

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कलकत्ता कोर्ट, दिल्ली-32
Kalkat Court, Delhi-32

FIR No.:221/2020
U/s: 279/337 IPC
P.S.: PIA
State Vs. Rizwan

14.09.2020

Present: Ld. APP for the state is present through VC.

Ld. Counsel for the applicant is stated to be present in the court room.

At request, relist on 17.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कांकराजुमा कोर्ट, दिल्ली-12
Kankarajuma Courts, Delhi-12

eFIR No.: 00401/2020
U/s: 379/411 IPC
P.S.: PIA
State Vs. Mahesh

14.09.2020

Present : Ld. APP for the State is present through Video Conferencing.

None for applicant is present through V.C.

Application perused. Reply of IO perused.

Issue notice to IO for clarifications, returnable for

15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडकुमा कोर्ट, दिल्ली-32
Karkadkuma Courts, Delhi-32

FIR No.: 425/20
U/s: 323/448/452/34 IPC
P.S.: Krishna Nagar
State Vs. Manoj Kumar

14.09.2020

Present: Ld. APP for the State is present through V.C.

Sh. Saurabh Tuteji, Ld. Counsel for accused through V.C.

This is an application moved on behalf of accused for appropriate directions, received from the court of Ld. Duty MM.

Arguments of the Ld. Counsel on the application heard.

Relist for orders on 15.09.2020.

Issue notice to IO returnable for 15.09.2020, for clarifications.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कलकत्ता कोर्ट, दिल्ली-32
Karkatoma Courts, Delhi-32

FIR No.: 24/2020
U/s: 356/379/411/34 IPC
P.S.: Shakarpur
State Vs. Khurshida

14.09.2020

Present: Ld. APP for the state is present through VC.

Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Khursheeda

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in J/C since 01.07.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Ld. Counsel has also submitted that accused has the responsibility of taking care of her three minor children.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature as the stolen case property has been recovered from the accused and as per the reply of IO, she is a habitual offender and she is involved in various case of theft and snatching.

Heard both the parties.

File perused. In the present case, accused is in J/C since 05.09.2020. Case property has already been recovered. In the present case, accused is no more required for further investigation. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the accused.
3. He will not try to tamper with the evidence and will not try to contact the complainant during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be uploaded on the website of District Courts.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
जयप्रकाश कोर्ट, दिल्ली-02
Kirti Prakash Courts, Delhi-02

FIR No.: 011540/2020

U/s: 379/411/34 IPC

P.S.: Krishna Nagar

State Vs. Suraj Rawat @ Happy

14.09.2020

Present: Ld. APP for the State is present through V.C.

None for the accused through V.C.

This is the bail application on behalf of accused Suraj Rawat @ Happy, which has been forwarded by the Jail Superintendent, Mandoli Jail.

I have perused the application. In the present case, the accused has already been granted bail vide order dated 13.08.2020. However, the present application also mentions that the accused be released on personal bond as he has no surety. Keeping in view the fact that accused is in J/C 23.07.2020 and further he has continued languishing in jail inspite of being granted bail on 13.08.2020, in the interest of justice the present applications stands allowed to the effect that accused be released on personal bond in the sum of same amount as in the bail order, to the satisfaction of the Jail Superintendent. Jail Superintendent is directed to transmit the personal bond of the accused to the Court, at the earliest.

Copy of this order alongwith copy of bail order dated 13.08.2020 be sent to the Jail Superintendent concerned.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडफडदुम कोर्ट, दिल्ली-22
Karkardooma Courts, Delhi-22

FIR No.: 0242/2020
U/s: 380/411 IPC
P.S.: PIA
State Vs. Aryan Khan

14.09.2020

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant through V.C.

The present application for release of mobile phone SAMSUNG DUOS on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Neeraj Kumar wherein it is submitted that there is no objection for the release of the mobile phone to the **rightful owner**.

In view of the no objection of the IO, oral arguments of Ld. Counsel for applicant are dispensed with.

In these circumstances the aforesaid mobile phone be released to the rightful owner only subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, IMEI number, ownership and other necessary details of the mobile phone:
2. IO shall take the colour photographs of the mobile phone from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the value / bill / receipt of the mobile phone to the satisfaction of the concerned IO/ SHO subject to verification of documents.

Copy of this order be uploaded on the website of District Courts and a copy be also sent to the SHO PS concerned for compliance.




(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.: 256/2020
U/s: 356/379/411 IPC
P.S.: Shakarpur
State Vs. Nitin Kumar

14.09.2020

Present: Ld. APP for the state is present through VC.

Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Nitin Kumar.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in J/C since 03.09.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Ld. Counsel has also submitted that accused is a young boy with clean antecedents. Accused is the sole bread earner of his family including his widow mother and three younger siblings. Ld. Counsel has submitted that investigation of this case is at initial stage and trial will take a long time and hence requested to grant bail to accused.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Ld. APP has further submitted that the complainant himself identified the accused and stolen case property was also recovered from the accused.

Heard both the parties.

File perused. In the present case, accused is in J/C since 03.09.2020. Case property has already been recovered. No previous criminal involvement of accused has been disclosed by the IO. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the accused.
3. He will not try to tamper with the evidence and will not try to contact the complainant during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be uploaded on the website of District Courts.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कजकडहमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.: 0239/2020
U/s: 379/356 IPC
P.S.: PIA

14.09.2020

Present: Ld. APP for the State is present through V.C.
None for applicant through V.C.

The present application for release of article **Laptop HP** on Superdari has been filed by the applicant.

