

State vs. unknown
e FIR No. 010239/21
PS Krishna Nagar
U/s 379 IPC

11.08.2021

Present:- Ld. APP for the State through VC.
Ld. counsel for the applicant present through VC.

The present application for release of vehicle bearing No. **DL-7S-BQ-6015 (Passion Pro-10)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Vivek Bana 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 (after verification of ownership)** 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 (after verification of ownership).
4. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.



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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 and also be sent on the Delhi District Courts Website today itself.



(Babita Puniya)
MM-05, (East) KKD Court/
Delhi/11.08.2021

FIR No.0343/21
PS Shakapur
U/s 379/356/34 IPC

11.08.2021

Present:- Ld. APP for the State through VC.

Ld. counsel for the applicant through VC.

The present application for release of **mobile phone make Apple Iphone Max6464 GB (Gold) with IMEI No.353909105338441** on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Krishan Lal wherein it is submitted that there is no objection for the release of mobile phone 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:

"mobile phone"

1. Mobile phone involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the mobile phone; valuation report; and a security bond.
2. The photographs of the mobile phone 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 mobile phone 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 mobile phone be released to the **rightful owner only (after verification of ownership)** subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, and other necessary details of the mobile phone:
2. IO shall take the colour photographs of the mobile phone from different angles of the mobile phone.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner (after verification of ownership).
4. IO shall get the mobile phone valued from a proper valuer and shall take a valuation report in this regard from the valuer.

-2-

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 the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.


(Babita Puniya)
MM-5, (East) KKD
Court/Delhi/11.08.2021

STATE Vs. Ajj & Ors.
FIR 327 /2021
PS : Shakarpur
U/S 279/337/427 IPC

11.08.2021

Matter taken up through video conferencing via Cisco Webex Meeting App vide order No. 438/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi but there is a connectivity problem.

Present:- Ld. APP for the State through VC.
None for the applicant.

Reply received wherein time has been sought to verify the insurance policy.

IO to join the proceedings on NDOH.

Be put up on 17.08.2021.



(Babita Puniya)
MM-5, (East) KKD

Court/Delhi/11.08.2021

State vs. Not Known
FIR No. 008260/2019
PS Shakarpur
U/s 379 IPC

11.08.2021

Present:- Ld. APP for the State through VC.

Ld. Counsel for the applicant through VC.

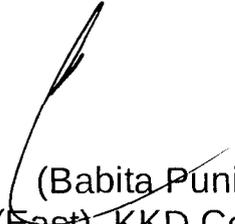
This is an application filed on behalf of the applicant calling the status report in the above said case.

The counsel for the applicant has submitted that he wishes to withdraw the present application.

Heard.

In view of the submissions, present application is dismissed as withdrawn.

Copy dasti.


(Babita Puniya)
MM-05, (East) KKD Court
/Delhi/11.08.2021

FIR NO.44/2021
STATE vs. Prabhat Sharma
PS : Shakarpur
U/s 379/411/34 IPC

11.08.2021

Matter taken up through video conferencing via Cisco Webex Meeting App vide order No. 438/RG/DHC/2021 dated 22.07.2021 of the Hon'ble High Court of Delhi but there is a connectivity problem.

Present:- Ld. APP for the State through VC.

HC Ritesh Kumar through VC.

This is an application u/S 437 Cr.P.C for grant of bail. Reply filed by IO.

The applicant/accused has already been released vide Order dated 06.08.2021, therefore the application stands dismissed as infructuous.


(Babita Puniya)
MM-5, (East) KKD
Court/Delhi/11.08.2021

State vs. Shanu
FIR No. 345/21
PS Shakarpur
U/s 25/54/59 Arms Act

11.08.2021

Vide this order, I shall decide the bail application filed on behalf of accused Mohd. Chand seeking regular bail.

Present:- Ld. APP for the State through VC.

Ld. Counsel for the accused through VC.

IO in person.

Learned counsel for the applicant/accused has submitted that a false case has been foisted against him; he has no complicity in the crime and is in judicial custody since 07.08.2021 and is not a previous convict or offender. He further submitted that applicant/accused would abide by the terms and conditions imposed by this Court if the prayer as set out in the application is granted.

Bail application is vehemently opposed by the learned APP for the State.

I have heard the arguments and have also perused the reply filed by the IO.

The accused is the first time offender. Recovery has also been effected. I am of the view that no useful purpose would be served by sending the accused behind the bars where he will come in contact with hardened criminals and lose the sensitivity whatever he has. Therefore, I deem it appropriate to grant bail to the applicant/accused Shanu on his furnishing bail bond in the sum of Rs. 10000/- with one surety in



the like amount subject to the condition that after filing of charge sheet in the court, he accused shall remain present before the court on each and every date fixed for hearing of the case. If he wants to remain absent, then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent, he shall immediately give intimation to the court and request that he may be permitted to be represented through counsel and he will not dispute the identity of the accused in the case and that he shall not commit an offence similar to the offence of which he is accused or suspected of the commission of which he is suspect.

