the concerned quarters through e-mode and concerned Jail Superintendent for being delivered it to accused.

Copy Dasti.

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(Nitish Kumar Sharma)
MM-03/N-E/KKD Courts/Delhi
06.01.2021