

FIR No. 0392/2020
PS Pandav Nagar
State vs. Kapil Gupta
U/s 419/420/406/467/468/471/120B/34 IPC
14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

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.

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

Allegations against the accused is that he alongwith co-accused persons including one bank official, cheated the complainant in a pre-planned conspiracy and in the name of deposit towards Insurance policies of complainant, a sum of Rs.1.31 crores was cheated from the complainant, by making him deposit different sums in various bank accounts being operated the accused persons. Reply filed by the IO shows a well designed manner in which cheating was committed by the accused (who is alleged to be a mastermind), alongwith other co accused persons. Accused is involved in many other criminal cases. Considering the above facts, I am not inclined to grant bail to the accused at this stage. Hence, the present application of applicant/accused Kapil Gupta for grant of bail is hereby **dismissed**.

Application is **disposed off** accordingly.

At request, copy of this order be made available to the IO as well as to the Counsel, preferentially on email ID or else on 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 Courts Delhi
14.12.2020

D.D. No. 62 dated 13.09.2020
PS Pandav Nagar

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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: Ms. Nirmala, Welfare Officer alongwith Ms. Rubeena.

IO ASI Satyapal is present.

It is informed by the IO that still no information has been given by the FRRO regarding the fact whether Rubeena is a foreign national or not. IO further submits that he has again sent letter to Inspector Surender, who is Incharge FRRO but he has sought some more time.

Heard. Matter is getting delayed for last three months.

Let report be called from Inspector Surender, Incharge, FRRO for 23.12.2020. ASI Satyapal shall ensure that the reply is filed on the next date of hearing.

Copy of this order be sent to ASI Satyapal for compliance.

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 Courts Delhi
14.12.2020

FIR No. 37978/19
PS Kalyanpuri

14.12.2020

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.7103-7123 /Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State.

Ld. Counsel for applicant

The application and vakalatnama has been filed without court fees and the welfare stamp.

The applicant has not supplied copy of ID Proof and RC. Infact even reply has not been filed by the concerned PS. The applicant is directed to remove the deficiencies and file documents as directed.

Reply be also called for 15.12.2020.

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 Courts Delhi
14.12.2020

FIR No. 215/20
PS Kalyanpuri
State vs. Karnail @ Rohit
U/s 392/34 IPC

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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 cancellation of bail of accused filed from PS.

Present: Ld. APP for the State.

IO ASI Jagmohan is present.

IO is directed to produce copy of bail order of the present case as well as copy of charge sheet of the accused in other cases, in which he is alleged to be involved after securing bail in this case.

Notice be also issued to the accused.

Put up on 21.12.2020.

IO/ SHO is further directed to file the original application as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi
14.12.2020

FIR No. 732/15
PS Pandav Nagar
State vs. Dhiraj Sharma and Anr
u/s 420/120B/34 IPC

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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 cancellation of bail filed by complainant.

Present: Ld. APP for the State.

Ms. Gyan Mitra, Ld. Counsel for complainant.

IO is present.

Sh. Vaibhav Ld. Counsel for accused with accused through VC on Cisco Webex App.

It is stated that accused has recently recovered from Corona and needs some time to make payment. Time is also sought to furnish reply to the application for cancellation of bail.

At request, put up for reply to the present application on 18.12.2020. Copy of the same be also provided to the complainant.

IO/ SHO is further directed to file the original application as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi
14.12.2020

Case no.120/19

Yes Bank vs Orion Automobiles Pvt Ltd and Ors.

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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: Sh. Harsh Sinha, Ld. Counsel for applicant bank.

Receiver Sh. Robin Sharma through VC on Cisco Webex App.

It is stated by the Receiver that he had contacted the concerned PS for providing police force in November for execution of order regarding taking over of possession of the property of debtor but he was informed that no police force was available.

Let reply be called from concerned PS on the submissions made by the Receiver. Copy of the previous order regarding appointment of Receiver for taking over possession of the property, be also sent to PS alongwith the present order.

Report be called for 18.12.2020.

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 Courts Delhi
14.12.2020

case no.1660/20

Rafeek Khan vs State and Ors.

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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 de-freezing of account.

Present: Ld. APP for the State.

IO SI Neeraj Kumar through VC on Cisco Webex App.

Explanation filed by the IO, duly forwarded by Incharge, Special Branch is unsatisfactory.

Notice be issued to Incharge, Special Branch to appear in person on 15.12.2020 for explanation.

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 Courts Delhi
14.12.2020

FIR No. 27142/20
PS Kalyanpuri
State vs. Unknown

14.12.2020

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.7103-7123 /Judl.Br.East/KKD dated 27.11.2020.

