

11.01.2021

**Matter heard through Cisco Webex Application (Video Conferencing).**

Present order shall dispose off the bail application of accused Zubair Khan s/o Layeek Ahmed.

Present: Ld. APP for State.  
Counsel for applicant (through Webex).

It is argued by counsel for accused that accused is in custody since 25.11.2020. It is further stated that accused has falsely implicated in this case. It is further stated that nothing has been recovered from the possession of accused. 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 Crime Branch. It is further stated that TIP proceedings was conducted and complainant correctly identified the accused. It is further stated that charge-sheet has already been filed in the present case. It is further stated that if accused released on bail, he may threaten the complainant.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 25.11.2020 and recovery has already been effected. Further, charge-sheet has already been filed in the present case as per reply of IO. Furthermore, 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 Zubair Khan s/o Layeek Ahmed be released on bail, subject to furnishing of bail bond and two sureties for a sum of Rs. 20,000/- each 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)  
MM-05/SHD/KKD Courts/ Delhi  
11.01.2021

11.01.2021

**Matter heard through Cisco Webex Application (Video Conferencing).**

Present order shall dispose off the bail application of accused Shakti Singh @ Sonu Mental s/o Sh. Anoop Singh.

Present: Ld. APP for State.  
Counsel for applicant (through Webex).

It is argued by counsel for accused that accused is in custody since 19.09.2020. It is further stated that accused has falsely implicated in this case. It is further stated that nothing has been recovered from the possession of accused. 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 in the present case and one deshi katta and one live cartridge were recovered from the possession of accused. It is further stated that accused has involvement in 48 other cases in similar nature and a habitual offender. It is further stated that charge-sheet has already been filed in the present case. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 19.09.2020 and recovery has already been effected. Further, charge-sheet has already been filed in the present case as per reply of IO. Furthermore, 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 Shakti Singh @ Sonu Mental s/o Sh. Anoop Singh be released on bail, subject to furnishing of bail bond and two sureties for a sum of Rs. 10,000/- each 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)  
MM-05/SHD/KKD Courts/ Delhi  
11.01.2021

State vs. Shiv Kumar  
FIR No. 022887/20  
PS. Jagatpuri  
U/s. 379 IPC

11.01.2021

**Matter heard through Cisco Webex Application (Video Conferencing).**

Present order shall dispose off the bail application of accused **Shiv Kumar Sharma @ Tata s/o Sh. Prem Chand.**

Present: Ld. APP for the state.  
Counsel for Applicant (through Webex).

It is stated that accused is in JC since 04.1.2020 and was falsely implicated in the present case. It is further stated that nothing incriminating has been recovered from the possession of accused. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature. It is further stated that accused was arrested by PS Mandawali and stolen vehicle was recovered from the possession of accused. It is further stated that accused has no permanent address and change his residence frequently. It is further stated that accused has involvement in 22 other cases and a habitual offender.

Heard the arguments through VC and perused the record.

In the present case, allegations against the accused are serious in nature. Further, accused has involvement in 22 other cases in similar nature and he is a repeat offender, habitual of committing offences involving theft and robbery. In such circumstances, the possibility of accused of tampering with evidence or again committing the similar crime, if released on bail, cannot be ignored. In view of the above discussed facts and circumstances, no ground for bail is made out. In view of same, bail application of accused **Shiv Kumar Sharma @ Tata s/o Sh. Prem Chand** stands dismissed. Application 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)  
MM-05/SHD/KKD Courts/ Delhi  
11.01.2021

**11.01.2021**

**This is an application to release gold chain on superdari moved on behalf of applicant Sharda Malhotra w/o Sh. Rajesh Kumar Malhotra.**

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.

Reply received from IO. As per reply of IO, he has no objection if the case property 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 case property, 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, **case property i.e. Gold Chain 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 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.

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

**(Bharat Aggarwal)**  
MM-05/Shahdra/KKD Court  
11.01.2021