

18.09.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of vehicle bearing No. DL-5CF-9673.

An application for release of vehicle bearing registration no. DL-5CF-9673 on superdari has been moved by the applicant Sheikh Amir Hussain.

Reply is filed by the IO. As per reply, IO has no objection if the vehicle 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 vehicle bearing registration no. **DL-5CF-9673** can be released to rightful owner, subject to execution of security bond. Accordingly, let vehicle be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report and a security bond.

The photographs of the vehicle 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 the chargesheet. 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

Digitally signed by
BALWINDER SINGH
Location: Delhi
Date: 2020.09.18
15:08:57 +0530

(Balwinder Singh)

MM (East)/KKD/Delhi/18.09.2020

18.09.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

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 Istikhar on bail is moved by his Ld. Counsel.

Reply filed by the IO.

Both the sides are heard on the application.

Considering the facts that the recovery of the case property has already been effected and judicial custody of the accused is not required for any purpose, the application in hands stands allowed.

The accused is directed to be released on bail on furnishing of his personal bond in a sum of Rs. 20,000/- with one surety of like amount. Accused be released after verification of his address by the IO. It is further directed that the accused shall not tamper with or try to influence the prosecution witnesses in any manner after his release.

Copy of the order be given dasti on request.

Application is disposed off accordingly.

**BALWINDER
SINGH**

(Balwinder Singh)

MM (East)/KKD/Delhi/18.09.2020

Digitally signed by
BALWINDER SINGH
Location: Delhi
Date: 2020.09.18
16:09:07 +0530