

16.10.2020

The present application is taken up for hearing through VC.

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner.

An application for release of of mobile make **Vivo Y-95** on superdari has been moved by the applicant Parmesh Kumar Saroj.

Reply is filed by the IO. As per reply, IO has no objection if the above said mobile phone is released to its rightful owner.

Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where above said mobile phone can be released to rightful owner, subject to execution of security bond. Accordingly, let of above said mobile be released to the rightful owner after preparing detailed panchnama; taking photographs of the of the above said mobile valuation report and a security bond.

The photographs of the case property should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed along with charge sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State**.

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

(Balwinder Singh)
MM (East)/KKD/Delhi/18.11.2020

18.11.2020

The present application is taken up for hearing through VC.

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

An application u/sec. 437 Cr.P.C. for the release of the accused Rajender Singh on bail is moved by his Ld. Counsel.

Both the sides are heard on the application.

Considering the gravity of alleged offences, the alleged CCTV footage which confirm the presence of accused at the spot on the day and close to the time of offence, his identification by the complainant through the CCTV footage as one of the member of the group who entered into argument and quarrel after hitting him with a cycle and also taking into account the pending investigation as case property is yet to be recovered and two more accused are also yet to be arrested, the court does not deem it fit to release the accused on bail. Hence, the application in hand stands dismissed.

Application is disposed off accordingly.

Copy of the order be given dasti on request.

(Balwinder Singh)
MM (East)/KKD/Delhi/18.11.2020