

State Vs. Suraj
FIR No: 148/2019
PS: Shakarpur

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

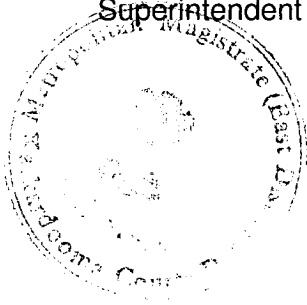
11.11.2020.


Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

Report from Jail Superintendent not received. Jail

Superintendent concerned is directed to file report on 12.11.2020.




(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
Karkardooma Court Complex,
Delhi-110032

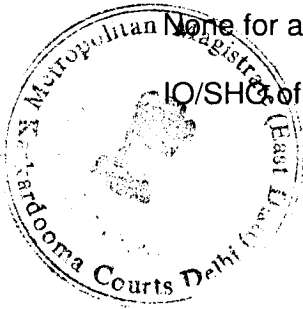
State Vs. Arjun Sharma
FIR No: 498/2020
PS: Krishna Nagar
U/S: 33/58 Delhi Excise Act

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

11.11.2020.


Fresh application U/s 437 Cr.P.C for bail on behalf of accused,
received by way of email.

Present: Ld. APP for the State is present through V.C.



None for applicant through V.C.

IO/SHG of PS concerned to file reply on 19.11.2020.


(Aakanksha Vyas)
MM-05 (East), KKD Court Dist
Metropolitan Magistrate (East Dist)
Delhi 11.11.2020
Karkardooma Court Complex,
Delhi-110032

State Vs. Tanzeem Ali
EFIR No: 003466/20
PS: Shakarpur
U/S: 379 IPC

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

11.11.2020.

Fresh application U/s 437 Cr.P.C for bail on behalf of accused,
received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO of PS concerned to file reply on 19.11.2020.



AAKANKSHA VYAS
Metropolitan Magistrate (East District)
Karkardooma Court Complex,
Delhi/110039

State Vs. Mohit Sharma @ Chottu@ Umesh
FIR No: 0507/2020
PS: Krishna Nagar
U/S: 25/54/59 Arms Act 1959

AANKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

11.11.2020.

Fresh application U/s 437 Cr.P.C for bail on behalf of accused,
received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IC/SHO of PS concerned to file reply on 19.11.2020.



(Aakanksha Vyas)
MM-05 (East) KKD Court
Metropolitan Magistrate (East District)
Karkardooma Court Complex,
Delhi-110032

DINESH NIGAM VS. STATE
PS: PIA

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

11.11.2020.

Present: Ld. APP for the State is present through V.C.

LD. Counsel for applicant is present through V.C.

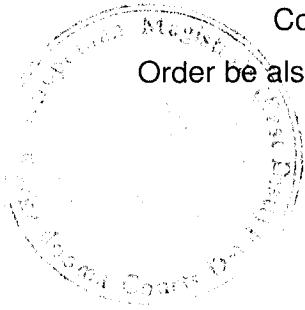
Application perused. Reply of IO perused.

Let copy of the reply of IO be supplied to the Ld. Counsel
for applicant.

IO is directed to make all possible efforts during
investigation and file fresh report on 19/11/20.

Copy of this order be sent to Ld. CI on his email ID.

Order be also uploaded on the website of Delhi District Courts.



(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
MM-05 (East) KKD Court
Karkardooma Court Complex,
Delhi/11.11.2020
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

State Vs. Upender Gupta @ Bittu
FIR No: 313/2020
PS: Shakarpur

11.11.2020.

Present: Ld. APP for the State is present through V.C.

Sh. Ajay Parihar, Ld. CI for applicant/accused is present through V.C.

Vide this order, I shall dispose off the present bail application filed on behalf of accused Upender. Bail application perused. Reply of IO perused.

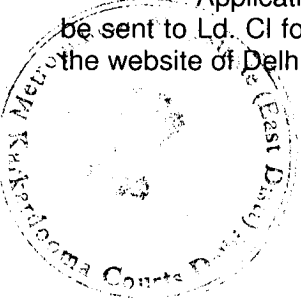
Ld. Counsel for the accused has submitted that accused is in custody since three and a half months. Ld. Counsel also submitted that nothing incriminating has been recovered from the present accused. It was also submitted by Ld. Counsel that investigation has already been completed and charge sheet has also been filed in the Court. It was also submitted by the Ld. CI that father of the accused has expired and his mother is a heart-patient. Ld. CI also submitted that accused is the sole bread earner of his family. Lastly, it was also submitted by the Ld. CI that the offence of attempt of kidnapping is not made out against the present accused as there is nothing on record which shows a direct link between the present accused and the co-accused persons. Nothing was recovered from the present accused. Further the IO has not filed anything alongwith the charge sheet to show that the alleged mobile number 8920885396 with which the present accused was allegedly in touch with the co accused persons, belongs to the present accused.

