

11-12-2020

Present order shall dispose off the bail application of accused Sudhansu Bansal s/o Sh. Ratish Bansal.

Present: Ld. APP for State.
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 07.11.2020. It is further stated that accused has falsely implicated in this case. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by the IO that accused was arrested on the complaint of complainant as accused was employee of complainant and has misappropriate the money of complainant which was given by complainant to accused for payment. It is further stated that money was also recovered from the possession of accused. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments and perused the record.

Considering the fact that accused is in JC since 07.11.2020 and recovery has already been effected. Further, complainant also present and states that he is settled the dispute with the accused. Further, accused has no previous involvement and he is a first time offender. Further, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Sudhansu Bansal s/o Sh. Ratish Bansal be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 20,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court.

Computer Branch is directed to comply accordingly.

BHARAT
AGGARWAL
Digitally
signed by
BHARAT
AGGARWAL
Date:
2020.12.11
15:37:35 -0300

(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
11.12.2020

11.12.2020

This is an application to release vehicle no. DL-7SCH-6643 on superdari moved on behalf of applicant Lokesh Kumar s/o Rameshwar Ojha.

Present : Ld. APP for the State.

Counsel of applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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 and countersigned by the complainant, accused as well as by the person to whom the custody is handed over. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-7SCH-6643 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

BHARAT
AGGARWAL
Digitally
signed by
BHARAT
AGGARWAL
Date:
2020.12.11
15:39:09 -
0300

(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
11.12.2020

State Vs. Ratan Kumar @ Kanahiya s/o Sh. Khub Chand
e-FIR No. ED-MV-000006/20
PS. Madhu Vihar
U/s 379 IPC

11-12-2020

Present order shall dispose off the bail application of accused Ratan Kumar @ Kanahiya s/o Sh. Khub Chand.

Present: Ld. APP for State.
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 06.11.2020. It is further stated that accused has falsely implicated in this case. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by the IO that accused was arrested by PS Kalyanpuri and stolen mobile phone was recovered from the possession of accused. It is further stated that accused has involvement in 18 other cases and a habitual offender. It is further stated that if accused released on bail, he may threatened the complainant.

Heard the arguments and perused the record.

Considering the fact that accused is in JC since 06.11.2020 and recovery has already been effected. Further, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Ratan Kumar @ Kanahiya s/o Sh. Khub Chand be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 10,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court.
Computer Branch is directed to comply accordingly.

BHARAT
AGGARWAL
Digitally signed
by BHARAT
AGGARWAL
Date:
2020.12.11
15:37:48 -0300

(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
11.12.2020

State Vs. Shaikh Saddam
FIR No. 234/20
PS. Jagatpuri
U/s 380/454/411/34 IPC

11-12-2020

Present order shall dispose off the bail application of accused Shaikh Saddam s/o Sh. Shaikh Suja.

Present: Ld. APP for State.
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 15.10.2020. It is further stated that accused has falsely implicated in this case. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by the IO that accused was arrested on the disclosure statement of co-accused in the present case and Rs. 19,700/- and one silver coin was recovered from the possession of accused. It is further stated that accused has involvement in 01 other cases and a habitual offender. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments and perused the record.

Considering the fact that accused is in JC since 15.10.2020 and recovery has already been effected. Further, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Shaikh Saddam s/o Sh. Shaikh Suja be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 10,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

BHARAT
AGGARWAL

Digitally signed
by BHARAT
AGGARWAL
Date:
2020.12.11
15:38:03 -0300

(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
11.12.2020

State Vs. Vicky @ Deepak
FIR No.78/20
PS.Jafrabad
U/s 25/54/59 Arms Act

11-12-2020

An application seeking release on personal bond of accused Vicky @ Deepak s/o Sh. Billu Goswami is moved

Present : Ld. APP for the State.
Counsel for accused/applicant

In the present matter, the accused was arrested by IO on 01.03.2020 and accused was granted bail vide order dated 10.11.2020 subject to furnishing bail bond and surety bond of Rs. 20,000/-. Till date the bail bond and surety has not been furnished by the accused.

It is stated by the accused that he has no one in family who could furnish surety for him.

Considering the fact that accused is in custody in the present matter for about 9 months and he has not furnished surety till date, this court is of the view that financial restraint should not become an hindrance to the personal liberty, accused be released on furnishing of personal bond for a sum of Rs. 20,000/- to the satisfaction of concerned Jail Supt. The copy of the order be sent to Jail Supt.

Application disposed off accordingly.

BHARAT
AGGARWAL

Digitally
signed by
BHARAT
AGGARWAL
Date:
2020.12.11
15:38:24 -0300

(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
11.12.2020

11.12.2020

This is an application to release of mobile phone Nokia 3.1 Plus, IMEI no. 355844098288352 on superdari moved on behalf of applicant Zeba @ Jeva w/o Mohd. Junaid.

Present : Ld. APP for the State.

Sh. Shehzad Ali, Counsel of applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the mobile is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of mobile, Hon'ble Court has laid down following guidelines:

"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 and countersigned by the complainant, accused as well as by the person to whom the custody is handed over. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith the valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **mobile phone Nokia 3.1 Plus, IMEI no. 355844098288352 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above mobile is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

BHARAT
AGGARWAL

Digitally
signed by
BHARAT
AGGARWAL
Date:
2020.12.11
15:38:38 -
0300

(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
11.12.2020

11.12.2020

This is an application to release vehicle no. DL-5SCH-0417 (TVS) on superdari moved on behalf of applicant Ashad Khan s/o Ashraf Khan.

Present : Ld. APP for the State.

Counsel of applicant (through Webex).

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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 and countersigned by the complainant, accused as well as by the person to whom the custody is handed over. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-5SCH-0417 (TVS) is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

BHARAT
AGGARWAL
Digitally
signed by
BHARAT
AGGARWAL
Date:
2020.12.11
15:38:53 -0300

(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
11.12.2020