

State vs. Aarif
FIR No. 44/2021
U/s 379 /411 IPC
PS PIA
17.02.2021

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

Bail application perused. Reply of the bail application is on record. Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated. Further, the recovery shown from the accused, if any, is planted upon him. It is further stated that the accused is in JC since 05.02.2021 and investigation has been completed and hence accused may be enlarged on bail.

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

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR. The offences alleged are serious in nature in as much as the accused was apprehended at the spot itself by the complainant. However, case property has already been recovered and the accused is in JC since 06.02.2021. Further IO has not disclosed criminal antecedents 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 -05(East) KKD Court
Delhi/17.02.2021

State vs. Unknown

FIR No. 022538/20

PS Shakarpur

17.02.2021

Present : Ld. APP for the State.

None for applicant.

I have perused the application . I have also perused the reply of the IO. As per reply of IO, the vehicle No. DL 9CR1392 was released to the rightful owner after obtaining panchnama , security bond and photographs of the same. In view of the said reply, the present application for sale fo the abovementioned vehicle stands allowed.

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 -05(East) KKD Court
Delhi/17.02.2021

FIR No. 50/21
PS PIA
U/s 379/411/34 IPC
17.02.2021

Present : Ld. APP for the State.

None for applicant in person.

The present application for release of mobile phone OPPO A-31 on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Ajay Tomar, 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 -05(East) KKD Court
Delhi/17.02.2021

FIR No. 250/20

PS PIA

State vs. Gaurav

17.02.2021

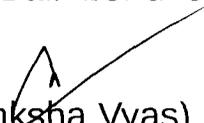
Present : Ld. APP for the State.

None for applicant.

I have perused the application.

This is an application of accused Gaurav for grant of bail in the present case and it is forwarded by jail superintendent concerned. However, the office has informed that a similar application has already been disposed off as allowed on 22.01.2021. Accordingly, the present application is disposed of as infructuous.

Copy of the present order as well as order dated 22.01.21 be sent to concerned jail superintendent for information. Bail bond of the accused be transmitted to the Court at the earliest.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

FIR No. 271/20

PS PIA

State vs. Imran @ Irfan

17.02.2021

Present : Ld. APP for the State.

None for applicant.

I have perused the application.

This is an application of accused Imran for grant of bail in the present case and it is forwarded by jail superintendent concerned. However, the office has informed that a similar application has already been disposed off as allowed on 15.01.2021. Accordingly, the present application is disposed of as infructuous.

Copy of the present order as well as order dated 15.01.21 be sent to concerned jail superintendent for information. Bail bond of the accused be transmitted to the Court at the earliest.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

FIR No. 102/20

PS Krishna Nagar

State vs. Haider @ Chhota

U/s 356/379/34 IPC

17.02.2021

Present : Ld. APP for the State.

Ld. counsel for applicant/ accused.

I have perused the present bail application moved on behalf of accused Haider @ Chhota. I have also perused the reply of the IO as per which the accused was released in the present case on 18.06.2020. However, at this stage, ld.counsel has stated that he had moved an application seeking status of pending cases before ld. MM (East) Sh. Anshul Mehta and in reply to the said application, status report was received from Jail superintendent Mandoli Jail, as per which accused is in the jail in FIR No. 102/20 PS Krishna Nagar also. Copy of the said reply of the jail superintendent has been furnished.

Accordingly, reply sought from the jail superintendent concerned for 18.02.21.

Copy of this order and copy of reply of IO received today be also sent to jail superintendent concerned.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

State vs. Suraj Singh & Ors.
FIR No. 326/20
PS PIA

17.02.2021

Present : Ld. APP for the State.

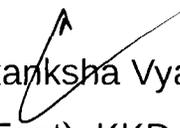
None for applicant.

An application has been filed by the applicant for release of Jamatalashi articles. Reply has been filed by the concerned P.S.

Same is perused and considered.

Let jamatalashi articles be released to the rightful owner as per personal search memo. The application stands disposed of accordingly.

