

IN THE COURT OF A.C.M.M. -EAST KKD DELHI

State vs. Upasana Singh
FIR no. 566/2017
PS New Ashok Nagar

11.11.2020

An application for direction to seize the passport of the accused persons is received the E-mail ID of the court. This application has been taken up today through Video Conference according to the Office Order no. 417/RG/DHC/2020 dated the Delhi, 27.08.2020, issued by Hon'ble High Court of Delhi and Order no. 5760-5780/Judl.Br. /East/KKD/Delhi dated 27.10.2020 issued by Ld. Distt. & Sessions Judge, East, Karkardooma Courts, Delhi. The application has been taken up today on oral request of the ld. Counsel for the applicant.

Present : Ld. APP for the State.

Sh. Nitin Joshi, ld counsel for the applicant.

Present application was adjourned for 10.11.2020 vide order dated 03.11.2020. However, the Ahlmad had put the application on 05.11.2020 again when it was adjourned for 07.11.2020 and thereafter it was adjourned for 18.11.2020.

Ld. Counsel for the applicant had appeared through VC on 10.11.2020 and only thereafter, the said mistake was discovered. Thereafter, the Reader was directed to place the application today.

At this stage, ld. Counsel for applicant submits that without prejudice to rights of the applicant, he has instructions to withdraw the application considering the status report filed by the IO.

The application is disposed off as withdrawn.

Record be tagged with the challan as and when filed.

Order be uploaded on server.

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by DINESH ACMM (EAST)/KKD/11.11.2020
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IN THE COURT OF A.C.M.M. -EAST KKD DELHI

State vs. Shahzada
FIR no. 122/2020
PS Preet Vihar

11.11.2020

An application for release of vehicle no DL-6S-BA-5134 (Activa Scooty) on superdari received on the E-mail ID of the court. This application has been taken up today through Video Conference according to the Office Order no. 417/RG/DHC/2020 dated the Delhi, 27.08.2020, issued by Hon'ble High Court of Delhi and Order no. 5760-5780/Judl.Br. /East/KKD/Delhi dated 27.10.2020 issued by Ld. Distt. & Sessions Judge, East, Karkardooma Courts, Delhi.

Present : Ld. APP for the State.
Sh. Israr Ahmad, ld. Counsel for the applicant.
HC Manoj from PS Preet Vihar.
Report is received from the IO.

In view of the judgement of Hon'ble High Court of Delhi in the case of **Manjeet Singh Vs. State Crl. M.C. 4485/2013 and Crl. M.A. No. 16055/2013**, the above said vehicle be released to the applicant on superdari on furnishing indemnity bond in the sum of Rs. 30,000/- (Rs. Thirty thousand only) to the satisfaction of the IO.

The SHO/IO is further directed to ascertain and satisfy himself about the ownership of the vehicle in question and also to take the photographs of the case property alongwith the negatives duly authenticated and certified and a detailed punchanama be also prepared of the property before such release. It is also directed that the investigating officer shall keep on record the permanent address of the

applicant, his/her identity proof, his/her address proof as well as his/her phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he/she will intimate to the court and address which he/she may change during the course of time.

Photographs shall be placed on record alongwith the Negative/CD. If the photographs are taken from digital camera, there is no need to place negatives on record.

Applicant shall be at liberty to dispose off the case property.

The documents of the vehicle which are found genuine during investigation be also released to the rightful claimant. Application is disposed off accordingly.

Copy of this order be sent to the Id. Counsel for the applicant on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original application along with documents in the court within 2 days from today.

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(DINESH KUMAR)
ACMM (EAST)/KKD/11.11.2020

IN THE COURT OF A.C.M.M. -EAST KKD DELHI

State vs. Balwant
FIR no. 1499/2020
PS Preet Vihar
u/s 379/411 IPC

11.11.2020

An application u/s 437 Cr.P.C for grant of bail is received on the E-mail IO of the court. This application has been taken up today through Video Conference according to the Office Order no. 417/RG/DHC/2020 dated the Delhi, 27.08.2020, issued by Hon'ble High Court of Delhi and Order no. 5760-5780/Judl.Br./East/KKD/Delhi dated 27.10.2020 issued by Ld. Distt. & Sessions Judge, East, Karkardooma Courts, Delhi.

Present : Ld. APP for the State.

Ms. Shimla Tomar, Id. Counsel for the applicant/accused.

HC Manoj from PS Preet Vihar.

HC Manoj submits that FIR no. 1499/2020, PS Preet Vihar had been transferred to AATS (East). The information is received from the AATS (East) that the applicant/accused has already been released by the court of Ms. Nabeela Wali, Id. MM-03, Patiala House Courts, New Delhi, on an application of the IO, vide order dated 09.11.2020 .

Scanned copy of the said order is also received through HC Manoj.

In these circumstances, present bail application is not maintainable. It is dismissed and disposed of accordingly.

Order be uploaded on the server.

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IN THE COURT OF A.C.M.M. -EAST KKD DELHI

State vs. Arif @ Ikka
FIR no. 91/2020
PS Preet Vihar
u/s 379/411/34 IPC

11.11.2020

An application u/s 437 Cr.P.C for grant of bail is received on the E-mail IO of the court. This application has been taken up today through Video Conference according to the Office Order no. 417/RG/DHC/2020 dated the Delhi, 27.08.2020, issued by Hon'ble High Court of Delhi and Order no. 5760-5780/Judl.Br./East/KKD/Delhi dated 27.10.2020 issued by Ld. Distt. & Sessions Judge, East, Karkardooma Courts, Delhi.