Reply has been filed under the signature of **ASI Sudhir Kumar** wherein it is submitted that there is no objection for release of articles to the rightful owner. In view of the no objection of IO, oral arguments of applicant are dispensed with.

Heard.

The Hon'ble High Court has observed in **Manjit Singh V. State CRL. M.C. 4485/2013 and CRL. M.A. No. 16055/2013 decided on 10.09.2014** as follows:

1. Release of articles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the articles; valuation report; and a security bond.
2. The photographs of the articles should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
3. The production of the articles should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should sufficient for the purpose of evidence.
4. Return of articles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid article be released to the rightful owner subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, make and other necessary details of the article:
2. IO shall take the colour photographs of the article from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall get the articles valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond/ indemnity bond of appropriate value from the applicant, taking into consideration the valuation report.

Copy of this order be uploaded on the website of District Courts and a copy of this order be also sent to SHO PS concerned.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
दण्डाधिकारी कार्यालय, दिल्ली-110002
District Court, Delhi-110002

FIR No.: 243/2020
U/s: 379 IPC
P.S.: PIA
State Vs. Aman

14.09.2020

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant through V.C.

The present application for release of vehicle E-Rikshaw bearing No. **DL-7ER-2332** on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Raj pal Singh wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments of Ld. Counsel for applicant are dispensed with.

The Hon'ble High Court has observed in *Manjit Singh V. State CRL. M.C. 4485/2013* and *CRL. M.A. No. 16055/2013* decided on **10.09.2014** as follows:

“Vehicles”

1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.
2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
3. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs alongwith the valuation report should sufficient for the purpose of evidence.
4. Return of vehicles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid vehicle be released to the **rightful owner only** subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle;
2. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chassis number of the vehicle.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the valuation report.

Order be uploaded on the website of District Courts and be also sent to the SHO PS concerned for compliance.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कैडफडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

KULBHUSHAN DANIA VS. KUMKUM DANIA
CC No. 1082/2019

14.09.2020

Present: None for complainant through V.C.

Today the file is not available with the undersigned.

Relist for consideration on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 14.09.2020

FIR No.: 02420/19
U/s: 379/411/34 IPC
P.S.: Shakarpur
State Vs. Raju

14.09.2020

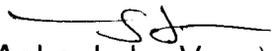
Fresh application U/s 437 Cr.P.C on behalf of accused, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO PS concerned to file reply on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्व)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, 2nd Floor
कलकत्ता रोड, दिल्ली-02
Karkardooma Road, Delhi-11

FIR No.: 0431/2020
U/s: 33 Delhi Excise Act
P.S.: Krishna Nagar
State Vs. Deepak

14.09.2020

Fresh application U/s 437 Cr.P.C on behalf of accused, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO PS concerned to file reply on 15.09.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कलामुद्दीन कोर्ट, दिल्ली-32
Kalamuddin Courts, Delhi-32

FIR No.: 240/2020
U/s: 186/353/332/34 IPC
P.S.: PIA
State Vs. Kalamuddin

14.09.2020

Fresh application U/s 437 Cr.P.C on behalf of accused, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO PS concerned to file reply on 15.09.2020.


(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020



आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
काकाबहादुर साहू रोड, दिल्ली-110002
Kakababur Sahu Road, Delhi-110002

FIR No.: 392/2020
U/s: 380/511 IPC
P.S.: Shakarpur
State Vs. Saidul

14.09.2020

Fresh application U/s 437 Cr.P.C on behalf of accused, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO PS concerned to file reply on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडूमा कोर्ट, दिल्ली-110005
Karkardooma Courts, Delhi

FIR No.: 172/2003
U/s: 325/34 IPC
P.S.: Krishna Nagar
State Vs. Hardev Singh

14.09.2020

Fresh application on behalf of surety Atar Singh for cancellation of endorsement from the original document, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with file on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांक्षा वीर
AAKANKSHA VIYAS
महानगर दण्डाधिकारी (पूर्व) को
Metropolitan Magistrate (East) को
कोर्ट नं. 05, दिल्ली नगर
Court No. 05, Delhi नगर
अडवाइसर कोर्ट, दिल्ली नगर
Karkardooma2 Court, Delhi नगर

FIR No: 341/2020
PS: Shakarpur
S/Vs. Deepak
U/s: 379/411 IPC

14.09.2020

Present: Ld. APP for the state is present through VC.

Ld. Remand Advocate is present through V.C.

Relist on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कलकत्ता न्यायालय, दिल्ली-110002
Kolkata Court, Delhi-110002

FIR No.: 0113/2020
U/s: 20/25/29 NDPS Act
P.S.: Crime Branch
State Vs. Vidya Sagar

14.09.2020

Fresh application U/s 437 Cr.P.C on behalf of accused, received by way of email.

Present: Ld. APP for the State is present through V.C.

None for applicant through V.C.

Relist for consideration on 15.09.2020.




(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर इन्डस्ट्रियल (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
ककरडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

CT No.: 494/20
U/s: 138 NI Act
P.S.: Laxmi Nagar
PRINCE AGGARWAL VS. AVDESH KR. TIWARI

14.09.2020

File taken up on application of the complainant for withdrawal.

Present: Complainant with Ld. Counsel is present through V.C.

Application perused. The complainant has also sent his withdrawal statement on the court email ID. Same is taken on record. The complainant has reiterated that he wants to withdraw the present complaint, during the V.C. hearing. In these circumstances, the present application for withdrawal stands allowed. Accordingly, the present case stands disposed off as withdrawn.

File be consigned to Record Room.

Earlier date fixed stands cancelled.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/14.09.2020