

FIR No. 0254/2021
PS Kalyanpuri
State Vs. Unknown
U/s 356/379/34 IPC.

Application No. 1

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Applicant/superdar in person.

This is an application for release of **mobile phone, I-TEL, Colour Deep Blue, IMEI No. 356518116571689** to the applicant/owner Rajeev Kumar on superdari. Reply filed by the IO concerned.

Record is perused and it reveals that **applicant Rajeev Kumar is the owner/rightful claimant of the mobile phone, I-TEL, Colour Deep Blue, IMEI No. 356518116571689. 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 reiterated; the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above-mentioned mobile phone to registered owner subject to preparing detailed proper panchnama of above-mentioned mobile phone and taking photographs of above-mentioned mobile phone from all possible angles and file the same along with charge sheet;

(ii) to get panchnama and photographs of above-mentioned mobile phone attested and countersigned by concerned party as well as by registered owner and IO.

(iii) IO however shall release the mobile phone only after verification of ownership documents of the applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed of** accordingly.

At request, copy of this order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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(Atul Krishna Agrawal)

CMM (East), KKD, Delhi/16.08.2021

FIR No. 020915/2021
PS Pandav Nagar
State Vs. Not Known
U/s 379 IPC.

Application No. 2

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Applicant/superdar in person.

This is an application for release of **vehicle No. DL5SBX-6039, Activa Scooty**, to the applicant/owner Anup Kumar on superdari. Reply filed by the IO concerned.

Record is perused and it reveals that **applicant Anup Kumar is the owner/rightful claimant of the vehicle No. DL5SBX-6039, Activa Scooty. 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 reiterated; 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 along with 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 of** accordingly.

At request, copy of this order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 0621/2018
PS Kalyanpuri
Vishal Kaushik Vs. State of NCT of Delhi.
U/s 420 IPC.

Application No. 3

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.
Counsel for the applicant/accused.

This is an application for cancellation of NBWs issued against the applicant/accused Vishal Kaushik.

Heard. Record perused.

It is stated by counsel for the applicant/accused that the accused had no information about the present case FIR and no summons were issued to him. He further submits that the IO concerned had got NBWs issued against the applicant/accused by misrepresenting and concocting false facts. There was no chance of accused absconding since he was a practicing advocate. Hence, the prayer is made for cancellation of NBWs issued against the applicant/accused.

Perusal of the record shows that since the NBWs issued against the applicant/accused returned unexecuted, only then proceedings against U/s 82 Cr.P.C. were initiated against the applicant/accused by the Court that too after being satisfied with the submissions made by the IO concerned that accused is evading the process of law. Infact the present counsel of accused was present on 10.08.2021 and accused is well aware that proceedings u/s 82 Cr.P.C. is pending against accused. So there is no point in moving application for cancellation of NBW. Moreover, in this application there is no prayer of accused for seeking bail in the case despite the fact that the alleged offences committed by the applicant/accused are non-bailable offences and so, he cannot be released without bail in the case, even otherwise.

Considering the facts and circumstances detailed above, besides the unsatisfactory conduct of the applicant/accused, there is no ground to allow the present application. The same is devoid of merits. Hence, stands disposed of as dismissed being not maintainable.

A copy of this order be given dasti to counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

**FIR No. 295/2021
PS Pandav Nagar
State Vs. Taslim
U/s 379/411/34 IPC.**

Application No. 4

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO is present.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Taslim, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 22.06.2021, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.15,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 391/2021
PS Kalyanpuri
State Vs. Deepak
U/s 25 Arms Act.

Application No.5

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO is present.

This is an application, moved on behalf of the applicant/accused Deepak, for grant of bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.15,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

e-FIR No. 9600/2019
PS Kalyanpuri
State Vs. Sadiq
U/s 379 IPC.

Application No.6

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Sadiq, for grant of regular bail. Reply filed by the IO concerned.

As per the reply filed by the IO concerned, applicant/accused has not been arrested in the instant case till date. In view of the same, present application is mis-conceived and premature. The same is, accordingly, dismissed and stands disposed of.

A copy of this order be given dasti to counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 00237/2021
PS Pandav Nagar
State Vs. Mohd. Chand
U/s 379/411 IPC.

Application No. 7

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Mohd. Chand, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 12.07.2021 and is not required for any custodial purpose, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.15,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 331/2021
PS Pandav Nagar
Vikas Gautam Vs. State
U/s 376/376D/328/313/506 IPC.

Application No. 8

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO/SI Shallu is present through VC.

This is an application under Section 91 Cr.P.C., moved on behalf of the applicant/accused Vikas Gautam, for production/preservation of call records of certain mobile numbers. IO was directed to get the CDRs preserved.

IO has filed the compliance report as directed by this Court vide order dated 16.08.2021. The said report is taken on record. Hence, no further directions required in the matter. Present application is, accordingly, disposed of.

A copy of the report filed by the IO along with copy of this order be given dasti to counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

1. FIR No.201/2016

2. FIR No. 202/2017

3. FIR No.178/2017

All of PS EOW

State Vs. Anil Kumar Sharma & Ors.

U/s 420/406/409/120B IPC.

