

State vs. Not known.
FIR No. 0348/2020
PS PIA
U/s 279/337 IPC

11.02.2021

Present:- Ld. substitute APP for the State.
None for applicant

The present application for release of vehicle bearing No. **DL-1RN 1548** on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Bijender 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.

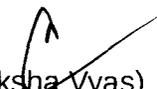
The Hon'ble High Court has observed in **Manjit Singh V. State CRL. M.C. 4485/2013 and CRL. M.A. No. 16055/2013 decided on 10.09.2014** as follows:
"Vehicles"

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. The vehicle in question is no more required for investigation and its mechanical inspection has been conducted.
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 and also be sent on the Delhi District Courts Website today itself.


(Aakanksha Vyas)

MM-5, (East) KKD Court

Delhi/11.02.2021

State vs. Not known.
e. FIR No. 025864/2020
PS Shakarpur
U/s 379 IPC

11.02.2021

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

The present application for release of vehicle bearing No. **DL-13-SR-5639** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Ritesh 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.
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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 and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-5, (East) KKD Court

Delhi/11.02.2021

Received
11/2/2021
Mouf Ashraf

State vs. Unknown
e. FIR No. 35384/2019
PS Krishna Nagar
U/s 379 IPC

11.02.2021

Present:- Ld. APP for the State.

Both applicants with Id. Counsel Dr. Akram Khan.

This is an application for release of the articles namely 4 mobile phones, Wallet, Watch and 2 Helmets on superdari. On query, the Id. Counsel submitted that the said articles are jamatalashi articles of the applicants.

Application perused. Reply of the IO perused. As per reply of the IO, the said articles were seized by the arresting officer in the kalandra u/s 41.1 (D) Cr.PC, PS Kalkaji and the said articles are not present in the malkhana of PS Krishna Nagar.

In view of reply of the IO, the Id. Counsel is directed to move application for release of above articles in the appropriate Court.

Application accordingly stands disposed off for lack of jurisdiction.

Copy of this order be sent to the Id. Counsel for the applicants on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/11.02.2021

Received order copy


11.02.21

FIR No.288/2020
PS PIA
U/S- 419/420/468/471/120B IPC

Dated 11.02.2021

**Statement of Process Server ASI Neeraj Kumar, No. PS PIA,
Delhi.**

On SA

On 09.01.2021, I was posted at PS PIA, Delhi. On that day, I had gone for the execution of process u/s 82 Cr.P.C upon accused Janak Dhilon s/o Dayanand Dhilion, r/o- Vill.- Khanpur Khurd, PS- Baroda, Distt.- Sonipat HR & H. No. 1015, Sec.- 7, Kurukshetra, HR. Accused was not found at both the given address. Process u/s 82 Cr.P.C was publically read in the locality and copy of same was pasted on the conspicuous place of the above mentioned address and another copy in the court premises. My report on the process is Ex. C-1 bearing my signatures at Point-A and the same is correct.

RO & AC




(AAKANKSHA VYAS)
MM-05(East)/KKD/Delhi
11.02.2020

FIR No.288/2020
PS PIA
U/S- 419/420/468/471/120B IPC

11.02.2020

Present :- Ld. Sub. APP for State

IO/ASI Neeraj Kumar with case file.

IO moved an application for declaring accused Janak Dhilion absconding.

Application heard, file perused.

Statement of IO/Process Server, who executed the process u/s 82 Cr.P.C. against accused Janak Dhilion is recorded. I have perused the report and also considered the statement of process server. I am satisfied that the process u/s 82 Cr.P.C. has been duly executed as per law against accused but the accused is concealing himself and evading process of law.

In these circumstances, accused Janak Dhilion is declared as proclaimed person u/s 82 Cr.P.C.

Copy of this order be given dasti to IO.



(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/11.02.2020

State vs. Satyam Singh
FIR No. 35/21
U/s 392/411 IPC
PS Shakarpur

11.02.2021.

Present : Ld. substitute APP for the State
LAC Mohit Jain for the accused.

Bail application perused. Reply of the bail application is on record.

Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated and the recovery shown from the accused, is any, is planted upon him. Further, Id. Counsel also submitted that accused is the sole bread earner of his family. Ld. Counsel also submitted that accused is no more required for investigation and he is ready to furnish sound surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, accused has been identified by the complainant and he can commit similar offence in future and he can threatened the complainant.

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR.

The offences alleged are serious in nature in as much as the complainant has alleged that on the date of the incident in question, the present accused along with his associate forcibly snatched the mobile phone of the complainant from his hand. The co-accused was apprehended on the spot itself and the involvement of present accused was disclosed by him. Further, as per reply of the IO, the present accused has been duly identified by the complainant during investigation. The reply of the IO also shows the previous criminal involvement of the accused in similar cases. Therefore, keeping in view the entire facts and circumstances, bail application is dismissed.

Copy of this order be given dasti to the Id. LAC for the accused and the same be uploaded on the Delhi District Court Website today itself.

order
Received
11/02/21

(Aakanksha Vyas)

MM-05 (East)/KKD Court
Delhi/11.02.2021

State vs. Not known.
e.FIR No. 00140/2021
PS Krishna Nagar
U/s 379/411/34 IPC

11.02.2021

Present:- Ld. substitute APP for the State.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL-13SK-8984** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Anuj 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.
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In these circumstances the aforesaid vehicle be released to the **rightful owner only** subject to satisfaction of the IO/ SHO about the following conditions:

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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.

(Aakanksha Vyas)

MM-5, (East) KKD Court

Delhi/11.02.2021

FIR No. Himanshu @ Salman @ Rancho
FIR No. 0011/2020
PS Krishna Nagar
U/s 380/457/411 IPC

11.02.2021

Present:- Ld. Substitute APP for the State.

Ld. Counsel for accused.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Himanshu @ Salman.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 27.06.2020. He has further submitted that accused has been falsely implicated in the present case. He further submitted that accused is no more required for any investigation. Accused is ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature and accused can commit similar offence in future.

Heard both the parties.

In the present case, as per reply of IO, the accused is in J/C since 07.07.2021 and charge-sheet has already been filed. Further, investigation has been completed and trial is likely to take time. 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. Accused shall not indulge in similar offence as that of which he is the accused.
2. 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 the Ld. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/11.02.2021