

FIR No. 18975/20
PS. K.Khas
U/s 379/411 IPC
State v Parvinder @ Vikas

10.12.2020

This is 2nd bail application seeking grant of bail moved u/s. 437 Cr.PC on behalf of accused/applicant Parvinder @ Vikas

Proceedings conducted through Video Conferencing on CISCO-WEBEX

Present: Ld. APP for State.

Ld counsel for accused/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 in JC since 16.10.2020 and no fruitful purpose will be served by keeping the accused in judicial custody 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.

Considering the respective arguments, facts of the case and period of custody, this court of view that accused applicant may be admitted to bail. 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;

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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 concerned Jail Superintendent for being delivered it to accused.

NITISH KUMAR
SHARMA

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NITISH KUMAR SHARMA
Date: 2020.12.10
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(Nitish Kumar Sharma)

MM(03)/North East/KKD Court/Delhi

10.12.2020

FIR No. 484/20
PS. G.puri
U/s 25/54/59 Arms Act
State v Shanu

10.12.2020

This is an application seeking grant of bail moved u/s. 437 Cr.PC on behalf of accused/applicant Parvinder @ Vikas

Proceedings conducted through Video Conferencing on CISCO-WEBEX

Present: Ld. APP for State.

Ld counsel for accused/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 chargesheet has already been filed and no fruitful purpose will be served by keeping the accused in judicial custody 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.

Considering the respective arguments, facts of the case and the fact that chargesheet has been filed and trial will take its time, this court of view that accused applicant may be admitted to bail. 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;

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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 concerned Jail Superintendent for being delivered it to accused.

NITISH KUMAR SHARMA
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(Nitish Kumar Sharma)
MM(03)/North East/KKD Court/Delhi
10.12.2020

FIR No. 529/20
PS. G.puri
State v Ravish pal

10.12.2020

This is an application for releasing of vehicle No. DL6CR 9164 on superdari.

Proceedings conducted through video conferencing on CISCO WEBEX
Present: Ld. APP for State.
Applicant with counsel.

Reply filed by the IO HC Vijendra. Same is taken on record.

The vehicle is no more required for the purpose of investigation.

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.....

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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. DL6CR 9164 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 along with the final report.

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(Nitish Kumar Sharma)

MM(03)/North East/KKD Court/Delhi

10.12.2020

FIR No. 22713/16

PS: Khajuri Khas

State Vs. Salim

Proceedings conducted through Cisco Webex meeting VC.
This is an application for issuance of production warrant.

Present: Ld. APP for State.

Ld counsel for applicant.

Reply not filed on behalf of IO. Let the same be filed before the next date of hearing positively. IO is directed to remain present on the next date of hearing. Copy of this order be sent to IO through concerned Naib for information and compliance.

At request of counsel for applicant, put up for 17.12.2020

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(Nitish Kumar Sharma)
MM03/NE/KKD Courts/Delhi
10.12.2020

Bhure Khan v Habijullah

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

It is stated by Naibs that there is no mention of any police station in the letter received. It is directed that the address of the complainant be ascertained and accordingly concerned SHO is directed to consider the present complaint as per law and SHO is also directed to file reply on 07.01.2021

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MM03/NE/KKD Courts/Delhi
10.12.2020

Mohd. Iqbal v Jubair & Ors
PS: Khajuri Khas

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

None for complainant.

It is stated by Asst. Ahlmad that a request has been made by the complainant to attend the proceedings on a day of physical hearing.

At request, put up on 11.12.2020

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MM03/NE/KKD Courts/Delhi
10.12.2020

FIR No. 369/2018

PS: Khajuri Khas

State Vs. Vineet Tomar

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

Ld counsel for applicant.

Present application has been filed on behalf of applicant seeking defreezing of account bearing a/c no. 312238269 in Kotak Mahindra Bank. Reply filed on behalf of IO stating that account is no more required to be kept freeze.

I have heard the submissions. In view of submissions made, application stands allowed.

Account of applicant is directed to be defreeze, concerned officials in bank are directed to do the needful in this regard.

Copy of the order be given dasti.

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MM03/NE/KKD Courts/Delhi
10.12.2020

FIR No. 000194/2019
PS: Khajuri Khas

State Vs. Unknown

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

None for applicant.

No one joined from the applicant's side on the URL/ Webex meeting link.

Put up on 15.12.2020

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MM03/NE/KKD Courts/Delhi
10.12.2020

FIR No. 220/2019

PS: G.puri

State Vs. Sunil

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

None for applicant.

No one joined from the applicant's side on the URL/ Webex meeting link.

Put up on 15.12.2020

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MM03/NE/KKD Courts/Delhi
10.12.2020

FIR No. 817/20
PS: Khajuri Khas
U/S 323/341/506/34 IPC

State Vs. Zakir

Proceedings conducted through Cisco Webex meeting VC.

Present: Ld. APP for State.

Ld counsel for applicant.

Status report filed. As per report, CCTV footage has been obtained from PWD and the same is being considered for investigation. Copy of the status report be shared with the applicant.

In view of above, application stands disposed off.

Copy of order be given dasti.

NITISH KUMAR SHARMA
SHARMA

(Nitish Kumar Sharma)

MM03/NE/KKD Courts/Delhi

10.12.2020

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