

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

CIS No.955/20

PS KARWAL NAGAR

U/S 14 OF SARFAESI ACT

KOTAK MAHINDRA BANK VS RANVEER SINGH

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

Present: None for the applicant.

The present report has been filed by the receiver as per order dated 16.09.2020. The report be tagged with the main file. The main file and the report be consigned to record room.

Order be uploaded on the server.

(DINESH KUMAR)

CMM/NE/KKD/DELHI/11.12.2020

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

CIS NO.984/2020

PS GOKALPURI

U/S 14 SARFAESI ACT

**TATA CAPITAL FINANCIAL SERVICES LTD. VS. HUKUM
CHAND ETC.**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

Present: None for the applicant.

The present report has been filed by the receiver as per order dated 25.09.2020. The report be tagged with the main file. The main file and the report be consigned to record room.

Order be uploaded on the server.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.247/2016
PS KARAWAL NAGAR
U/S 279/338 IPC
STATE VS. AMIT KUMAR**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

This is an application for release of RC.

File taken up on the said application.

**Present: Shri Rajeev Gaur Proxy Counsel for the
applicant.**

The applicant is absent.

At request, be listed on 14.12.2020.

(DINESH KUMAR)

CMM/NE/KKD/DELHI/11.12.2020

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.114/20
PS KHAJURI KHAS
u/s 147/148/149/436 IPC
STATE VS FIROZ**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

**This is an application U/S 173(7) & 207 Cr.P.C.
Present: None for applicant.**

**It has been informed by the IO that the copies
have already been supplied to the accused as in
compliance of the directions. The application stands
disposed of. Be tagged with the main file.**

Order be uploaded on the server.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.57/20
PS DAYALPUR
u/s 147/148/149/380/34 IPC
STATE VS WAZID**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

This is an application for change of surety.

Present: None.

Be listed on 17.12.2020.

Order be uploaded on the server.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.136/20
PS DAYALPUR
u/s 147/148/149/436 IPC
STATE VS SHAHDAB AHMED**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

**This is an application moved on behalf of
applicant for documents relating to arrest.**

Present: Shri Kartik Murukutla Ld. Counsel for the
applicant/accused.

IO/SI Shiv Charan is present.

IO has filed the reply. Copy is sent to the
whatsapp number and E-mail ID of the Ld. Counsel for the
applicant as mentioned in the application itself.

Arguments heard.

Ld. Counsel for the applicant has argued
interalia that the information provided by the IO in the
reply providing reasons to arrest of the accused is not
sufficient and it is vague. However, the information that

the incident in question was dated 24.02.2020 between 2 to 3 pm satisfies his prayer of providing the date and time of the alleged offence.

Ld. Counsel submits that order may be passed on his application and it may be held that the IO had violated the mandate of section 50 Cr.P.C and the IO may be directed to supply the complete information in relation to the reasons for arrest of the accused in the present case.

At this stage, the Io is directed to supply the necessary information to show why the accused was arrested in the present case. The IO has complied the order. He has filed his detail reply in this regard. Copy is sent to the Ld. Counsel on his mobile no.

In the present application, it has been prayed by the Ld. Counsel that applicant/accused was not provided the copy of the FIR and he was not informed about the grounds of his arrest in the present case. Ld. Counsel has submitted that the IO had violated section 50 Cr.P.C r/w article 22 of the Constitution of India. It was prayed in the application that the IO may be directed to supply the necessary documents to the applicant.

The IO has already supplied the copy of FIR to the Ld. Counsel. He has also provided to the Ld. Counsel the date and time of the alleged offence and the grounds

of arrest of the accused in the present case. No doubt an accused has a right to know the ground of arrest at the time of his arrest. This right of the accused has been safeguarded by the law as provided u/s 50 Cr.P.C which provides, inter alia, that an arrested person shall be communicated with full particulars of the offence of which he has been arrested or other grounds for his arrest. In *Joginder Kumar Vs. State of UP (1994) 4 SCC 260* Hon'ble Supreme court has held that a police officer must be able to justify the arrest of a person apart from his power to do so. The purpose of section 50 Cr.P.C is to provide an opportunity to the arrested person to know what the accusation is against him so that he can obtain legal advice and so that he can provide his defence etc. The law does not provide in which manner such information is to be communicated to the arrested person. However, the mandate of law is clear that the information provided to the arrested person must be sufficient to make him aware as to why he has been arrested in the said case.

