

FIR No.44/18

Application No. 1

PS EOW

State vs. Alok Goyal and Ors.

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

13.01.2021

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.

Pr Ld. APP for the State

Sh. Gaurav Yadav, Ld. Counsel for accused

Sh. Rajender Mal, Ld. Counsel for complainant with complainant.

After part arguments, Ld. Counsel for accused has sought adjournment for exploring possibility of settlement. Complainant has no objection to the same.

At request, put up on 20.01.2021 for arguments/ further proceedings.

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 /13.01.2021

FIR No. 964/20
PS Pandav Nagar
State vs. Unknown

Application No. 2

13.01.2021

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.
Ld. Counsel for applicant through V.C. on CISCO Webex App.
IO/ASI Satyapal, from PS Pandav Nagar.

IO has filed fresh report stating that there is no objection to release the concerned vehicle seized in this case. He further submits that under mis-impression that the applicant was seeking release of the vehicle in a case of Motor Vehicle theft, a wrong report was sent on previous date. The vehicle was that of the accused, who is applicant herein.

Heard. IO is warned to be careful. Record is perused and it reveals that **applicant Rakesh Kumar is the owner/rightful claimant of the vehicle bearing no.DL 7S BG 1862. 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/13.01.2021

e FIR No. 023186/20

Application No. 3

PS Pandav Nagar

State vs. Wasim

U/s 379 IPC

13.01.2021

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 applicant/ accused through V.C. on CISCO Webex App.

Fresh reply filed by the IO as per which there are various FIRs registered against the accused in different PS, hence, he was not able to file report whether the accused was released/ discharged in those other cases or not.

In view of the same, matter is proceeded with at request of counsel for accused. Arguments on bail application heard and the application/record perused.

Considering the facts of the case and previous several involvements of the accused in criminal cases, I am not inclined to grant bail to the accused at this stage. Hence, the present application of applicant/accused Wasim 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 /13.01.2021

Corpn Bank vs Nisha Enterprises

13.01.2021

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.

Pr Sh. Sanjay Tyagi, Ld. Counsel for applicant bank.

Sh. Dishank Dhawan, court appointed Receiver (now Ld. APP in Saket Court).

Adv. Mohd. Azhar, proposed substitute Receiver.

An application has been moved by Receiver Sh. Dishank Dhawan, regarding his inability to comply with order dated 18.10.2019 for taking possession of property of debtor since he has now been appointed as APP (govt. officer) and also for informing that his associate Mohd. Azhar Advocate can be appointed as substitute Receiver, for compliance of the said order on the same term and conditions. Advocate Mohd. Azhar is present and states that he has no objection to the same. There is no objection even from the Ld. Counsel for applicant bank.

In view of the same, the application is allowed. Sh. Dishank Dhawan, Receiver is discharged. Advocate Mohd. Azhar Enrl No. D-849/2006 Chamber No.721, Rohini Courts Complex, New Delhi 110085 Mobile No.9910022880/ 7210721721 is appointed as substitute Receiver on the same terms and conditions as contained in order dated 18.10.2019. Rest of the terms and conditions of the said order shall remain same as directed.

However since the Receiver fees already stands paid to Sh. Dishank Dhawan, the same is not required to be paid afresh but at request and on mutual consent of the parties, it is directed that only additional fees of Rs.20,000/- shall be paid by the bank to substitute Receiver Adv. Mohd. Azhar. Further extension of 45 days is granted to the bank for execution of the order dated 18.10.2019 with clear directions that no further extension shall be granted under any circumstances. It is further clarified that the present order is subject to any other order/directions passed by any other appropriate court/authority.

The application of the bank as well as that of Receiver stand disposed off accordingly.

Copy of the order be sent to both the Receivers as well as applicant bank for information and compliance. Ld. Counsel for the applicant and receiver are 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/13.01.2021

DD No. 112A/2020

Application No. 5

PS Kalyanpuri

State vs. Ratan Kumar @ Kanahiya

13.01.2021

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.

Pr Ld. APP for the State

Ld. Counsel for applicant

Heard. Record and reply of IO perused.

As per the facts stated, accused was arrested in DD No. 112A/ 20 date 05.11.2020 PS Kalyanpuri, in a Kalandra and thereafter he was arrested by the IO of PS Patparganj Industrial Area, Delhi in FIR No. 763/20. The accused was produced before the then Jail Duty Ld. MM who disposed off the said Kalandra vide order dated 06.11.2020. In view of the same, as the Kalandra already stands disposed off and the accused has since been arrested in aforesaid FIR of PS PIA Delhi, the applicant is required to move application before the concerned court of PIA for release of his articles as the said Kalandra would have been attached with said FIR case, after its disposal.

The application is not maintainable before this court and stands dismissed with liberty to applicant to approach the concerned court.

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 /13.01.2021

DD No. 112A/2020

Application No. 6

PS Kalyanpuri

State vs. Ratan Kumar @ Kanahiya

13.01.2021

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.

Pr Ld. APP for the State

Ld. Counsel for applicant

Heard. Record perused.

As per the facts stated, accused was arrested in DD No. 112A/ 20 date 05.11.2020 PS Kalyanpuri, in a Kalandra and thereafter he was arrested by the IO of PS Patparganj Industrial Area, Delhi in FIR No. 763/20. The accused was produced before the then Jail Duty Ld. MM who disposed off the said Kalandra vide order dated 06.11.2020. In view of the same, as the Kalandra already stands disposed off and the accused has since been arrested in aforesaid FIR of PS PIA Delhi, the applicant is required to move application before the concerned court of PIA for release of his motor cycle as the said Kalandra would have been attached with said FIR case, after its disposal.