Application stands disposed of.

Copy dasti.

Copy of the order be also sent to the Jail Superintendent for information and record.

(Babita Puniya)
MM-05, (East) KKD Court
/Delhi/11.08.2021

State vs. Kailash @ Haresh
FIR No. 159/21
PS Patparganj Indl. Area
U/s 356/379/34 IPC

11.08.2021

Present:- Ld. APP for the State through VC.

Sh. Naveen Singla, Ld. Counsel for the accused through VC.

This is a bail application filed on behalf of accused Kailash seeking regular bail.

The counsel for the applicant/accused has submitted that he wishes to withdraw the present bail application.

Heard.

In view of the submissions, present bail application is dismissed as withdrawn.

Copy dasti.


(Babita Puniya)
MM-05, (East) KKD Court
/Delhi/11.08.2021

State vs. Mohit @ Rahul

***FIR No. 206/2021
PS: PIA
U/sec. 25 Arms Act***

11.08.2021

Present: Learned APP for the State

Sh. Devender Kumar, learned counsel for the accused through V/C

COURT IS CONVENED THROUGH V/C (CISCO WEBEX).

Vide this order, I shall decide the application filed under section 437 Cr.P.C., seeking regular bail of accused ***MOHIT @ RAHUL***.

Bail application is vehemently opposed by the learned APP for the State. He stated that accused has the criminal proclivity and has every potential of tampering with the evidence and thus contended that he does not deserves to be enlarged on bail. He also drew the attention of this Court towards previous conviction/involvement report filed along with the reply, which is stated to be from the State Crime Records Bureau's (SCRB) records, Delhi which discloses that the accused's is involvement in more than 30 criminal case. He, therefore, prayed that the application may be dismissed as he does not deserve concession of regular bail and if, bail is granted to him at this stage he may indulge in similar activities.

Per contra, it was submitted on behalf of the accused that he is running in J/C since 17.06.2021 and is no more required for custodial interrogation. He, therefore, prayed that accused may be enlarged on bail pending investigation.

I have heard the parties and have perused the reply.

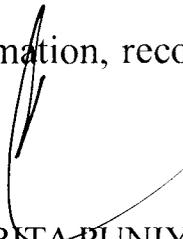
Having heard the parties and on perusal of the reply, I find that the antecedents of applicant/accused ***MOHIT @ RAHUL*** are such which disentitle him to the concession of regular bail at this stage.



Accordingly, this bail application is dismissed.

Copy dasti.

Order be also sent to the concerned Jail Superintendent for information, record and compliance.



(BABITA PUNIYA)
MM-05, East District
KKD Courts, Delhi/11.08.2021

State vs. Sandeep

FIR No. 304/21

PS: PIA

U/sec. 379/411/34 IPC

11.08.2021

Present: Learned APP for the State

Sh. S. G. Goswami, learned counsel for the accused through V/C

COURT IS CONVENED THROUGH V/C (CISCO WEBEX).

Vide this order, I shall decide the bail application filed on behalf of accused *SANDEEP* seeking regular bail.

Learned counsel for the applicant/accused has submitted that a false case has been foisted against him; he has no complicity in the crime and is in judicial custody since 20.07.2021 and is not a previous convict or offender. He further submitted that applicant/accused would abide by the terms and conditions imposed by this Court if the prayer as set out in the application is granted.

Bail application is vehemently opposed by the learned APP for the State.

I have heard the arguments and have also perused the reply filed by the IO.

The accused is a young man of 28 years of age. He has no criminal antecedents. Recovery has also been effected. I am of the view that no useful purpose would be served by keeping the accused behind the bars where he will come in contact with hardened criminals and lose the sensitivity whatever he has. Therefore, I deem it appropriate to grant bail to the applicant/accused ***SANDEEP*** on his furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount subject to the condition that after filing of charge sheet in the court, he shall remain present



before the court on each and every date fixed for hearing of the case. If he wants to remain absent, then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent, he shall immediately give intimation to the court and request that he may be permitted to be represented through counsel and he will not dispute the identity of the accused in the case and that he shall not commit an offence similar to the offence of which he is accused or suspected of the commission of which he is suspect and shall not try to influence the witness.

Application stands disposed of.

Order be also sent to the concerned Jail Superintendent for information, record and compliance.


(BABITA PUNIYA)
MM-05, East District
KKD Courts, Delhi/11.08.2021