

State vs. Tarun Dhingra
FIR no. 005330/21
PS Preet Vihar
U/s 379/411 IPC

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. Gyanesh Singh, Id. Counsel for the applicant/accused.
Accused is stated to be in JC.

It is submitted by Id. Counsel for the applicant/accused that he is innocent and has been falsely implicated in the matter and he is in J.C since 01.04.2021. It is submitted by Id. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused, alleged recovery has been planted upon him and investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in J/C. Hence, it is prayed, that accused/ applicant may be granted bail.

Ld. APP submits that appropriate order as per law may be passed.

I have heard the submissions and perused the reply. I have heard the submissions and perused the record.

The accused is shown to be in custody since 01.04.2021. Alleged recovery has already been effected. Investigation qua him has already been completed. His custody is not required for further investigation. This is a period when there is need of decongestion of jails due to COVID 19 Pandemic. Considering the circumstances, nature of offence in question and the age of the accused/applicant, accused/ applicant is hereby granted bail on furnishing bail bond in the sum of Rs. 15,000/- with one surety of like amount.

With above directions, bail application of accused stands disposed of.

Copy of this order be sent to Jail Superintendent concerned for necessary information and compliance, if any and to supply the copy to the accused.

Copy be given dasti to the Id. Defence counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021

Sanjay Naresh Prajapati vs. State (NCT of Delhi)
FIR No. 72/2021
PS Preet Vihar
U/s 408/420/120-B IPC

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. Pankaj Mehta, Id. Counsel for the applicant/
accused.

Part arguments heard.

Some clarifications are required from the IO. Let
IO be summoned for tomorrow.

List this bail application for consideration on
20.04.2021.



(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021

State vs. Jagdish Rathore
FIR NO. E FIR no. 0031/2021
PS New Ashok Nagar
U/s 379 IPC

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

An application for release of mobile phone on superdari.

Pr.: Ld. APP for the State.

Applicant in person.

Submission heard. Reply of IO perused.

Instead of releasing the mobile on superdari, I am of the considered view that the mobile has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that :

“Vehicle 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.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/re/eased its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.”

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, mobile phone in question be released to the **owner as per invoice after due identity and IMEI No. verification to be conducted by IO/SHO concerned** and on

furnishing security bond as per valuation report of the mobile. After preparation of panchnama of the mobile and furnishing of security bond as per directions of Hon'ble Supreme Court, the mobile be released by the IO.

Panchnama and valuation report shall be filed in the court along with charge sheet/within one month.

Copy of this order be given dasti to applicant.

(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021

**FIR NO. ED-NAN-000900/2019
PS New Ashok Nagar**

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

An application for release of vehicle no. UP-16CD-8955 on superdari

Pr.: Ld. APP for the State.

Counsel for the applicant.

Submission heard. Reply of IO perused.

As per the reply filed by the IO, no such vehicle is impounded and is lying deposited in the Mal Khana of PS New Ashok Nagar in the above-mentioned FIR.

In view of the reply of the IO, Id. Counsel seeks permission to withdraw the aforesaid application. Permission granted.

At request, the application is hereby dismissed as withdrawn.

Copy of this order be given dasti to applicant.



**(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021**

CC no. 4178/2018
Pankaj Tandon vs. Sunshine Trade Tower Pvt. Ltd.

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

An application for direction of filing the status report

Pr.: Ld. APP for the State.
Counsel for the applicant.
IO SI Rahul through VC.

Status report filed by the IO. Let E-copy of the status report be supplied to the counsel for the applicant.

No further directions are required in the matter as investigation is going on.

The application stands disposed of.



(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021

CC no. 4179/2018

Smt. Malbika De vs. Sunshine Trade Tower Pvt. Ltd.

19.04.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 256/RG/DHC/2021 dated 08.04.2021, issued by Hon'ble High Court of Delhi.

An application for direction of filing the status report

Pr.: Ld. APP for the State.

Counsel for the applicant.

IO SI Rahul through VC.

Status report filed by the IO in connected matter i.e. CC no. 4178/2018. Let E-copy of the status report be supplied to the counsel for the applicant.

No further directions are required in the matter as investigation is going on.

The application stands disposed of.



(PANKAJ ARORA)
ACMM (EAST)/KKD/19.04.2021