

State vs. Aditiya Shankar Vats etc.  
FIR No. 092/20  
PS Shakarpur  
U/s 420/34 IPC

12.01.2021

Present : Ld. APP for the State.

Ld. Counsel for the accused.

I have perused the application which has been filed u/s 167 (2) Cr.PC for grant of statutory default bail. I have also perused the reply of the IO. In the present case, chargesheet has been filed against the accused u/s 420/34 IPC. Further, as per reply of the IO, the accused was arrested on 11.11.2020. Further, as per the record, the accused was sent to PC also on 11.11.20 for one day. The chargesheet has been filed on 10.01.2021. As per Cr.PC, the investigation for an offence u/s 420 IPC is required to be completed within 60 days as the said offence is punishable with imprisonment of less than 10 years. In the present case, the period of 60 days expired on 10.01.2021 and on that day the chargesheet was filed in the Court. The right of accused to seek default bail arose only on the expiry of 60 days and not prior thereto. But the accused has filed the application on 09.01.2021 on the court email ID. Therefore, for this reason alone, the present bail application is pre-mature as it was filed before the expiry of 60 days. In any event the chargesheet was filed on the 60<sup>th</sup> day so even otherwise, the present application seeking default bail for the accused is not maintainable. However, the Id. Counsel has relied upon two judgments of the Hon'ble Punjab and Haryana High Court to contend that the date of remand of accused to custody must be included while calculating the period of 60 days in which case, the period of 60 days expired on 09.01.2021 and not 10.01.2021. However, the judgment titled

Yashpal Gupta vs. State of Punjab and Anr. relied upon by the Id. Counsel holds to the contrary. The other judgment relied upon by the Id. Counsel titled Mehar Singh vs. State of Punjab is on a different point in as much as it holds that while calculating the period of 60 or 90 days no distinction is to be made between the period spent by the accused in police custody or in Judicial custody. Per contra, reliance is placed upon the order of the Hon'ble Delhi High court in bail application of Rajab Ali Khan vs. The State (order dated 30.09.19 of Hon'ble Justice Sh. Brijesh Sethi of the Hon'ble High Court of Delhi) in which it has been held that the day on which the accused is remanded to custody is to be excluded. Therefore, the present application is dismissed.

Copy of this order be given dasti to the Id. Counsel and uploaded to the Delhi District Courts Website today itself.

(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

State vs. Unknown  
e.FIR no. 19608/20  
PS shakarpur  
U/s 379/411 IPC


12.01.2021

Present : Ld. APP for the State.

None for applicant.

IO not present.

Issue notice to the IO, returnable for 13.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021


FIR No. 535/20  
State vs. Uttam Singh Dagar  
U/s 394/397/34 IPC  
PS shakarpur

12.01.2021

Present : Ld. APP for the State.

None for applicant.

Relist for purpose fixed on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

State vs. Aman Kashyap  
FIR No. 027058/20  
PS Krishna Nagar  
U/s 379/411 IPC


12.01.2021

Present : Ld. APP for the State.

Ld. Counsel for the applicant.

No reply has been received from jail superintendent concerned.

Let reply be called from jail superintendent concerned for 13.01.2021.

  
(Akanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

Saif Ali Khan vs. State  
PS PIA  
U/s 379/356/34 IPC  
FIR No. 252/2020


12.01.2021

Fresh application for grant of bail to the accused, received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO PS concerned to file reply on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021


Sh. Ramakant Mishra vs. Sh. Deepak Sharma  
PS Krishna Nagar  
U/s 138 NI Act

12.01.2021

Fresh application for inspection of judicial file, received  
through email.

Present : None for applicant.

Relist on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

State vs. Naresh Kumar  
FIR No. 10/2021  
PS Shakarpur  
U/s 420/406/34 IPC

12.01.2021

Fresh application for grant of bail to the accused received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.



(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021



FIR No. 03278/20  
PS Krishna Nagar  
U/s 379 IPC

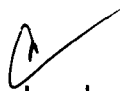
12.01.2021

Fresh application for release of vehicle on superdari,  
received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

FIR No. 20/18  
State vs. Yash Varshney  
PS Shakarpur  
U/s 336/279 IPC

12.01.2021

Fresh application for release of RC , received through  
email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.



(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

FIR No. 416/17  
PS Shakarpur  
U/s 380 IPC

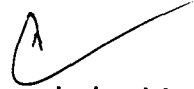
12.01.2021

Fresh application for directoin to the IO/SHO to file status report , received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.



(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

FIR No. 03278/20  
PS Krishna Nagar  
U/s 379 IPC


12.01.2021

Fresh application for release of vehicle on superdari,  
received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

FIR No. 374/20  
PS PIA  
U/s 356/379/34 IPC

12.01.2021

Fresh application for release of mobile phone on  
superdari, received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.



(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021

State vs. Parul Jawa  
FIR No. 10/21  
PS Shakarpur  
U/s 420/406/34 IPC


12.01.2021

Fresh application for grant of bail to the accused received through email.

Present : Ld. APP for the State.

None for applicant.

IO/SHO to file reply on 14.01.2021.

  
(Aakanksha Vyas)  
MM-05 (East)/KKD Court  
Delhi/12.01.2021