Ld. APP for the State has opposed the bail application stating that the allegations are serious in nature and there is every apprehension that the accused can commit similar offence in future and also threaten the complainant and the witnesses. Further, Ld. APP has also submitted that as per the reply of IO, accused is a habitual offender.

I have carefully considered the submissions made before me. This is the second bail application on behalf of the accused. As per the reply of IO, the first bail application was dismissed by this Court and as per the IO, bail application of the accused was also dismissed by the Ld. Sessions Court. Although, the investigation has been completed, keeping in view the nature of the allegations against the accused, there is every possibility that the present accused can threaten the complainant and the witnesses. It is also pertinent to mention that as per the reply of IO, one of the co-accused persons is still absconding. Although, the Ld. CI. for accused has mentioned that there is nothing on record to show the link between the present accused and the co-accused persons, as per the reply of IO, the present accused was in contact with the co accused persons prior to, on the day of and even after the incident in question. Further IO has also clarified through the naib court that the mobile number 8920885396 through which the present accused was in touch with the co-accused persons, was provided to him by another witness and the statement of the said witness U/s 161 Cr.P.C. has also been recorded which shall be filed by way of supplementary chargesheet. Therefore,

keeping in view the entire facts and circumstances, the present bail application is dismissed.

Application accordingly, stands disposed off. Copy of this order be sent to Ld. CI for accused on his email ID. Order be also uploaded on the website of Delhi District Courts.



(Aakanksha Vyas)
M-65 (Bittu) W/O. Gita (East Distt)
Delhi District Court Complex,
Delhi-110032

State Vs. Upender Gupta @ Bittu

State Vs. Unknown
FIR No: E-23451/2020
U/S: 379 IPC
PS: Shakarpur

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

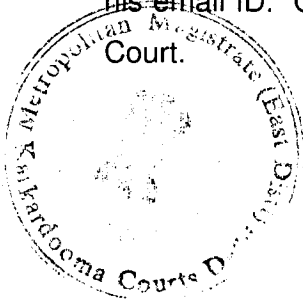
11.11.2020.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

Application perused. Reply of IO also perused. As per the reply of the IO, the vehicle in question is not deposited in the malkhana of PS: Shakarpur and is still being traced. Hence, the present application is disposed off as infructuous.

Copy of this order be sent to Ld. Counsel for applicant on his email ID. Order be also uploaded on the website of Delhi District Court.



(Aakanksha Vyas) (East Distt)
Metrop (East) Magistrate
Karkardooma Court Complex
Delhi-110032
11.11.2020

State Vs. Arjun Sharma
FIR No: 0498/2020
PS: Krishna Nagar
U/S: 33/58 Delhi Excise Act.

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

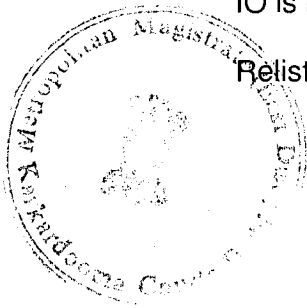
11.11.2020.

Present: Ld. APP for the State is present through V.C.

Sh. Inderjeet Singh, Ld. Counsel for applicant/accused is present through V.C.

IO is not present today.

Re-list on 12.11.2020.



(Aakanksha Vyas)
MM-05 (East) KKD Court (East Distt)
Metropolitan Magistrate
Delhi/11.11.2020 Court Complex
Karkardooma
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, 03rd Floor,
Karkardocma Court, Delhi

State Vs. Deepak Kumar @ Jhanjhi
FIR No: 472/2020
PS: Krishna Nagar
U/S, 25/27/54/59 Arms Act r/w Section 411/482 IPC

11.11.2020.

Present: Ld. APP for the State is present through V.C.

Sh. Ravinder Kumar, Ld. CI for the applicant/accused is present through V.C.

IO SI Pravesh Kumar is present through V.C.

This is the second bail application moved on behalf of accused. Bail application perused. Reply of IO perused.

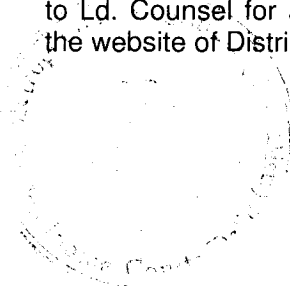
Ld. CI for accused has submitted that the accused is in J/C since 04.10.2020. Ld. CI further submitted that accused is no more required for any custodial interrogation. The Ld. CI for the accused has also submitted that the incident in question pertains to 04.10.2020, but on 03.10.2020, the brother of the present accused namely Tarun had filed a missing report qua the accused in PS: Nand Nagri and thus the Ld. CI contended that this fact shows that the accused has been falsely implicated in the present case.

