

FIR No.288/20
U/s 419/420/468/471/120-B IPC
State vs. Sushil Kumar
PS PIA

15.12.2020

Fresh application for grant of bail to the accused received through email.

Present : Ld. APP for the State through VC.

None for applicant through VC.

IO/ SHO PS concerned to file reply on 16.12.2020.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No. 04399/2017
PS Krishna Nagar
State vs. Shimul Mandal
U/s 379/411 IPC

15.12.2020

Present : Ld. APP for the State through VC.

Ms. Madhu Mittal, Id.counsel for the applicant/ accused through VC.

This is an application on behalf of accused seeking release on personal bond. I have perused the application.

Ld APP has objected to the application stating that accused can commit similar offence in future as he is a habitual offender and hence he should not be released on personal bond.

I have perused the bail record. In the present case, the accused was granted bail vide order dated 08.12.2020. Chargesheet has already been filed in the present case. Yet, the accused is languishing in jail as he has not been able to furnish bail bond. Therefore, in the interest of justice and to ensure that the bail order is not rendered illusory, the present application seeking release of the accused on personal bond stands allowed. Accused is directed to furnish personal bond containing his current address and mobile number and in the sum of Rs. 5000/- to Jail Superintendent concerned. Jail superintendent concerned is directed to transmit the personal bond of the accused to the court at the earliest.

Copy of this order be sent to jail superintendent concerned.

Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No.016740/19
PS Krishna Nagar
State vs. Not known
U/s 379/411 IPC

15.12.2020

Present : Ld. APP for the State through VC.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL 13SW-5990** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Sandeep Kumar, 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.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

15.12.2020

Present : Ld. APP for the State.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL 7SCB2559** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Shri Ram 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.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No. 028748/20
PS Krishna Nagar
State vs. Not known
U/s 379 IPC

15.12.2020

Present : Ld. APP for the State through VC.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL 13SV 4682 on Superdari** has been filed by the applicant.

Reply has been filed under the signature of HC Dhiraj 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.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No.354/20

PS PIA

State vs. Anis Akhtar

U/s 379/411/34 IPC

15.12.2020

Present : Ld. APP for the State through VC.

Sh. Sarfraz Asif, 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 Anis Akhtar.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 28.11.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and the sole bread earner of his family. Further, recovery shown from the accused, if any, is planted upon him and he is not a previous convict. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation and the Accused is ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, as per reply of IO, accused is a habitual offender and can commit similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 28.11.2020. Case property in the present case has already been recovered. Further, co-accused Aas Mohd. has been granted bail by this Court. investigation has also been completed. 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 personal bond in the sum of **Rs. 5,000/- 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 sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No. 392/20
PS Krishna Nagar

15.12.2020

Present : Ld. APP for the State through VC.

None for applicant through VC.

On LDOH, status report had been received. I have perused the application. As the status report has been received in the present case, the present application stands disposed off.

Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No. 031200/2020
PS PIA
State vs. Not known
U/s 379 IPC

15.12.2020

Present : Ld. APP for the State through VC

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL 9CAP-1822** 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.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

e.FIR No.0142/20
U/s 379/411 IPC
State vs. Ajay Sharma
PS Krishna Nagar

15.12.2020

Fresh application for grant of bail to the accused received through email.

Present : Ld. APP for the State through VC.

None for applicant through VC.

IO/ SHO PS concerned to file reply on 16.12.2020.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No.131/19
U/s 125/341/506/34 IPC
State vs. Girish Rastogi
PS Krishna Nagar

15.12.2020

Fresh application for withdrawal of surety, received through email.

Present : Ld. APP for the State through VC.

None for applicant through VC.

IO/ SHO PS concerned to file reply on 16.12.2020.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No.0378/20
U/s 419/392/34IPC
State vs. Pawan @ Hukka
PS Shakarpur

15.12.2020

Fresh application for grant of bail to the accused received through email.

Present : Ld. APP for the State through VC.

None for applicant through VC.

IO/ SHO PS concerned to file reply on 16.12.2020.


(Aakarsha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

State Vs. Mukul Goyal
FIR NO. 306/18
PS Krishna Nagar
U/s 304A IPC

15.12.2020

Present : Ld. APP for the State through VC.

Ms. Pinki, Id. counsel for the applicant through VC.

Reply received from SI Amit Kumar. Same is perused.

I have perused the record of the present application.

Repeatedly time is being sought by the IO in the present application for filing reply.

Issue notice to the IO as well as SHO PS concerned for filing reply to the present application as last and final opportunity, returnable for 17.12.2020.

Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakar~~k~~sha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020

FIR No. 218/20
PS Krishna Nagar
State vs. Yogesh Gupta & Ors.

15.12.2020

Present : Ld. APP for the State through VC.
None for applicant through VC.

I have perused the application. In the present case, the applicant has submitted that vide order dated 03.09.2020, this Court directed the release of the vehicle no. DL-5SCE-4691 (scooty) in question to the rightful owner i.e. accused Yogesh Gupta. However, as the accused Yogesh Gupta is in JC and the applicant is the wife of the accused, the applicant has prayed that the vehicle in question be released to her.

I have perused the application. As the accused is in JC, let the vehicle in question be released to the applicant Saloni Gupta after verifying the relationship between the applicant and the accused YOgesh Gupta.

Application accordingly stands disposed off.

Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakaruksha Vyas)

MM-05 (East) KKD Court
Delhi/15.12.2020