

FIR No. 040430/19
PS Kalyanpuri

Application No. 1

12.01.2021

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.
Proxy counsel for applicant through V.C. on CISCO Webex App.

Fresh reply filed by the IO.

Record is perused and it reveals that **applicant Prince Rohatgi is the owner/rightful claimant of the vehicle bearing no. DL 13 SU 5626. IO has no objection in release of case property to the applicant.**

Keeping in view the report of IO and judgment passed by Hon'ble High Court of Delhi in *Manjit Singh Vs State; Crl. M.C.4485/2013 and Crl. M.A.No. 16055/2013* wherein inter-alia the law laid down by Hon'ble Supreme Court in case titled as *Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat; (2002) 10 SSC 283* has been re-iterated, the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above mentioned vehicle to registered owner subject to preparing detailed proper panchnama of above mentioned vehicle and taking photographs of above mentioned vehicle from all possible angles including engine number and chasis number and file the same alongwith charge sheet,

(ii) to get panchnama and photographs of above mentioned vehicle attested and countersigned by concerned party as well as by registered owner and IO.

(iii) IO however shall release the vehicle only after verification of ownership documents of applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama and court fees as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/12.01.2021

FIR No. 268/18

Application No. 2

PS Pandav Nagar

State vs. Jaswant Singh and Ors.

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

Ld. Counsel for applicant

Report has been filed by the IO. Perused. Same is unsatisfactory. IO is directed to appear in person on 21.01.2021 for explanation regarding delay in completion of investigation.

Put up on 21.1.2021.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No.1697/20

Application No. 3

PS Kalyanpuri

State vs Tinku @ Rinku @ Vicky @ Vijay

U/s 379/411 IPC

12.01.2021

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. LAC Ms. Ifat Sultana for accused through V.C. on CISCO Webex App.

Arguments on bail application heard and the application/record perused.

Report of IO perused as per which accused has been found in possession of stolen case property. He is involved in many other criminal cases including that of robbery. Considering the previous involvement of the accused in criminal cases and facts of the case, I am not inclined to grant bail to the accused at this stage. Hence, the present application of applicant/accused Tinku @ Rinku @ Vicky @ Vijay for grant of bail is hereby **dismissed**.

Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. One copy be also sent to Jail Suptd. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No. 491/20

Application No. 4

PS Kalyanpuri

State vs. Vicky @ Deepak

U/s 25 Arms Act.

12.01.2021

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ms. Megha Batra Ld. LAC for accused through V.C. on CISCO Webex App.

Arguments on bail application heard and the application/record perused.

As per allegations accused has been found in possession of illegal Arms and he is involved in many other criminal cases besides the present case. Considering the previous involvement of the accused in criminal cases and facts of the case, I am not inclined to grant bail to the accused at this stage. Hence, the present application of applicant/accused Vicky @ Deepak for grant of bail is hereby **dismissed**.

Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. One copy be also sent to Jail Suptd. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No. 333/19

Application No. 5

PS Crime Branch

State vs. Mazid Salomani

U/s 25/54/59 Arms Act

12.01.2021

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no. 8035-8055/Judl.Br.East/KKD dated 24.12.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ms. Megha Batra, Ld. LAC for accused through V.C. on CISCO Webex App.

Arguments on bail application heard and the application perused.

In the facts and circumstances of the case, it is clear that the applicant/accused is not required for any custodial purpose. Applicant/accused Mazid Salomani is admitted to bail on furnishing bail bonds of Rs.15,000/- with one surety in the like amount. The accused shall abide by the conditions as laid down in Sec 437(3) Cr.PC.

Application is disposed off accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

e FIR No. 12333/20

Application No. 6

PS Kalyanpuri

State vs. Prem @ Lushi

U/s 379/411 IPC

12.01.2021

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no. 8035-8055/Judl.Br.East/KKD dated 24.12.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. counsel for the applicant through V.C. on CISCO Webex App.

Arguments on bail application heard and the application perused.

