

15.12.2020

This is an application to release vehicle no. DL-5SBW-4627 Make Passion Pro is filed by the Authorised Representative of ICICI General Insurance Co Ltd.

Present: Ld. APP for the State.
Counsel for applicant.

Reply of the application has been filed by the IO. Perused. As per the reply, the IO has no objection for releasing the vehicle to the AR of the applicant.

I have heard the applicant & perused the record.

It is submitted by the counsel for applicant that the applicant is an insurance company who has already released the claim qua the insured vehicle in favour of the registered owner and the registered owner has ceded all his rights qua the insured vehicle in favour of the applicant. Accordingly this application for the release of the vehicle has been filed before this court by the applicant i.e. Insurance company. The relevant documents including the copy of subrogation letter has also been placed on record.

In view of the submissions made and considering the documents on record, I find no legal impediments to release the vehicle in favour of the applicant.

Hence, the case property i.e. vehicle bearing no. DL-5SBW-4627 Make Passion Pro be released to the Authorised Representative of ICICI General Insurance Co Ltd. For disposal with the liberty to sell, after proper verification and on preparing the punchnama as per the direction of the Hon'ble High court of Delhi in Manjit Singh vs. State in CrI MC no. 4485/13 dt. 10.09.2014.

All the guidelines laid down in the said judgment be strictly complied with.

The application stands disposed of accordingly.

Copy of order be given dasti as prayed for.

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2020.12.15
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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release mobile phone Redme Note 7 on superdari moved on behalf of applicant Anjana Anand d/o Dr. Ashok Anand.

Present : Ld. APP for the State.
Applicant in person.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the mobile is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of mobile, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **mobile phone Redme Note 7 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above mobile is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release vehicle no. DL-9SBF-8682 on superdari moved on behalf of applicant Divya Bhushan d/o Virender Kumar Bhushan.

Present : Ld. APP for the State.

Applicant in person.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-9SBF-8682 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release vehicle no. DL-13SD-5694 (CD Delux Drum) on superdari moved on behalf of applicant Hariom Gupta s/o Sh. Ram Saran Gupta.

Present : Ld. APP for the State.
Counsel for applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-13SD-5694 (CD Delux Drum) is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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2020.12.15
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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release vehicle no. DL-7SCB-0518 (TVS Apache Motorcycle) on superdari moved on behalf of applicant Suraj s/o Sh. Jiley Singh.

Present : Ld. APP for the State.
Counsel for applicant (through Webex).

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-7SCB-0518 (TVS Apache Motorcycle) is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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2020.12.15
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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release vehicle no. DL-3SDC-1429 (motorcycle Pulsar 200 RS ABS) on superdari moved on behalf of applicant Brij Mohan s/o Ravinder Singh.

Present : Ld. APP for the State.
Counsel for applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-3SDC-1429 (motorcycle Pulsar 200 RS ABS) is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

15.12.2020

This is an application to release vehicle no. DL-5SAL-3148 on superdari moved on behalf of applicant Sushela w/o Lal Singh.

Present : Ld. APP for the State.
Applicant in person.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In the facts and circumstances of the case, **vehicle bearing No. DL-5SAL-3148 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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2020.12.15
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(Bharat Aggarwal)
MM-05/Shahdra/KKD Court
15.12.2020

State vs. Ashif s/o Alauddin
FIR No. 540/20
PS. Jafrabad
U/s. 25/54/59 Arms Act

15.12.2020

Present order shall dispose off the bail application of accused Ashif s/o Alauddin.

Present: Ld. APP for the state.
Counsel for Applicant (through Webex).

It is stated that accused is in JC since 06.12.2020 and was falsely implicated in the present case. It is further stated that nothing incriminating has been recovered from the possession of accused. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature, as one deshi katta was recovered from the possession of accused and accused was apprehended at the spot. It is further stated that accused has involvement in 06 other cases and a habitual offender.

Heard the arguments through VC and perused the record.

