

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 409/2020
P.S.: Krishna Nagar
U/S: 33/58 Delhi Ex. Act
State Vs. Pradeep Kumar Tiwari

19.08.2020

Fresh application for release of jamatalashi articles i.e. Mobile phone Samsung SMA 205 A20, Rs. 2100/- and other items, on behalf of applicant/accused, received by way of email.

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 348/20
P.S.:Shakarpur
U/S: 279/337 IPC

19.08.2020

Fresh application for release of vehicle car bearing No. DL6CS 5644 on superdari, on behalf of applicant, received by way of email.

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 216/2020
P.S.:PIA
U/S:33 Delhi Excise Act
State Vs. Sadhu Shah

19.08.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused,
received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VIAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

eFIR No.: 000524/2020
P.S.:PIA
U/S: 379 IPC
State Vs. Unknown

19.08.2020

Fresh application for release of mobile phone Redmi Note 8 on superdari, on behalf of applicant, received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 328/20
P.S.:Shakarpur
U/S: 186/353/332 IPC
State Vs. Samir

19.08.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused,
received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

EFIR No.: 014852/2020
P.S.:Krishna Nagar
U/S: 379/411 IPC
State Vs. Mehtab

19.08.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused,
received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

EFIR No.: 18171/2020
P.S.: Krishna Nagar
U/S: 379/411/34 IPC
State Vs. Yashpal

19.08.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused,
received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

eFIR No.: 000296/2020
P.S.:Krishna Nagar
U/S: 380/411 IPC
State Vs. Unknown

19.08.2020

Fresh application for release of mobile phone VIVO Y-11 on superdari,
on behalf of applicant, received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

eFIR No.: 000296/2020
P.S.: Krishna Nagar
U/S: 380/411 IPC
State Vs. Unknown

19.08.2020

Fresh application for release of mobile phone REDMI Note 8 on superdari, on behalf of applicant, received by way of email

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

IO/SHO of PS concerned to file reply on 20.08.2020.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYA.
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 79/20
P.S.: PIA
U/S: 188 IPC & 39/192 MV Act
State Vs. Unknown

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

Ld. Counsel for the applicant is present through VC.

Further reply of IO received today and perused. Let the order dated 31.07.2020 for release of the vehicle on superdari be acted upon by the IO/SHO PS concerned, provided the ownership of the vehicle in question is verified and there is no other objection to the release of the vehicle in question.

Copy of this order be sent to SHO of PS concerned and a copy be also sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 368/2016
P.S.: Krishna Nagar
U/S: 380/411/34 IPC
State Vs. Sonu Rawat etc.

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

None for applicant through VC.

Application perused. File perused. The matter has been disposed off on 06.12.19. Accordingly, the present application stands allowed and the documents of the applicant/surety be returned to her/endorsement cancelled as per rules.

Application disposed off accordingly. Copy of this order be sent to Ld. Counsel for applicant through email.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 89/2006
P.S.: Krishna Nagar
U/S: 380/411
State Vs. Rajiv

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

None for applicant through VC.

Application perused. File perused. Let the original RC of applicant/surety be released to her, upon retaining self attested copy of the same.

Application disposed off accordingly. Copy of this order be sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 349/2020
P.S.: Krishna Nagar
U/S: 302/365/201/34 IPC
State Vs. Sakti Sharma

19.08.2020

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

The present application for release of vehicle **No. DL13 SS 6777** on Superdari has been filed by the applicant.

Reply has been filed under the signature of Insp. Santosh Pabri. Perused. Ld. APP has objected to the release of vehicle in question on superdari for the reasons mentioned in the reply of the IO.

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. That all the investigation has been completed qua the vehicle in question and it is no more required for the purpose of investigation or for any other purpose.
2. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
3. 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.
4. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
5. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
6. 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/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 384/2020
P.S.: Krishna Nagar
U/S: 323/452/342/34 IPC
State Vs. Aakash @ Akash

19.08.2020

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

The present application for release of vehicle motorcycle No. DL5SAV4190 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 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/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

eFIR No.: 1323/2020
P.S.:Shakarpur
U/S: 379 IPC
State Vs. Unknown

19.08.2020

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

The present application for release of vehicle motorcycle No. DL-13SX-4682 on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Idrish Khan 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/ 19.08.2020



AAKANKSHA VYA:
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 216/2020
P.S.:PIA
U/S:33 Delhi Excise Act
State Vs. Bhushan Kumar

19.08.2020

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 Bhushan Kumar.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 12.08.2020. Ld. Counsel has also submitted that accused has been falsely implicated in the present case. Accused is the sole earner of his family. Ld. Counsel has also submitted that investigation of the case has already been completed. 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. He further submitted that as per reply of the IO, accused is a habitual offender.

Heard both the parties.

File perused. In the present case, the accused is in J/C since 12.08.2020. Case property in the present case has already been recovered. IO has not stated in his reply that any further investigation is to be conducted qua the present 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 Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AANKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No.: 409/2020
P.S.: Krishna Nagar
U/S:33/58 Delhi Ex. Act
State Vs. Rahul @ Sonu

19.08.2020

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 Rahul @ Sonu.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 12.08.2020. Ld. Counsel has also submitted that accused has been falsely implicated in the present case. Accused is not a previous convict. He has also submitted that investigation of the case has already been completed. 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. He further submitted that as per reply of the IO, accused is a habitual offender. Furthermore, Ld. APP has submitted that from the reply of the IO, it is not clear whether any investigation has been conducted by him qua the ownership of the vehicle from which the illegal liquor was seized.

Heard both the parties.

File perused. In the present case, the accused is in J/C since 12.08.2020. Co-accused has already been granted bail. Case property in the present case has been recovered. 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 Ld. Counsel for accused on his email ID.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 72/2019
P.S.: Krishna Nagar
U/S: 420 IPC
State Vs. Mohd. Rijwan

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

This is an application for release of jamatalashi article i.e. mobile phone One Plus, on behalf of accused/applicant. Application perused.

Reply of IO received. Perused. In view of the no objection of the IO, oral arguments of applicant are dispensed with.

Let jamatalashi article be released to the applicant as per personal search memo, if the same is not required for investigation. The application stands disposed off accordingly.

Copy of this order be sent to SHO PS concerned and copy of this order be sent through e-mail to the applicant.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: 72/2019
P.S.: Krishna Nagar
U/S: 420 IPC
State Vs. Rahul

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

None for applicant in person.

This is an application for release of mobile phone Samsung Galaxy A-30, on behalf of applicant. Application perused. Reply of IO received and perused. As per the reply of IO, the mobile phone in question was seized during the personal search of the accused. Further, there is no objection qua the release of the mobile phone. Accordingly, in view of the reply of the IO, the mobile phone of the accused seized during jamatalashi be released to him, if the same is not required for investigation.

Copy of this order be sent to SHO of PS concerned and a copy be also sent to Ld. Counsel for applicant/accused through email.



(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/ 19.08.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No.: ED-SP-001019
P.S.:Shakarpur
U/S:379 IPC

19.08.2020

Present: Ld. APP for the state is available for hearing through VC.

None for the applicant through VC.

On the last of hearing also no one has appeared on behalf of the applicant through VC. Today also no one has appeared on behalf of applicant through VC, to furnish clarification in terms of the previous order. In view of the continuous non-appearance of the applicant/Ld. Counsel, the present application is dismissed for non-prosecution.

Copy of this order be sent to Id. Counsel for applicant through email.

(Aakanksha Vyas)
MM-05 (East)/KKD Court
Delhi/19.08.2020

