

Crl No.6946/16
FIR No. 39/08
PS Kalyanpuri
State vs. Pradeep Shokeen

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ld. APP for the State.

None for applicant

Affidavit as directed has not been filed even today. Last and final opportunity given failing which permission granted to travel abroad abroad will be withdrawn.

Put up on 21.12.2020. Copy of order be sent to counsel for compliance.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

Case No. 120/19

Yes Bank vs. Orion Automobiles Pvt Ltd and Ors.

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present:

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

Case No. 52/20
Fullerton India vs Arun Kumar

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Ms. Megha, Receiver/applicant in person

Let court notice of the application be issued to the bank for 06.01.2021.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

Case No. 25/19

AU Small Finance Bank Ltd vs Kuldeep Kashyap and Ors.

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for extension of proceedings u/s 14 SARFAESI Act.

Present: Ms. Tanu Priya, Ld. Counsel for bank

Adv. Abad Khan, Receiver appointed by the court in person.

It is stated that Receiver could not take possession of the property. At this stage, it is jointly submitted by both the parties that the period for compliance of order dated 17.02.2020 be extended.

In view of the facts and circumstances, the term of Ld. Court Receiver is extended for 45 days in terms of order dated 17.02.2020 with clear directions that no further extension shall be granted under any circumstances.

Rest of the terms and conditions of the said order shall remain same as directed. It is further clarified that the present order is subject to any other order/directions passed by any other appropriate court/authority.

The application stands disposed off accordingly.

Copy of the order be sent to the Receiver as well as applicant bank for information and compliance. Ld. Counsel for the applicant and receiver are further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 99/20
PS Kalyanpuri
State vs. Mohd. Rashid

17.12.2020

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Applicant in person

Record is perused and it reveals that **applicant Mohammad Rashid is the owner/rightful claimant of One Gold Ring. 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 re-iterated, the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above mentioned Gold Ring to rightful claimant subject to preparing detailed proper panchnama of above mentioned Gold Ring and taking photographs of above mentioned mobile from all possible angles and file the same alongwith charge sheet, (ii) to get panchnama and photographs of above mentioned Gold Ring attested and countersigned by concerned party as well as by rightful claimant and IO (iii) IO however shall release the Gold Ring 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 off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama and court fees as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 000368/2020
PS Kalyanpuri
State vs. Not known

17.12.2020

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Applicant in person

As per the documents filed by the applicant, mobile in question is in the name of one Mukesh, whom the applicant claims to be his friend. He is directed to file an affidavit of Mukesh that the said mobile has been gifted / sold to him by Mukesh.

Put up on 18.12.20.

Applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 287/2020
PS Pandav Nagar
State vs. Inder Singh Bhati
17.12.2020

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123 /Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.
Ld. Counsel for applicant through V.C. on CISCO Webex App.
IO in person

Record is perused and it reveals that **applicant Ms. Poonam is the owner/rightful claimant of the vehicle bearing no. DL 7SC E 9616.** IO has opposed the release of vehicle on superdari stating that same was used in the commission of offence and it may be destroyed or tampered later on.

However, the same is no ground to deny the release of the vehicle 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 alongwith 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 off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama and court fees as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 469/16
PS Pandav Nagar
State vs. Sanjay Kumar

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for filing of status report qua investigation in this case.

Present: Ld. APP for the State.

Ld. Counsel for applicant

Status report is filed. Let Copy be supplied.

Application stands disposed off .

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 249/19
PS Kalyanpuri
State vs. Neetu Kaur Etc.

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for filing of status report qua investigation in this case.

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

Status report is filed. Let Copy be supplied.

Application stands disposed off

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 461/20
PS Pandav Nagar
State vs. Shahzad
U/s 392/411/34 IPC

17.12.2020

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. counsel for the applicant through V.C. on CISCO Webex App.

Arguments on bail application heard and the application perused.