Copy of this order be given dasti to the applicant/ld.counsel and be also uploaded to the Delhi District courts Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

State vs. Mohd. Shahib
FIR No. 35/2021
PS Shakarpur
17.02.2021

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

The present application for release of vehicle bearing No. **DL 2SN2673 (Motorcycle)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Krishan Lal 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/17.02.2021

State vs. Unknown
e. FIR No. 005034/19
PS Krishna Nagar
17.02.2021

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

The present application for release of vehicle bearing No. **DL8SCL9997 TVS Apache** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Adesh 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.

The applicant is permitted to sell the vehicle in question.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

State vs. Unknown

FIR No. 023413/15

PS Shakarpur

17.02.2021

Present : Ld. APP for the State.

None for applicant.

Application perused.

The present FIR pertains to the year 2015 and hence it does not fall within the territorial jurisdiction of This Court. Hence, the present application disposed off as 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 -05(East) KKD Court
Delhi/17.02.2021

State vs. Amir Pathan @ Mohd. Naved
e. FIR NO. 2268/2021/2019
PS Krishna Nagar
U/s 379 IPC

17.02.2021

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 Amir Pathan.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 25.01.2021. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, the recovery of stolen property shown from the accused, if any is planted upon the accused. 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, stolen property of the present case has been recovered from the accused and he can commit similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 25.01.2021. Case property in the present case has already been recovered. As per reply of IO, investigation has 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/17.02.2021

e. FIR No. 002941/21
PS Krishna Nagar
State vs. unknown
17.02.2021

Present : Ld. APP for the State.

None for applicant.

The present application for release of vehicle bearing No. **DL 13SS-7548** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Satish Chand 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

State vs. Unknown
FIR No. 024724/19
PS Shakarpur
17.02.2021

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

The present application for release of vehicle bearing No. **DL 13 SU 4960 (motorcycle)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Ritesh 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/17.02.2021

FIR No. 37578/19

PS Krishna Nagar

U/s 379 IPC

17.02.2021

Present : Ld. APP for the State.

IO HC Adesh in person.

None for applicant.

The IO has perused the application and sought time to verify whether the vehicle in question is deposited in malkhana of PS New Usmanpur.

Re-list for further proceedings on 22.02.2021.

Issue fresh notice to the IO for NDOH.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

FIR No. 474/20

PS Shakarpur

State vs. Awdesh Kumar

17.02.2021

Present : Ld. APP for the State.

IO in person.

Applicant with ld.counsel.

IO submitted that he wants to send the gun in question to the FSL to determine whether it is in working condition and whether the cartridge recovered was fired from the said gun.

Heard.

Re-list on 18.02.2021.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

FIR No. 227/20

PS PIA

State vs. Unknown

U/s 279/337 IPC

17.02.2021

Present : Ld. APP for the State.

IO SI Neeraj in person.

Sh. M.K. Sharma, Id.counsel for the applicant.

The IO submitted that he did not write any letter to the transport authority for black listing of vehicle no. HR 38 Z2146 and he had only written a letter to the transport authority seeking verification of the documents of the said vehicle.

In view of the submissions of the IO, the application stands disposed off.

Copy of this order be given dasti to the applicant/ Id.counsel.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021

Shiva Shanti
17/2/21

FIR No. 36/21
PS PIA
State vs. Amzad
17.02.2021

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

I have perused the application. The Id.counsel submitted that the wife of the accused delivered a baby on 21.01.2021 and there is no one to take care of her and her child as the accused and his wife were residing in Delhi alone. The accused is unable to arrange a surety and his wife is facing great hardship.

In view of the fact that the accused is in JC despite grant of bail and in the interest of justice , the present application stands allowed. The jail superintendent is directed to release the accused if not required in any other case after obtaining personal bond from him In the sum of Rs. 20000/-. the personal bond be transmitted to the Court at the earliest.

The accused is however, directed to furnish surety at the time of his first appearance in the court after the filing of the chargesheet.

Copy of this order be sent to Jail superintendent concerned and IO.

Copy of this order be also sent to the Id. counsel for the applicant/accused on his email ID and be uploaded to the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/17.02.2021