

**IN THE COURT OF ACMM -EAST KKD DELHI**

**State vs. Raja Gaur**  
**FIR No: 455/2018**  
**PS New Ashok Nagar**

**10.07.2020**

**Application for calling report from the concerned Jail Superintendent.**

Present: Sh. Ramesh, Id. APP for the State.

None for the applicant.

Report not received from Jail authorities.

Ahlmad has reported that the matter has already been committed to the Sessions Court.

Reader has informed that he has tried to contact the advocate on the mobile phone number available in the application. However, no one had picked up the call.

In the above circumstances, the **application is dismissed** and disposed of accordingly.

Proceedings be sent to the Record Room.

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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/10.07.2020**

**IN THE COURT OF ACMM -EAST KKD DELHI**

**State vs. Kusum Lata**  
**FIR No: 113/2020**  
**PS Preet Vihar**

**10.07.2020**

**An application for releasing the vehicle/Car bearing registration no. DL-5CH-7315 on superdari.**

Present: Sh. Ramesh, Ld. APP for the State through VC  
Sh. Sandeep Kumar, Id. Counsel for the applicant Anand Raju, through VC.  
Proceedings are done through VC.

IO has furnished the reply through VC. It has been stated in the reply that vehicle has already been transferred in the name of applicant Anand Raju. The vehicle was not insured at the time of accident. Victim Smt. Suman is still admitted in the hospital and she has been operated in the hospital. Verification report of the DL of the accused driver has yet not been received from Distt. Gaya, Bihar. However, Mechanical Inspection if the vehicle has already been done and vehicle is not required for investigation purpose.

Submission heard. Reply perused.

In view of the judgement of Hon'ble High Court of Delhi in the case of **Manjeet Singh Vs. State CrI. M.C. 4485/2013 and CrI. M.A. No. 16055/2013**, the above said vehicle can be released to the applicant on superdari. **However, considering the fact that the vehicle was not insured at the time accident in question, the vehicle can be released on Superdari only on depositing an FDR in the name of Court for a sum of Rs. 4,00,000/- (Rs. Four lacs only). The FDR can be deposited by moving separate application before LD. Duty MM East. The Vehicle shall not be released unless the applicant produces order of the Court to show that he has deposited the FDR in the Court as directed**

**hereinabove.**

It is directed that the superdar shall produce the vehicle in court during trial if required. Applicant will not dispose of the vehicle in question without prior permission of the court.

The SHO/IO is further directed to ascertain and satisfy himself about the ownership of the vehicle in question and also to take the photographs of the case property alongwith the negatives duly authenticated and certified. **A detailed punchanama of the property be also prepared in the presence of the accused driver before such release.** It is also directed that the investigating officer shall keep on record the permanent address of the applicant, his/her identity proof, his/her address proof as well as his/her phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he/she will intimate to the court and address which he/she may change during the course of time.

Photographs and punchnama shall be placed on record of final report alongwith the Negative/CD. If the photographs are taken from digital camera, there will be no need to place negatives on record.

The documents of the vehicle, if any, which are found genuine during investigation, be also released to the rightful claimant.

Application is disposed off accordingly.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original application along with documents within 7 days of the opening of the court.

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**ACMM (EAST)/KKD/10.07.2020**

**IN THE COURT OF A.C.M.M. -EAST KKD DELHI**

[CC no. 51066/2016, Dr. Sunil Sharma vs. Punarvesh Chander Upadhyaya]

**10.07.2020**

**Through Video Conferencing**

Present : Sh. Tarkeshwar Nath, Id. Counsel for the complainant

Vide order no. 373/EsttIE-IIDHC dated 23.03.2020 of the Hon'ble High Court of Delhi, the functioning of all district courts in Delhi was suspended from 23.03.2020 till 04.04.2020 in view of country-wide lockdown due to COVID-19 Pandemic. The said suspension was extended from time to time.

The work of all subordinate courts in Delhi is currently also suspended due to COVID-19 Pandemic. Vide order no. 16/DHC/2020 dated 13.06.2020 of Hon'ble High Court, extension of suspension of the functioning of the Court has been further extended till 30.06.2020. Further, vide order no. 22/DHC/2020 dated 29.06.2020 of Hon'ble High Court, extension of suspension of the functioning of the Court has been further extended till 15.07.2020. Vide said orders, it has been further directed that only urgent Cases No. (except where evidence is to be recorded) of the Court are to be taken up through video conferencing mode.

Ld. Counsel for the complainant seeks time for arguments on summoning as he could not prepare the arguments. One more opportunity is granted for arguments.

Ld. Counsel is directed to file written submissions on the E-mail ID of the court at least one day in advance from the next date of hearing.

List the matter for arguments on summoning on 20.08.2020.

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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/10.07.2020**

**IN THE COURT OF ACMM -EAST KKD DELHI**

**State vs. Sanjeev Kapoor**  
**FIR no. 114/2020**  
**PS Preet Vihar**

**10.07.2020**

**Application for release of Mobile Phone on superdari**

Present: Sh. Ramesh, Ld. APP for the State through VC  
Sh. Avnish Shukla, ld. Counsel for the applicant through VC.

At this stage, ld. Counsel for applicant submits that he has received a telephone call from the IO who he has informed that mobile phone was not seized in the present case. Therefore, ld. Counsel submits that he has instructions to withdraw the application.

In view of the aforesaid submissions, the **application is disposed of as withdrawn.**

Proceedings be sent to the Record Room.

Ld. Counsel for the applicant is directed to file the original bail applications along with documents within 7 days of the opening of the court.

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**ACMM (EAST)/KKD/10.07.2020**