In the present case, allegations against the accused are serious in nature as as one deshi katta was recovered from the possession of accused and accused was apprehended at the spot. Further, accused has involvement several other cases and a habitual offender. In such circumstances, the possibility of accused of tampering with evidence or again committing the similar crime, if released on bail, cannot be ignored. In view of the above discussed facts and circumstances, no ground for bail if made out. In view of same, bail application if accused Ashif s/o Alauddin stands dismissed. Application disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

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2020.12.15
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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
15.12.2020

State vs. Deepak @ Dudiya s/o Mahender Singh
e-FIR No. 027821/20
PS. Jagatpuri
U/s. 379/411 IPC

15.12.2020

Present order shall dispose off the bail application of accused Deepak @ Dudiya s/o Mahender Singh.

Present: Ld. APP for the state.
Counsel for Applicant (through Webex).

It is stated that accused is in JC since 03.12.2020 and was falsely implicated in the present case. It is further stated that nothing incriminating has been recovered from the possession of accused. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature. It is further stated that accused was arrested by PS Karawal Nagar and stolen motorcycle was recovered from the possession of accused. It is further stated that accused has involvement in 06 other cases and a habitual offender. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments through VC and perused the record.

In the present case, allegations against the accused are serious in nature. Further, accused has involvement in similar offences and a habitual offender. In such circumstances, the possibility of accused of tampering with evidence or again committing the similar crime, if released on bail, cannot be ignored. In view of the above discussed facts and circumstances, no ground for bail if made out. In view of same, bail application if accused Deepak @ Dudiya s/o Mahender Singh stands dismissed. Application disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
15.12.2020

15.12.2020

Present order shall dispose off the bail application of accused Ratan Kumar @ Kanahiya s/o Sh. Khubchand.

Present: Ld. APP for the state.
Counsel for applicant (through Webex).

It is stated that accused is in JC since 06.11.2020 and was falsely implicated in the present case. It is further stated that nothing incriminating has been recovered from the possession of accused. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature. It is further stated that accused was arrested by PS Kalyanpuri and stolen mobile was recovered from the possession of accused. It is further stated that accused has involvement in 16 other cases and a habitual offender.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 06.11.2020 and recovery has already been effected. Further, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Ratan Kumar @ Kanahiya s/o Sh. Khubchand be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 10,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court.
Computer Branch is directed to comply accordingly.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
15.12.2020

State vs. Shaikh Saddam
FIR No. 255/20
PS. Jagatpuri
U/s. 380/457/411/34 IPC

15.12.2020

Present order shall dispose off the bail application of accused Shaikh Saddam s/o Shaikh Suja.

Present: Ld. APP for the state.
Counsel for Applicant (through Webex).

It is stated that accused is in JC since 15.10.2020 and was falsely implicated in the present case. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature as accused alongwith co-accused robbed LCD, set top box and money from the house of complainant. It is further stated that accused was arrested in the present case and stolen LCD was recovered from the house of accused. It is further stated that accused has involvement in 03 other cases and a habitual offender. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments through VC and perused the record.

In the present case, allegations against the accused are serious in nature as accused alongwith co-accused robbed LCD, set top box and money from the house of complainant. Further, accused has involvement in 03 other cases of similar nature and a habitual offender. In such circumstances, the possibility of accused of tampering with evidence or again committing the similar crime, if released on bail, cannot be ignored. In view of the above discussed facts and circumstances, no ground for bail is made out. In view of same, bail application of accused Shaikh Saddam s/o Shaikh Suja stands dismissed. Application disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
15.12.2020

State vs. Sudhansu Bansal s/o Sh. Ratish Bansa
FIR No. 0282/20
PS. Jagatpuri
U/s. 408 IPC

15.12.2020

Present: Ld. APP for the State.
Counsel for applicant (through Webex).

This is an application for reduction of surety amount filed on behalf of accused Sudhansu Bansal s/o Sh. Ratish Bansa.

It is stated in the application that accused was granted bail vide order dated 11.12.2020 passed by this court in present case and accused Sudhansu Bansal s/o Sh. Ratish Bansa is directed to be released on bail, subject to furnishing of bail bond and one surety in the sum of Rs. 20,000/-. It is stated that accused is a poor person and is unable to arrange the surety because of facing financial crises in his family.

Considering the facts and circumstances stated in the application, application is allowed. Accused is directed to be released on bail subject to furnishing of bail bond and surety bond for a sum of Rs. 10,000/- with one surety of like amount.

Application disposed off accordingly.

Copy of order be given dasti as prayed for.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
15.12.2020