

AANKANKSHA VYAS
Metropolitan Magistrate
Room No. 08, Floor,
Kandhari Court, Delhi

FIR No. 36/20
P.S.: PIA
State Vs. Dulare

11.08.2020

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

None for applicant in person.

Let jamatalashi articles be released to the applicant as per personal search memo. It is specifically mentioned that IO is at liberty to release the jamatalshi articles if the same are not required for investigation. The application stands disposed off accordingly.

Copy of this order be sent to SHO PS concerned and copy of this order be sent through e-mail to the applicant.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 171/2019
P.S.: PIA
U/s: 279 IPC , 185 MV act
State Vs. Akshay Bhatt

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.

None for applicant in person.

The present application for release of vehicle bearing No. **DL2SR 0125** (Motorcycle) on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Ravinder Kumar wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments of Ld. Counsel for applicant are dispensed with.

The Hon'ble High Court has observed in *Manjit Singh V. State* CRL. M.C. 4485/2013 and CRL. M.A. No. 16055/2013 decided on 10.09.2014 as follows:

“Vehicles”

1. 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.
2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs alongwith the valuation report should sufficient for the purpose of evidence.
4. Return of vehicles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid vehicle be released to the **rightful owner only** subject to satisfaction of the IO/ SHO about the following conditions:

1. That the mechanical inspection has been conducted and vehicle is no more required for investigation.
2. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
3. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chassis number of the vehicle.
4. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
5. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
6. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the valuation report.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

EFIR No.017810/20
P.S.: PIA
U/s: 379 IPC

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant in person.

The present application for release of vehicle **motorcycle bearing No. DL3SD5 4169** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Shri Ram wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments of Ld. Counsel for applicant are dispensed with.

The Hon'ble High Court has observed in *Manjit Singh V. State* CRL. M.C. 4485/2013 and CRL. M.A. No. 16055/2013 decided on 10.09.2014 as follows:

"Vehicles"

1. 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.
2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs alongwith the valuation report should sufficient for the purpose of evidence.
4. Return of vehicles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid vehicle be released to the **rightful owner only** subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chassis number of the vehicle.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the valuation report.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 394/2006
P.S.: Krishna Nagar
U/s: 454/380/411/34 IPC
State Vs. Gyanendra

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.

Ld. Counsel for accused is present through Video Conferencing.

Bail application perused. Reply of the IO also perused.

In the bail application Ld. Counsel for accused has submitted that accused has no previous criminal involvement and is having clean antecedents. Ld. Counsel has also submitted that charge sheet in the present case was filed way back in 2006 and the accused was subsequently declared absconder by this Court on 07.06.14, as he was not appearing in the Court. Ld. Counsel for the accused has submitted that the present accused was residing at Vill. Rasul Pur Kalan, PO Apsu Distt. Orrya, U.P. and he was permanently residing at this address, but no notice or summon was received on the above said address, from the Court. Ld. Counsel has submitted that subsequently, accused was apprehended on 15.07.20 and since then he is in J/C. Ld. Counsel for accused submitted that accused undertakes to appear before the Court regularly and he also has a sound surety.

Ld. APP for the State has opposed the present bail application stating that accused was not appearing in the Court for a very long time, due to which he was declared absconder and because of his failure to appear in the Court, the trial has been delayed considerably.

I have perused the application and carefully considered the submissions made by Ld. APP and Ld. Counsel. I have also perused the file. The record shows that one Ram Naresh stood as surety for the accused, but the order sheets of the Court reflect that the said surety never appeared in the Court. Further, order dated 04.06.11 specifically reflects that even the father's name of the surety Ram Naresh is incorrectly mentioned in the Bail Bond, due to which warrant of attachment issued against the surety were never executed.

As the charge sheet has already been filed in the Court and the accused is in J/C since 15.07.2020 after he was arrested, in the interest of justice, the present bail application stands allowed subject to his furnishing of fresh bail bond in the sum of **Rs. 20,000/-** with fresh surety in the like amount. Accused is directed to furnish his current address on the bail bond. Further, he is strictly instructed to remain present in the Court on each and every date of hearing. The

accused is also directed to deposit fine of **Rs. 3,000/-** in the Court on the first date of hearing in the present case, after the physical reopening of the Court.

Accordingly, application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 155/2019
P.S.: Shakarpur
State Vs. Shubham Mittal

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.
Ld. Counsel for accused is also present through Video Conferencing.

Ld. Counsel for the accused submitted that interim protection has been granted to the accused by Ld. Sessions Court, during hearing on his bail application, which was filed before the Ld. Sessions Court. Let the present application be re-listed for 12.08.2020. The Ld. Counsel is directed to furnish the copy of the order of Ld. Sessions Court on the NDOH.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 11.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 430/2019
P.S.: Farsh Bazar
U/s: 25/54/59 A.Act
State Vs. Nazim @ Guddu

11.08.2020

Fresh application for bail U/s 437 Cr.P.C, on behalf of accused, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

Application perused. The present case pertains to PS:Farsh Bazar which is not under the territorial jurisdiction of this Court. Hence the present bail application is dismissed for want of territorial jurisdiction.

Copy of this order be sent to Ld. Counsel for accused through email.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karloundema Court, Delhi

FIR No.: 312/20
P.S.: Shakarpur
U/s: 392/411/34 IPC

11.08.2020

Fresh application for release of mobile phone VIVO-V9 on superdari,
on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through
Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 300/2013
P.S.: Krishna Nagar
U/s: 379/356/411/34 IPC
State Vs. Rahul

11.08.2020

Fresh application for bail on behalf of accused, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 13.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 0093/20
P.S.: PIA
U/s: 188 IPC
State Vs. Aman Kumar

11.08.2020

Fresh application for release of vehicle No. UP14DY-8113 on superdari, on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 536/20
P.S.: PIA
U/s: 379 IPC
State Vs. Unknown

11.08.2020

Fresh application for release of mobile phone REDMI 5 on superdari,
on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through
Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 011540/20
P.S.: Krishna Nagar
U/s: 379 IPC
State Vs. Suraj Rawat

11.08.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused,
received by way of email.

