

आकांशा व्यास  
AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-05  
Metropolitan Magistrate (East)-05  
कोर्ट नं. 08, द्वितीय तल  
Court No. 08, 2nd Floor  
कडकडूमा कोर्ट, दिल्ली-32  
Karkardooma Courts, Delhi-32

FIR No. 0182/2020  
PS: PIA  
U/s: 356/379/411/34 IPC  
State Vs. 1. Pawan @ Pappan  
2. Ajay

17.07.2020

Present : Ld. APP for the State is present through Video Conferencing.  
Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused persons Pawan@Pappan and Ajay.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused persons has submitted that accused persons are in JC since 08.07.2020. He has further stated that accused persons have been falsely implicated in the present case. They are not a previous convict. He has also submitted that investigation of the case has already been completed. Accused are ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused persons stating that the allegations are serious in nature. He further submitted that as per reply of the IO, accused persons were caught red handed by the complainant.

Heard both the parties.

File perused. Case property in the present case has already been recovered. No previous involvement of accused persons in similar offence has been disclosed by the IO. The investigation in the present case has already 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, both the accused are admitted to Court bail on furnishing of personal bond in the sum of **Rs. 10,000/- with one surety each, in the like amount** subject to the conditions that :-

1. The accused persons shall cooperate with the IO during the investigation.
2. Accused persons shall not indulge in similar offence as that of which they are the accused.
3. They 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

Ld. Counsel for accused on his email ID.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 17.07.2020

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Karkardooma Courts, Delhi

L.R. No. 12543/2020  
E-FIR No. 00129/20  
P.S. (Krishna Nagar)  
State Vs. Mohit Gupta

17.07.2020

Present : Ld. APP for the State is present through Video Conferencing.  
None for applicant in person.

The present application for release of mobile phone Apple I-Phone (Red Color) on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Dhiraj Singh 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.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 17.07.2020

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Karkardooma Courts, Delhi-32

Challan No. 169632  
.P.S. Krishna Nagar  
State Vs. Mohd. Arif

17.07.2020

Present : Ld. APP for the State is present through Video Conferencing.  
None for applicant in person.

The present application for release of vehicle bearing No. DL-13SU-2282 on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Krishan 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.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 17.07.2020

आकांशा व्यास  
AAKANKSHA VYAS  
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Karkardooma Courts, Delhi-110032

Fir No. 0077/2020  
P.S. Krishna Nagar  
State Vs. Mujahid  
U/s 356/379/506 IPC

17.07.2020

Present : Ld. APP for the State is present through Video Conferencing.

None for applicant in person.

The present application for release of mobile phone **VIVO S-1** on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Suman 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.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 17.07.2020

आकांक्षा व्यास  
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महानगर दण्डाधिकारी (पूर्वी)-06  
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Karkardooma Courts, Delhi-11

Fir No. 0186/2020  
P.S. PIA  
State Vs. Not known  
U/s 379/411 IPC

17.07.2020

Fresh application for release of mobile phone VIVO Y-12 on superdari on behalf of applicant, received by way of email.

Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

IO/SHO of PS concerned to file reply on 18.07.2020.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 17 .07.2020