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 Ompal Singh is the owner/rightful claimant of the vehicle bearing no. DL 2C AE 2935. 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 Courts Delhi
14.12.2020

FIR No. 39/08

PS Kalyanpuri
State vs. Pradeep Shoukeen

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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 on behalf of applicant/ accused seeking permission to travel abroad from 14.12.2020 to 14.03.2021.

Present: Ld. APP for the State.

Applicant/accused through VC alongwith his counsel.

Heard. Record perused with the help of Reader of the Court.

Accused has been previously granted permission to travel abroad by the Ld. Predecessor in November 2018 and accused has been appearing in this matter regularly as per record. Hence, the application is allowed in the interest of justice. However, before the accused leaves India to travel abroad, he shall file an Affidavit clearly mentioning the exact period of his travel, address of the place of his stay in foreign country, further he shall nominate a person giving his/her name, address and relationship with the person who shall receive notice/ order/ process issued from the court, if any, during the absence of the accused from India and also the fact that accused shall not dispute his identity nor court proceedings done in his absence/evidence recorded. Affidavit of other person who is nominated to receive process/ order/ summons issued from this court be also filed, accepting the nomination.

Put up on 16.12.2020.

Copy of the order be sent to the Ld. Counsel for compliance.

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 Courts Delhi
14.12.2020

State vs. Nadeem Khan
PS Pandav Nagar

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, 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 on behalf of Salim Khan, father of accused seeking direction to SHO to produce complaint filed by one Nasir Malik dated 11.09.20, statements of Rukhsana and Naeem Khan dated 18.09.2020.

Present: Ld. APP for the State.

None for applicant

Reply not received. There is an issue regarding maintainability of this application before this court.

Put up on 15.12.2020 for consideration.

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 Courts Delhi
14.12.2020

FIR No. 155/20
PS Crime Branch
State vs. Jatin
U/s 186/353/332 IPC and 25/27 Arms Act.

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

Present: Ld. APP for the State.

Sh. Jagdeep Sharma, Ld. Counsel for applicant.

As per reply filed by the IO, charge sheet has already been filed before the court of Sh. Viplav Dabas, Ld. CMM, Shahdara on 11.12.2020. Ld. Counsel has vehemently argued that jurisdiction in the present matter lies with East district and IO is manipulating the case by dishonestly filing it in Shahdara District Court, let IO be called for 16.12.20 at 12 noon through VC on Cisco Webex App..

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 Courts Delhi
14.12.2020

FIR No. 461/2020
u/s 392/411/34 IPC
State vs. Jai Chand @ Lala
U/s 392/411/34 IPC

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State.
Ld. Counsel for applicant/ accused
IO ASI Satyapal is present.

This is a bail application u/s 167 Cr.P.C seeking statutory bail due to delay in filing of charge sheet.

IO submits that due to Farmers Agitation, he was pre occupied and admits that there is a delay in filing of the charge sheet. He further submits that same will be filed today itself. Heard.

In view of the fact that charge sheet in this case has not been filed within the stipulated period of 60 days despite the fact that accused is in JC, hence as per provisions of Section 167(2) Cr.P.C., accused is entitled to statutory bail. Accordingly, applicant/accused Jai Chand @ Lala 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.P.C.

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 Courts Delhi
14.12.2020

e FIR No. 017908/2020
PS Pandav Nagar
State vs. Hemant @ Bagga
U/s 379/411 IPC

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

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 Hemant @ Bagga 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 Courts Delhi
14.12.2020

FIR No. 232/2020
State vs. Hemant @ Bagga
u/s 379/356/34 IPC
PS Pandav Nagar

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

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.

As per reply filed by the IO, accused has not been arrested in this case. The application is thus, misconceived and same stands dismissed.

At request, copy of this order and reply of IO 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 Courts Delhi
14.12.2020

FIR No. 339/2020
State vs. Hemant @ Bagga
PS Pandav Nagar
U/s 379/356/411/34 IPC

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

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 Hemant @ Bagga is admitted to bail on furnishing bail bonds of Rs15,000/- 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 Courts Delhi
14.12.2020

FIR No. 416/2020
State vs. Hemant @ Bagga
u/s 379/356/34 IPC
PS Pandav Nagar

14.12.2020

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.7103-7123/Judl.Br.East/KKD dated 27.11.2020

Present: Ld. APP for the State.

Ld. Counsel for applicant

As per reply of the IO, accused was not identified during TIP proceedings conducted by Ld. MM and has already been got released/discharged on 11.10.2020 in the present case.

The application is therefore, already infructuous and is dismissed.

At request, copy of this order and reply of IO 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 Courts Delhi
14.12.2020