Present : Ld. APP for the State is stated to be present through
Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 13.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 011147/20
E-P.S.: Jagatpuri
U/s: 379 IPC

11.08.2020

Fresh application for release of vehicle bearing No. DL5SBG3232, on superdari, on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

Application perused. The present application pertains to PS: Jagatpuri, which is not under the territorial jurisdiction of this court. Hence, the present application is dismissed for want of territorial jurisdiction.

Copy of this order be sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 180/2020
P.S.: PIA
U/s: 379/411/356 IPC
State Vs. Mohd. Sajid

11.08.2020

Fresh application for bail/interim bail on behalf of accused, forwarded by the Jail Superintendent, has been received.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 038391/2019
P.S.: Shakarpur
U/s: 379 IPC
State Vs. Unknown

11.08.2020

Fresh application for release of vehicle bearing No. DL13SS 7099 (Motorcycle Yamaha FZS) on superdari, on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 154/2020
P.S.: PIA
U/s: 279/337 IPC
State Vs. Anil Gupta

11.08.2020

Present : Ld. APP for the State is stated to be present through
Video Conferencing.

Ld. Counsel for the applicant is stated to be present in the
Court.

Reply on application for release of R/C and other
documents, not received. IO/SHO of PS concerned is directed to file
reply on 12.08.2020, positively.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 0393/2020
P.S.: Krishna Nagar
U/s: 379/356 IPC
State Vs. Sumit

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant in person.

The present application for release of mobile phone techno Camon ACE2 on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Rajinder Kumar wherein it is submitted that there is no objection for the release of the mobile phone to the **rightful owner**.

In view of the no objection of the IO, oral arguments of Ld. Counsel for applicant are dispensed with.

In these circumstances the aforesaid mobile phone be released to the rightful owner only subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, IMEI number, ownership and other necessary details of the mobile phone:
2. IO shall take the colour photographs of the mobile phone from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the value / bill / receipt of the mobile phone to the satisfaction of the concerned IO/ SHO subject to verification of documents.

Copy of this order be sent to Ld. Counsel for applicant on his email ID and a copy be also sent to the SHO PS concerned for compliance.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 0205/2020
P.S.: PIA
U/s: 379/411/34 IPC
State Vs. Unknown

11.08.2020

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

Reply on application for release of mobile phone on superdari, not received. IO/SHO is directed to file reply on 13.08.2020, positively.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/11.08.2020



AANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 205/2020
P.S.: PIA
U/s: 379/411/34 IPC
State Vs. Askar

11.08.2020

Present : Ld. APP for the State is stated to be present through
Video Conferencing.

None for applicant in person.

Reply on application for bail of accused, not received.
IO/SHO is directed to file reply on 13.08.2020, positively.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 16892/20
P.S.: Krishna Nagar
U/s: 379/411 IPC
State Vs. Tanzim Ali

11.08.2020

Present : Ld. APP for the State is present through Video Conferencing.
Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Tanzim Ali.

Bail application perused. Reply filed by IO also perused.

Ld.Counsel for the accused has submitted that accused is in JC since 30.07.2020. He has further submitted that accused has been falsely implicated in the present case. He has also submitted that investigation of the case has already been completed. Accused is ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused stating that the accused is a habitual offender.

Heard both the parties.

File perused. In the present case, the accused is in J/C since 30.07.2020. Accused was formally arrested in the present FIR. Case property in 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. 10,000/- 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 Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No. 238/2020
P.S.: Shakarpur
U/s: 392/411/34 IPC
State Vs. Abhishek Masih

11.08.2020

Present : Ld. APP for the State is present for hearing through Video Conferencing.

Ld. Counsel for accused is also present through Video Conferencing.

Application perused. I have perused the bail order dated 29.06.2020. I have also heard the submissions of the Ld. APP for the State and the Ld. Counsel for the accused. The Ld. App for the State has opposed the application stating that the offence is serious in nature and hence the accused should not be released on personal bond alone. On the other hand Ld. Counsel for the accused submitted that the accused is unable to arrange surety and on account of this fact, he is languishing in jail for a very long time, despite having been granted bail.

In the present case the accused was granted bail on 29.06.2020. As the accused has been languishing in jail, despite having been granted bail on 29.06.2020, in the interest of justice and keeping in view the fact that the bail order reflects that the accused has no previous criminal involvement, the present application stands allowed. Accused is permitted to be released on furnishing personal bond in the sum of **Rs. 20,000/-** to the satisfaction of Jail Superintendent concerned. The Jail Superintendent is directed to forward the personal bond to the Court.

Copy of this order be sent to Ld. Counsel for the accused on his email ID and a copy be also sent to the concerned Jail Superintendent.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 232/2019
P.S.: Krishna Nagar
U/s: 376 IPC & POCSO Act.
State Vs. Sachin

11.08.2020

Present : Ld. APP for the State is stated to be available for hearing through Video Conferencing.

Status report qua surrender of the accused Sachin not received from the Jail Superintendent.

The concerned Jail Superintendent is directed to file the aforesaid status report positively on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 11.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 0207/20
P.S.: PIA
U/s: 279/337 IPC
State Vs. Not known

11.08.2020

Fresh application for release of vehicle No. DL1LAA6781 Goods Carrier TATA A-S on superdari, on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 12.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 11.08.2020