In the facts and circumstances of the case, it is clear that the applicant/accused is not required for any custodial purpose. Applicant/accused Shahzad is admitted to bail on furnishing bail bonds of Rs.15,000/- with one surety in the like amount. The accused shall abide by the conditions as laid down in Sec 437(3) Cr.PC.

Application is disposed off accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 0382/2020
PS Pandav Nagar
State vs. Ahmed Sharik @ Sharik
u/s 307/324/336/506/427/34 IPC

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Pr Ld. APP for State

Ld. Counsel for applicant

Record perused. This is an application for statutory bail of accused Ahmed Sharik u/s 167 (2) Cr.P.C. on the ground that the charge sheet in this case has not been filed within the stipulated period despite the fact that accused was in JC.

As per report of the IO, the charge sheet has already been filed electronically on 16.12.2020 and physical charge sheet shall be filed today. Today is only 90th day. At this stage, Ld. Counsel has prayed to withdraw his application. Accordingly, the bail application of accused Shahzad is dismissed as withdrawn. Copy of report of IO be supplied to the Ld. Counsel.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

e FIR No. 000463/20
PS Kalyanpuri
State vs. Unknown

17.12.2020

This is a Superdari application of mobile Samsung Galaxy received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

None for applicant

Put up on 23.12.2020.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

FIR No. 030415/2020
PS Kalyanpuri
State vs. Not known.

17.12.2020

This is a Superdari application for vehicle no.DL 1LK 6075 received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123 /Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. Counsel for applicant through V.C. on CISCO Webex App.

As per documents filed by the applicant, the vehicle is in the name of a firm and not in the name of the applicant. Clarification is required. Counsel has sought some time.

Put up on 18.12.2020.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

Case No. 61/19

IIFL Home Finance vs. Jain Trading Co.

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Sh. Mukul Bhimani Ld. Counsel for bank
Receiver Sh. Virendra Kasana in person

It is stated by the Receiver that he has complied with the directions of the court but bank informed him that a settlement had arrived with the debtor due to which possession of the property was not taken. He further submits that the has no objection if extension of time is granted for execution of order dated 28.06.2019 but subject to payment of additional fees. Ld. Counsel for bank submits that bank has no objection to the same.

In view of the facts and circumstances, the term of Ld. Court Receiver is extended for 45 days in terms of order dated 28.06.2019 with clear directions that no further extension shall be granted under any circumstances. Bank shall also pay additional fees of Rs.30,000/- to the Receiver at the time of taking over of possession of property in question.

Rest of the terms and conditions of the said order shall remain same as directed. It is further clarified that the present order is subject to any other order/directions passed by any other appropriate court/authority.

The application stands disposed off accordingly.

Copy of the order be sent to the Receiver as well as applicant bank for information and compliance. Ld. Counsel for the applicant and receiver are further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020

Case No. 02/20
IIFL Home Finance vs Auto Needs

17.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Present: Sh. Mukul Bhimani Ld. Counsel for bank
Receiver Sh. Gyanesh Singh in person

It is stated by the Receiver that he has complied with the directions of the court but bank informed him that a settlement had arrived with the debtor due to which possession of the property was not taken. He further submits that the has no objection if extension of time is granted for execution of order dated 22.01.2020 but subject to payment of additional fees. Ld. Counsel for bank submits that bank has no objection to the same.

In view of the facts and circumstances, the term of Ld. Court Receiver is extended for 45 days in terms of order dated 22.01.2020 with clear directions that no further extension shall be granted under any circumstances. Bank shall also pay additional fees of Rs.30,000/- to the Receiver at the time of taking over of possession of property in question.

Rest of the terms and conditions of the said order shall remain same as directed. It is further clarified that the present order is subject to any other order/directions passed by any other appropriate court/authority.

The application stands disposed off accordingly.

Copy of the order be sent to the Receiver as well as applicant bank for information and compliance. Ld. Counsel for the applicant and receiver are further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)
CMM(East) KKD Courts Delhi/17.12.2020