Ld. APP for the State has opposed the bail application stating as per the reply of IO, accused is a habitual offender. Further, Ld. APP has also submitted that allegations are serious in nature in as much as it is alleged that the accused had taken out the pistol and pointed it at the police staff which apprehended him.

In the present case, the accused is in J/C since 04.10.2020. Case property in the present case has already been recovered. On specific query from the IO, the IO had submitted that investigation has been completed and charge sheet will be filed in the court within 1-2 days. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Therefore, keeping in view the allegations in the FIR, nature of the offence and the fact that the investigation has been completed, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 30,000/- with one surety in the like amount** subject to the conditions that :-

- 1 The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the accused.
- 3 He will not try to tamper with the evidence and will not try to contact the complainant and witnesses during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID. Order be also uploaded on the website of District Courts.



(Aakanksha Vyas)
MM-05 (East) KKO Court (East Distt)
Metropolitan Magistrate
Karkardocma Court Complex,
Delhi-110032

State Vs. Ashok Mishra
FIR No: 349/2007
PS: Krishna Nagar
U/S: 279/304A IPC

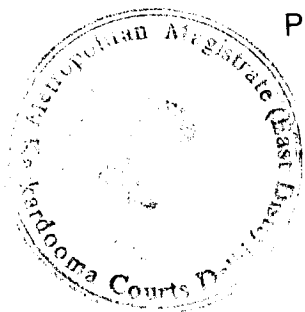
AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi


11.11.2020.

Present: Ld. APP for the State is present through V.C.

None for the applicant is present through V.C.

Put up with file on 19.11.2020.




(Aakanksha Vyas)
MM-05 (East) KKD Court Distt
Delhi/11.11.2020
Karkardooma Court Complex
Delhi-110032

State Vs Rajpal
FIR No: 027124/2020
U/S: 379/411 IPC
PS: PIA

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

11.11.2020.

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant through V.C.

The present application for release of **vehicle ECCO Car bearing No. DL7CH-9372** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Jitender 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:

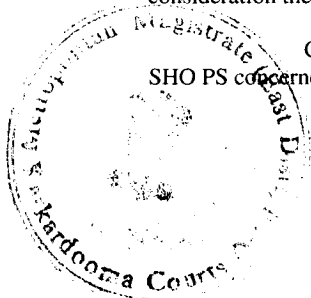
"Vehicles"


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. 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. Order be also uploaded on the website of District Courts.




(Aakanksha Vyas)
Metropolitan Magistrate (East District)
Karkardooma Court Complex,
Delhi-110032


AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

SYED ABDUL HASEEB VS. GANPATI ENTERPRISES & ANR.

Present: None for applicant is present through V.C.

Put up with file on 19.11.2020.




(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
Karkardooma Court Complex,
Delhi-110032

State Vs. Ankit Kumar
FIR No: 302/2020
PS: Shakarpur
U/S: 363/366 IPC

AANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

11.11.2020.

Present: Ld. APP for the State is present through V.C.
Sh. Binay Singh, Ld. Counsel for applicant/accused.
IO is also present through V.C alongwith the police file.


This is a bail application moved on behalf of accused Ankit.
Bail application perused. Reply of IO perused.
Ld. CI for the accused has submitted that accused is in J/C
since 08/11/2020. Ld. CI has further submitted that accused has been
falsely implicated in the present case.

Ld. APP for the State has opposed the bail application of the
accused stating that allegations are serious in nature and the accused can
threaten the complainant and the witnesses.

I have given careful consideration to the submissions of the
Ld. APP for the State, the contents of the FIR and the submissions of the
Ld. Counsel for accused. On specific query of the Court, the IO has shown
the statement of the victim recorded U/s 164 Cr.P.C in which the victim
has stated that she went with the accused voluntarily because she wanted
to live with him. Further, in the said statement, the victim has also stated
that no physical relations were established between the complainant and
the accused and she has also stated that she voluntarily got married to the
accused in Alwar and thereafter they were residing together in Meerut for
about 3 months and she does not want to pursue any case against him. In
view of the statement of the victim recorded U/s 164 Cr.P.C, the present
bail application stands allowed and the accused is admitted to Court bail
on furnishing of bail bond in the sum of **Rs. 25,000/- with one surety in
the like amount** subject to the conditions that :-

- 1 The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the
accused.
- 3 He will not try to tamper with the evidence and will not try to contact the
complainant and the witnesses during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order
be sent to Ld. Counsel for accused on his email ID. Order be also
uploaded on the website of District Courts.


(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
M.M-03 (East) KKD Court
Karkardooma Court Complex,
Delhi/11, 11, 2020
Delhi-110032