The application is not maintainable before this court and stands dismissed with liberty to applicant to approach the concerned court.

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 /13.01.2021

e FIR No. 034083/2020
PS Kalyanpuri
State vs. Not known

Application No. 7

13.01.2021

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.
Ld. Counsel for applicant through V.C. on CISCO Webex App.

Record is perused and it reveals that **applicant Gopal is the owner/rightful claimant of the vehicle bearing no.DL5S BT 1193. 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/13.01.2021

FIR No. 0009/21
PS Kalyanpuri
State vs. Unknown

Application No. 8

13.01.2021

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.
Ld. Counsel for applicant through V.C. on CISCO Webex App.

Record is perused and it reveals that **applicant Imran Alam is the owner/rightful claimant of the Mobile Realme C12 bearing IMEI No.86423705451191305. 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 mobile to rightful claimant subject to preparing detailed proper panchnama of above mentioned mobile and taking photographs of above mentioned mobile from all possible angles and file the same alongwith charge sheet,

(ii) to get panchnama and photographs of above mentioned mobile attested and countersigned by concerned party as well as by rightful claimant and IO.

(iii) IO however shall release the mobile 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 /13.01.2021

FIR No. 510/20

Application No. 9

PS Pandav Nagar

State vs. Pankaj Kumar

U/s 379/356/411/34 IPC

13.01.2021

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.

Sh. Vinay Dhaka, Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

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

As per the allegations in the present FIR, the accused/applicant was apprehended on secret information. It is alleged that 38 stolen mobile phones were recovered from applicant/ accused. Those stolen mobile phones were handed over to the applicant/ accused for unlocking by co-accused Shahid, who was involved in various offences of theft and snatching of mobile phones of different persons within Delhi.

This shows the involvement of the applicant/accused in a racket alongwith professional thieves and snatchers. The allegations are serious in nature. Considering the involvement of the accused in many 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 Pankaj Kumar 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 /13.01.2021

e FIR No. ED-KP-000455/2020

Application No. 10

PS Kalyanpuri

State v.s Pankaj Kumar

U/s 379/411 IPC

13.01.2021

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.

Sh. Vinay Dhaka, Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

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

As per the allegations in FIR No. 510/20 PS Pandav Nagar the accused/applicant was apprehended on secret information. It is alleged that 38 stolen mobile phones were recovered from applicant/ accused. Those stolen mobile phones were handed over to the applicant/ accused for unlocking by co-accused Shahid, who was involved in various offences of theft and snatching of mobile phones of different persons within Delhi.

This shows the involvement of the applicant/accused in a racket alongwith professional thieves and snatchers. The stolen phone of the present case, was among one of those mobiles which were recovered from the possession of applicant/ accused.

The allegations are serious in nature. Considering the 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 Pankaj Kumar 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 /13.01.2021

e FIR No. ED-KP-000350/2020

Application No. 11

PS Kalyanpuri

State vs. Pakaj Kumar

U/s 379 IPC

13.01.2021

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.

Sh. Vinay Dhaka, Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

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

As per the allegations in FIR No. 510/20 PS Pandav Nagar the accused/applicant was apprehended on secret information. It is alleged that 38 stolen mobile phones were recovered from applicant/ accused. Those stolen mobile phones were handed over to the applicant/ accused for unlocking by co-accused Shahid, who was involved in various offences of theft and snatching of mobile phones of different persons within Delhi.

This shows the involvement of the applicant/accused in a racket alongwith professional thieves and snatchers. The stolen phone of the present case, was among one of those mobiles which were recovered from the possession of applicant/ accused.

The allegations are serious in nature. Considering the 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 Pankaj Kumar 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 /13.01.2021

PS Kalyanpuri

State vs. Pankaj Kumar

U/s 379/411 IPC

13.01.2021

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.

Sh. Vinay Dhaka, Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

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

As per the allegations in FIR No. 510/20 PS Pandav Nagar the accused/applicant was apprehended on secret information. It is alleged that 38 stolen mobile phones were recovered from applicant/ accused. Those stolen mobile phones were handed over to the applicant/ accused for unlocking by co-accused Shahid, who was involved in various offences of theft and snatching of mobile phones of different persons within Delhi.

This shows the involvement of the applicant/accused in a racket alongwith professional thieves and snatchers. The stolen phone of the present case, was among one of those mobiles which were recovered from the possession of applicant/ accused.

The allegations are serious in nature. Considering the 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 Pankaj Kumar 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 /13.01.2021

e FIR No. ED-KP-000469/2020
PS Kalyanpuri
State vs. Pankaj Kumar
U/s 379/411 IPC

Application No. 13

13.01.2021

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.
Sh. Vinay Dhaka, Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

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

As per the allegations in FIR No. 510/20 PS Pandav Nagar the accused/applicant was apprehended on secret information. It is alleged that 38 stolen mobile phones were recovered from applicant/ accused. Those stolen mobile phones were handed over to the applicant/ accused for unlocking by co-accused Shahid, who was involved in various offences of theft and snatching of mobile phones of different persons within Delhi.

This shows the involvement of the applicant/accused in a racket alongwith professional thieves and snatchers. The stolen phone of the present case, was among one of those mobiles which were recovered from the possession of applicant/ accused.

The allegations are serious in nature. Considering the 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 Pankaj Kumar 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 /13.01.2021

FIR No. 191/20
PS Crime Branch
State vs. Gulshan
U/s 25/27 Arms Act.

Application No. 14

13.01.2021

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.

Pr Ld. APP for the State

Sh. Praveen Kumar, Ld. Counsel for accused.

After part arguments on the bail application, Ld. Counsel has sought permission to withdraw the application. Hence, the bail application is dismissed as withdrawn.

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 /13.01.2021