In the facts and circumstances of the case, it is clear that the applicant/accused is not required for any custodial purpose. Applicant/accused Prem @ Lushi is admitted to bail on furnishing bail bonds of Rs.15,000/- with one surety in the like amount. The accused shall abide by the conditions as laid down in Sec 437(3) Cr.PC.

Application is disposed off accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

e FIR No. 030839/20

Application No. 7

PS Pandav Nagar

State vs. Not known

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

Ld. Counsel for applicant

Record pursued. This is a superdari application. Court fees has not been filed by the applicant alongwith application as well as vakalatnama. Further Copy of ID proof has also not been filed. Applicant is directed to remove the deficiency. IO has reported that vehicle has been recovered at PS Subzi Mandi but the same is yet to be transferred in this case. IO is directed to expedite the same.

Put up on 14.01.2021 with fresh reply.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

Application No. 8

Subhash vs. The SHO

PS Pandav Nagar

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for calling status report.

Present: Ld. APP for the State.

Ld. Counsel for applicant

As per status report filed by the IO, the present matter pertains to PS Mandawali and the case has already been transferred to the said PS. The application not maintainable before this court and same is dismissed. Copy of reply of IO be supplied to the counsel.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

Misc Crl No.24/20

Application No. 9

Cholamandalam Inv. @ Fin. Co. vs Prasenjit Bera and Anr.

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

This is an application seeking extension of time for execution of SARFAESI Order regarding taking over possession of property of debtor.

Issue notice to the Receiver for 18.01.2021.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No.0171/16

Application No. 10

PS EOW

State vs. Sanjeev Srivastava.

u/s 420/406/120B IPC

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

Complainant with Ld. Counsel Ravi Mishra

Adv. Siddharth Aggarwal and Adv Keshav Mohan, Ld. Counsels for accused.

Arguments on bail application heard. Record perused. As per the allegations complainant Sudhir Kumar Gupta had invested money in the project of accused towards purchase of 40 flats in his individual capacity as well as in the capacity of being director of AMITY India Pvt Ltd, Heena Software Pvt Ltd and Quick Silver Exim Pvt Ltd. and further as Karta of Sudhir Kumar Gupta and Sons (HUF) as well as member of Mool Chand Gupta and Sons (HUF) (this HUF is in the name of his father). He paid booking amount to the accused but found that no such project was being undertaken by the accused or his company and he was cheated by accused and his money was misappropriated. After the present FIR was registered and accused was arrested, the parties have entered into the compromise for an amount of Rs. Rs. Five crores forty six lakhs ninety six thousand and two hundred sixty, out of which complainant has already received amount of Rs. Two crores, eighteen lakhs and fifty thousand. Further payment is to be made by accused in 11 installments. Copy of Settlement agreement has also been filed. The complainant is before the court and admits the factum of entering into settlement with accused and also having

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received part settlement amount. He further states that he does not have any objection if bail is granted to accused. Let his separate statement be recorded.

At this stage, statement is recorded. In view of the same without going into merits of the case, since the offences are compoundable offences, applicant/accused Sanjeev Srivastava is admitted to bail on furnishing bail bonds of Rs.1,00,000/- with one surety in the like amount. The accused shall abide by the conditions as laid down in Sec 437(3) Cr.PC.

Application is disposed off accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No.44/18

Application No. 11

PS EOW

State vs. Alok Goyal and Ors.

U/s 420/467/468/471/120B IPC

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

None for accused.

Advocate Rajinder Mal, Ld. Counsel for complainant.

Since the Counsel for applicant/accused is absent, matter is adjourned for 13.01.2021.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021

FIR No. 964/20

Application No. 12

PS Pandav Nagar

State vs. Unknown.

12.01.2021

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.8035-8055/Judl.Br.East/KKD dated 24.12.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

Ld. Counsel for applicant

Reply filed by the IO as per which no such FIR is registered in PS Pandav Nagar. Ld. Counsel insists that the present FIR is pending at PS Pandav Nagar itself and being investigated by ASI Satyapal. He is directed to produce documents to that effect.

Put up on 13.01.2021.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi /12.01.2021