

FIR No. 0044/21  
PS PIA  
State vs, Unknown  
u/s 379/411 IPC

15.02.2021

Present:- Ld. APP for the State.

None for applicant in person.

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

Reply has been filed under the signature of SI Ravinder 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 sent to Ld. Counsel for applicant on his email ID and a copy be also sent to the SHO PS concerned for compliance and the same be uploaded on the Delhi District Courts Website today itself.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Md. Junaid  
FIR No. 25/21  
PS PIA  
U/s 379/411 IPC

15.02.2021

Present:- Ld. APP for the State.

Ms. Heena proxy counsel on behalf of LAC Ms. Ifat Sultana for the accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 18.01.2021. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, he is the sole bread earner of his family. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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 and accused apprehended at the spot itself. As per reply of IO, accused is a habitual offender and he can commit the similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 18.01.2021. Case property in the present case has already been recovered. As per reply of IO, accused is no more required for 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 personal bond in the sum of **Rs. 5000/- 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-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Pintu  
FIR No. 37/2021  
U/s 379/411/34 IPC  
PS PIA

15.02.2021

Present:- Ld. APP for the State.

Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 31.01.2021. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. Accused is ready to furnish reliable surety.

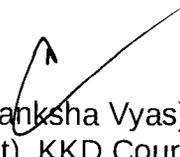
Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, accused was apprehended at the spot itself by the complainant and he can commit similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 31.01.2021. Case property in the present case has already been recovered. As per reply of IO, co-accused has already been apprehended. Further, reply of IO, does not reflect any criminal antecedent of the accused. 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. 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 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-5, (East) KKD Court  
Delhi/15.02.2021

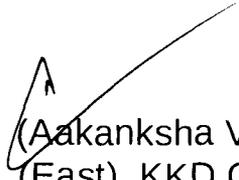
DD No. 112A /20  
PS Kalyanpuri  
St. Ratan Kumar @ Kanahiya

15.02.2021

Present:- Ld. APP for the State.

Ld. Counsel for the applicant.

Relist with connected application on 17.02.2021.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

FIR No. 763/20  
PS PIA  
State vs. Ratan Kumar @ Kanahiya

15.02.2021

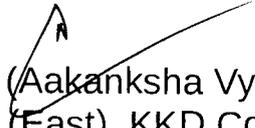
Present:- Ld. APP for the State.

IO in person.

Ld.Counsel for the accused.

Reply of IO perused. The Id. Counsel invited the attention of the court to the order dated 13.01.21 of the Id. CMM East.

Issue notice to the IO of kalandra DD no. 112A/20 PS Kalyanpuri, returnable for 17.02.2021.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Unknown  
e. FIR No. 026067/2020  
PS Krishna Nagar  
U/s 379 IPC

15.02.2021

Present:- Ld. APP for the State.  
None for applicant.

The present application for release of vehicle bearing No. **DL 3SCQ 0811** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Anand Pal 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-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Unknown  
FIR No. 021721/15  
PS Shakarpur  
U/s 379 IPC

15.02.2021

Present:- Ld. APP for the State.

None for applicant.

Application perused.

The present FIR pertains to year 2015. Hence, the present matter pertains to the jurisdiction of this Court. Accordingly, the present application stands dismissed for want of territorial jurisdiction.

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.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Unknown.  
FIR No. 227/20  
PS PIA  
U/s 279/337 IPC

15.02.2021

Present:- Ld. APP for the State.

Id. Counsel for the applicant.

Application perused. Reply of IO perused.

Issue notice to the IO for 17.02.2021 for clarifications.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

State vs. Gopesh Kumar Yadav  
FIR No. 365/20  
PS PIA  
U/s 376/506 IPC

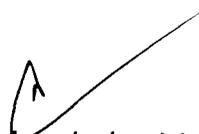
15.02.2021

Present:- Ld. APP for the State.

None for applicant.

Application perused. Reply of jail superintendent concerned perused. As per reply accused has been released from the Jail. Hence, application 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.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

FIR No. ED-PN.000137/20  
PS Pandav Nagar  
State vs. Unknown  
U/s 379 IPC

15.02.2021

Present:- Ld. APP for the State.

None for applicant.

Application perused.

The present matter pertains to PS Pandav Nagar, which does not pertain to the jurisdiction of this Court. Hence, the present application stands dismissed for want of territorial jurisdiction.

Application stands disposed off as dismissed.

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.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

DD NO. 5 dated 12.01.2021  
PS Shakarpur

15.02.2021

Present:- Ld. APP for the State.

IO PSI Ashish Rana in person.

Report received from IHBAS qua patient Kavita. Same is perused. As per report of IHBAS the patient is stable and has shown significant improvement. IHBAS is directed to file report on 16.02.2021 regarding the requirement of further hospitalization of the patient in IHBAS.

On query, IO submitted that family members of the patient could not be traced on the basis of the details received from her.

Copy of this order be given dasti to the IO.

  
(Aakanksha Vyas)  
MM-5, (East) KKD Court  
Delhi/15.02.2021

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