Application No.9, 10 & 11

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Rajesh Anand, Counsel for the applicant/accused.

None for the other accused persons.

In above cases, three separate applications have been moved on behalf of the applicant/accused Ajay Kumar, seeking preponement of the present matter already fixed for 15.09.2021 for hearing on the point of charge as it is at the same stage since 13.09.2019, as stated.

Arguments were heard at length in the present application on the previous date of hearing on behalf of all the accused persons. However, today only counsel for the applicant/accused is present and counsels for other accused persons are absent, despite the matter being called at 10.00 am as well as 12.00 noon. Hence, I am proceeding further in the matter.

Arguments heard.

The applicant/accused is in J/C and is seeking early hearing of the present matter with permission to address arguments on charge through VC. On the previous date, hearing through VC was opposed by counsels for other two accused persons on the ground that the file is voluminous and they would be more comfortable in addressing arguments in the present matter during physical hearing.

It is pertinent to mention that vide the aforementioned order of the Hon'ble High Court of Delhi, the Hon'ble High Court has further suspended physical hearing till 28.08.2021 and thereafter from 31.08.2021, the physical hearing would be conducted in a truncated manner as per the roster to be prepared by the Ld. Principal District & Sessions Judge, East District, KKD Courts, Delhi. Hence even otherwise, it may not be possible to take bulk of matters on the date of physical hearing, so as to avoid overcrowding in the Court.

In view of the aforesaid discussions, I deem it fit to allow the present application in the interest of justice. The same is, accordingly, allowed and stands disposed of. **Consequently, the date already fixed in the above cases is hereby preponed to 02.09.2021. The date already fixed in the matter as 15.09.2021 stands cancelled, accordingly.**

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No.732/2015
PS Pandav Nagar (Crime Branch)
State Vs. Dhiraj Sharma & Anr.
U/s 420/120B/34 IPC.

Application No. 12

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Vikram Aggarwal, Counsel for the accused Dheeraj and Neeraj.

Both the accused persons, namely, Dheeraj and Neeraj, are also present through VC.

Present matter is taken up in view of the order dated 05.08.2021 passed by this Court for consideration on proceedings under Section 82 Cr.P.C against the accused persons.

It is submitted by Ld. Counsel for the accused persons that Hon'ble High Court of Delhi vide its order dated 05.08.2021, had stayed NBWs issued against the accused persons and extended their interim bail till NDOH. The next date of hearing fixed before the Hon'ble High Court is 12.10.2021.

In view of the same, present matter is adjourned to 21.10.2021 for further proceedings.

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CMM (East), KKD, Delhi/16.08.2021

e-FIR No. 020201/2021
PS Kalyanpuri
State Vs. Vikas Bharti @ Aman Bharti
U/s 379 IPC.

Application No. 13

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO is present.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vikas Bharti @ Aman Bharti, for grant of regular bail. Reply filed by the IO concerned.

As per the reply filed by the IO, present e-FIR as mentioned in the application, is not pending at PS Kalyanpuri.

In view of the same, present application is mis-conceived and stands dismissed. Present application is, accordingly, disposed of.

A copy of this order be given dasti to counsel for the applicant/accused.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

Misl. Crl. No. 26/2020
Cholamandalam Investment & Finance Limited
Vs.
Sh. Ravi Prakash Sadh & Ors.

Application No.14

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.
Counsel for the applicant/Financial Institution.
Court Receiver is absent.

Present matter was fixed for 14.08.2021, which was a holiday due to Second Saturday. Hence, taken up today on the application, moved on behalf of the applicant/Financial Institution, for extension of order dated 01.04.2021 passed by this Court read with order dated 29.02.2020 passed by the Ld. Predecessor of this Court.

It is stated by counsel for the applicant/F.I. that the Court Receiver has to again appear in exam today and has sought an adjournment.

At request, matter is adjourned to 21.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 510/2019
PS Kalyanpuri
State Vs. Unknown
U/s 279/337/304A IPC.

Application No.15

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Rahul Kumar, Counsel for the applicant.

This is an application, moved on behalf of the applicant Brij Nandan Singh, for calling the status report in the present matter. Report has already been filed by the IO concerned on the previous date of hearing.

As per the said report, copy of DAR (Detailed Accident Report) had already been supplied to the applicant.

In view of the same, counsel for the applicant wants to withdraw the present application. Present application is, accordingly, dismissed as withdraw and stands disposed of.

A copy of this order be given dasti to counsel for the applicant.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/16.08.2021

FIR No. 627/2015
PS Kalyanpuri
State Vs. Vijay Kumar
U/s 323/341/506 IPC.

Application No.16

16.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Ms. Kavita Singh, Advocate, through VC.

Present matter is taken in view of the oral request made by Ms. Kavita Singh, Advocate, stating that in order dated 13.08.2021 passed by this Court in the abovementioned case FIR, her name is not mentioned as LAC for the accused.

Heard.

It is clarified that Ms. Kavita Singh, Advocate, had appeared and argued in the abovesaid matter on behalf of the applicant/accused as Legal Aid Counsel.

Present oral request is, accordingly, allowed. A copy of this order be given dasti to Ms. Kavita Singh, Advocate.

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