Present : Ld. APP for the State.

Sh. Raman Chatwal, ld. LAC for the accused Aarif

Accused is stated to be in JC.

Submissions on bail application heard.

Reply of IO perused.

It is stated by learned counsel for accused/applicant through VC that the accused has been falsely implicated in the present case and he is in J.C since 29.01.2020.. It has been argued by Ld. Counsel for accused that investigation in the matter has already been completed and charge sheet has also been filed and no fruitful purpose would be served by keeping the accused/applicant in J/C. Nothing has been recovered from his possession and the alleged recovery has been planted upon the accused. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP submits that appropriate order as per law may be passed.

I have heard the submissions and perused the record.

The accused is shown to be in custody since 29.01.2020. His custody is not required for further investigation. This is a period when there is need of decongestion of jails due to COVID-19 Pandemic. Considering the circumstances, nature of offence in question and the age of the accused/applicant, accused/applicant **Arif @ Ikka** is hereby granted bail on furnishing bail bond in the sum of Rs. 10,000/- with one surety of like amount and subject to verification of address of accused as well as his surety, with the following directions : -

1. He shall not change his address without intimation to the Court.
2. He will not try to influence the witnesses.
3. He will not leave the country without prior permission of the court.
4. He will not involve in similar type of offences after releasing on bail. If he is found indulge in similar such type of offences in future, State shall be at liberty to move an application for cancellation of his bail.

With above directions, bail application of accused stands disposed of. Copy of this order be sent to Jail Superintendent concerned for necessary information and compliance, if any and to supply the copy to the accused.

Copy be sent to the Id. LAC on his E-mail and order be uploaded on the server.

Ld. LAC is directed to file the original bail application along with documents in the court within 2 days from today.

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ACMM (EAST)/KKD/11.11.2020

IN THE COURT OF A.C.M.M. -EAST KKD DELHI

State vs. Ms. Beenu Singh
FIR no. 140/2018
PS EOW
u/s 420/406/120-B IPC

11.11.2020

An application u/s 439 Cr.P.C for grant of bail is marked to this court by Id. CMM. This application has been taken up today through Video Conference according to the Office Order no. 417/RG/DHC/2020 dated the Delhi, 27.08.2020, issued by Hon'ble High Court of Delhi and Order no. 5760-5780/Judl.Br. /East/KKD/Delhi dated 27.10.2020 issued by Ld. Distt. & Sessions Judge, East, Karkardooma Courts, Delhi.

Present : Ld. APP for the State.

Sh. Amar Singh, Id. Counsel for the applicant/accused.

IO SI Chetan Mandia from PS EOW.

Sh. M.K. Saroja, Id. Counsel for complainant.

Accused is stated to be in J.C.

Proceedings are conducted through VC.

Reply is received from the IO.

Ld. counsel for the applicant/accused would argue that applicant/accused is innocent and she has been falsely implicated in the matter. The record does not show any connection between the accused and the co-operative society. The accused did not have any connection with the said society. She has no previous criminal record. Her custody is not required for further investigation. She is mother of two minor children. There is no other person to look after them. Husband of the applicant is an alcoholic and therefore, he is of no use to look after the

children. No purpose would be served by keeping the applicant/accused behind the bars. The applicant is ready to furnish sound surety. She undertakes to participate in the investigation as and when required. Hence, it is prayed that applicant may be released on bail.

Ld. APP has opposed the bail application. It has been argued, inter alia, that the allegations against the applicant/accused are serious in nature. Her name is mentioned in the FIR itself. She was active participant in the act of cheating the victim. She had received a large sum of amount from the victim along with her associates. Various incriminating material have been recovered at the instance of the applicant/accused during her PC custody. The accused and her associates had represented to the public at large including the victims that their society was registered with the Registrar of Societies. However, during investigation, it is found that the said society was not registered as claimed by the accused and her associates. The said society did not have any license/permission to function as NBFC from the RBI. Thus, they had dishonest intention since beginning to cheat the public at large. The investigation is at initial stage. The accused had absconded after registration of the present FIR and she was declared absconder by the court. Therefore, she is a flight risk. The accused might run away, if she is released on bail. She might also influence the witnesses and other victims, who are yet to be traced. She might also destroy the evidence, if released on bail. Hence, it is prayed that bail application may be dismissed.

I have heard the submissions and perused the record.

Perusal of the record would show that the accused is in custody since 01.10.2020. The investigation is at initial stage. The material shown to be collected by the IO during investigation prima facie show the active involvement of the accused in the crime. There are statements of the witnesses shown to be recorded by the IO to prima facie show that the accused was also part of the group involved in cheating the victims. It is also shown that after registration of FIR, she had left Delhi and absconded. She was declared absconder by the court. She was arrested from Surat, where she had been residing along with her family. I find merits in the submissions of Id. APP. I am not inclined to grant bail to the accused at this stage. Hence the bail application of accused is dismissed and disposed of accordingly.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original application along with documents in the court within 2 days from today.

The original record and proceedings be sent back to the Court of Ld. CMM East.

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(DINESH KUMAR)
ACMM (EAST)/KKD/11.11.2020