

State Vs. unknown  
EFIR NO. 0000554/2020  
PS Mayur Vihar  
U/s. 379/411 IPC

14.08.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of mobile phone make **Redmi**

**Note – 5 Pro.**

An application for release of of mobile make **Redmi Note – 5 Pro** on superdari has been moved by the applicant Bhagirath.

Reply is filed by the IO. As per reply, IO has no objection if the mobile make **Redmi Note – 5 Pro** is released to its rightful owner.

Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where **of Redmi Note – 5 Pro** can be released to rightful owner, subject to execution of security bond. Accordingly, let of mobile make **Redmi Note – 5 Pro** be released to the rightful owner after preparing detailed panchnama; taking photographs of the of mobile make **Redmi Note – 5 Pro** valuation report and a security bond.

The photographs of the case property should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed

along with charge sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

BALWINDER  
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BALWINDER SINGH  
Location: Delhi  
Date: 2020.08.14  
13:57:07 +0530

**(Balwinder Singh)**  
**MM (East)/KKD/Delhi/14.08.2020**

State Vs. Shahzad & Os.  
FIR NO. 283/2020  
PS Gandhi Nagar  
U/s. 379 IPC

14.08.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of mobile phone make **Redmi Y-2 Gold**, bearing IMEI No. 862001049247658.

An application for release of of mobile make **Redmi Y-2 Gold**, bearing IMEI No. 862001049247658 on superdari has been moved by the applicant Bhagirath.

Reply is filed by the IO. As per reply, IO has no objection if the mobile make **Redmi Y-2 Gold**, bearing IMEI No. 862001049247658 is released to its rightful owner.

Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where **of Redmi Y-2 Gold**, bearing IMEI No. 862001049247658 can be released to rightful owner, subject to execution of security bond. Accordingly, let of mobile make **Redmi Y-2 Gold**, bearing IMEI No. 862001049247658 be released to the rightful owner after preparing detailed panchnama; taking photographs of the of mobile make **Redmi Y-2 Gold**, bearing IMEI No. 862001049247658 valuation report and a security bond.

The photographs of the case property should be attested by

the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed along with charge sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

**BALWINDER  
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BALWINDER SINGH  
Location: Delhi  
Date: 2020.08.14  
13:57:25 +0530

**(Balwinder Singh)  
MM (East)/KKD/Delhi/14.08.2020**

State Vs. Saib @ Subhan  
EFIR NO. 192/2020  
PS Mayur Vihar  
U/s. 379 IPC

14.08.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of mobile phone make **Lava Z60 S**.

An application for release of of mobile make **Lava Z60 S** on superdari has been moved by the applicant Bhagirath.

Reply is filed by the IO. As per reply, IO has no objection if the mobile make **Lava Z60 S**, bearing IMEI No. 911636451784564 is released to its rightful owner.

Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where **of Lava Z60 S**, bearing IMEI No. 911636451784564 can be released to rightful owner, subject to execution of security bond. Accordingly, let of mobile make **Lava Z60 S**, bearing IMEI No. 911636451784564 be released to the rightful owner after preparing detailed panchnama; taking photographs of the of mobile make **Lava Z60 S**, bearing IMEI No. 911636451784564 valuation report and a security bond.

The photographs of the case property should be attested by

the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed along with charge sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

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Location: Delhi  
Date: 2020.08.14  
13:57:15 +0530

**(Balwinder Singh)**

**MM (East)/KKD/Delhi/14.08.2020**

State Vs. Rijwan @ Banda  
FIR NO. 386/20  
PS Mayur Vihar  
U/s. 323/452/506/34 IPC

14.08.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

Reply filed.

An application u/sec. 437 Cr.P.C. for the release of the accused Rijwan @ Banda on bail is moved by his Ld. Counsel.

Both the sides are heard on the application.

Ld. Counsel for applicant / accused submitted that accused is falsely implicated in the present case and is in JC since 2.8.2020. It is further stated that one of the co-accused has already been released on bail by the Ld. Sessions Court vide order dated 11.8.2020. Hence he prays for bail to this accused also.

On the other hand, Id. APP opposed the bail application of the present accused stating that investigation in the case is still pending and some of the co-accused are also yet to be arrested.

Considering the facts that one of the co-accused with similar allegations has already been admitted to bail by Ld. Sessions Court on 11.8.2020, the present accused also deserves to be released on bail on grounds of parity. Accordingly, the application in hands stands allowed.

The accused is directed to be released on bail on furnishing of his personal bond in a sum of Rs. 25,000/- with one surety of like amount.

The accused is further directed to comply with the following directions / conditions upon his release on bail :

1. The applicant/accused shall not threaten the witnesses or tamper with the evidence.
2. The applicant/accused shall not leave the country without prior permission of this court.
3. The applicant/accused shall intimate on record any change of his residential address within 30 days of such change.

Copy of the order be given dasti on request.

Application is disposed off accordingly.

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(Balwinder Singh)**

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SINGH  
Location: Delhi  
Date: 2020.08.14 13:55:46  
+0530

**MM (East)/KKD/Delhi/14.08.2020**

State Vs. Naresh FIR NO. 398/20  
PS Mayur Vihar U/s. 33/38/58 Delhi Excise Act

14.08.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

IO through VC.

State Vs. Ramiz Raja @ Mizzi

An application u/sec. 437 Cr.P.C. for the release of the accused Naresh has been moved by the counsel of the accused.

Submissions heard from both sides.

The accused was arrested in this offence on 3.8.2020. Reply filed on behalf of the prosecution has also been taken on record.

The prosecution in its reply has said that the investigation is under way and other co-accused and the instant case namely Kamal Kishore @ KP is still absconding. Previous involvement report of the accused was called for, and it has been put on record. It can be seen that the accused is a habitual offender and has been involved in several (6) such offences previously.

Hence, considering the facts that the investigation is at a very nascent stage in the present case, the co-accused still being at large and fact of previous involvement of the accused and chance of recurrence of such act / offences by the accused, the present bail application filed is denied. Accordingly, the present bail application in hand is dismissed.

Copy of the order be given dasti on request.

BALWINDER  
SINGH  
(Balwinder Singh)

MM (East)/KKD/Delhi/14.08.2020

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SINGH  
Location: Delhi  
Date: 2020.08.14 13:58:00 +05:30