On enquiry, the IO has stated that he had informed the accused that he had been arrested in the present case because of his active involvement in the crime. Whether this information was sufficient or not to fulfill the requirement of section 50 Cr.P.C is a question which can

only be decided after detailed enquiry. No findings in this regard can be given at this stage. However, in view of the fact that the copy of the FIR had already been supplied to the Ld. Counsel and that sufficient information regarding the grounds of arrest of the accused has been provided by the IO today in his reply copy of which is also sent to the the Ld. Counsel for the applicant/accused, the prayer mentioned in the application stands satisfied.

The application is, therefore, disposed of accordingly. Original application be filed in the court within two days.

Order be uploaded on the server.

(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.101/20
Crime branch
u/s 109/114/147/148/436 IPC
STATE VS. TAHIR HUSSAIN
11.12.2020**

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

**This is an application moved on behalf of the
applicant/accused for releasing the vehicle on
superdari.**

**Present: Mr. Rizwan Id. Counsel for the
applicant/accused Tahir Hussain.**

Reply be called from the IO for NDOH.

Be listed on 17.12.2020.

Order be uploaded on the server.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**INDIA BULLS HOUSING FINANCE LTD. VS. MUKESH
KUMAR GIRI
U/S 14 OF SARFAESI ACT
11.12.2020**

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

This is an application for change of surety.

Present: None for applicant/receiver.
None for the bank.

The Ahlmad has reported that the parties were
informed telephonically.

Be awaited till 2 pm.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

At 2.05 PM:

Present: None for applicant despite repeated calls since
morning.

It appears that the applicant is not interes ted
in pursuing the application. Application of the receiver as

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above mentioned is dismissed in default for non prosecution.

File be consigned to record room. Order be uploaded on the server.

(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.78/2020
PS DAYALPUR
STATE VS. RAIS KHAN
11.12.2020**

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

**This is an application moved on behalf of
applicant/father of the accused for granting permission
to obtain signatures.**

Present: None.

Ahlmad has traced the file.

Perusal of the record would show that the
application has already been disposed off vide order dated
26.11.2020. It was wrongly shown pending in the casue
list dated 01.12.2020.

The proceedings be tagged with the main
challan.

Order be uploaded on the server.

**(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020**

**In the court of Chief Metropolitan Magistrate
North East, Karkardooma Courts, Delhi.**

**FIR NO.351/2020
PS BHAJANPURA
STATE VS. JAHID
u/s 302/120B/34 IPC & 25/27 ARMS ACT**

11.12.2020

**In view of the Order No. 4527-4542/
Power/Judl./N.E./KKD/Delhi/2020 dated 26.11.2020
issued by Ld. District & Sessions Judge, North East,
Karkardooma Courts, the present matter has been
taken up through physical hearing today.**

**This is an application moved by the IO for issuing
proceedings u/s 82 & 83 Cr.P.C against the accused
Jahid.**

**Present: Ld. APP Sh.Pradeep Kumar for the State.
IO Inspector Dinesh Kumar, STARS 2, Crime
Branch Shakarpur is present in person.**

**NBWs against accused Jahid received back un-
executed.**

Report perused.

**I have reason to believe that the accused is
concealing himself to avoid the process of law. Therefore,
issue proclamation u/s 82 Cr.P.C and process u/s 83
Cr.P.C against accused Jahid returnable for 10.02.2021.**

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The process shall also be published in National newspapers of Hindi Language and English language respectively having circulations in the area of last known address of the accused.

Copy of the order be given dasti to the IO. Order be uploaded on the server.

(DINESH KUMAR)
CMM/NE/KKD/DELHI/11.12.2020

