

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

Fir No. 350/2020
P.S. Krishna Nagar
State Vs. Mahender
U/s 33 Delhi Excise Act

20.07.2020

Fresh application for bail U/s 437 Cr.P.C. on behalf of applicant/accused, 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 21.07.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 20.07.2020

आकांक्षा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 09, द्वितीय तल
Court No. 09, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.011636/20
P.S. Shakarpur
State Vs. Unknown
U/s 379 IPC

20.07.2020

Fresh application for release of vehicle bearing No. DL13SH-3165 (Scoty Activa) 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 21.07.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 20.07.2020

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

FIR No.ED-PIA-000546/20
P.S. PIA
U/s 379 IPC

20.07.2020

Fresh application for release of mobile phone REDMI NOTE 6 PRO 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 21.07.2020.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 20.07.2020

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

Fir No. 004635/2020
P.S. Krishna Nagar
State Vs. Unknown
U/s 379/411 IPC

20.07.2020

Fresh application for release of vehicle bearing No. DL-14-SC-7672 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 21.07.2020.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/20.07.2020

आकांक्षा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 05, द्वितीय तल
Court No. 05, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32
e-FIR No.01322/2019
P.S. Patparganj Indl. Area
State Vs. Ram Kumar
U/s 379/411/34 IPC

20.07.2020

Fresh application for status report and non releasing of above named accused, from Jail Superintendent, Mandoli, Delhi, received by way of email.

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

Application perused. The present application does not bears the signatures of Ld. Counsel for accused. Ahlmad of this Court has informed the undersigned that he has telephonically informed the Ld. Counsel to visit the Court Room and sign the present application.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 20.07.2020

At 3:00PM

Ahlmad has informed the undersigned that Ld. Counsel for accused has telephonically conveyed that he will file a fresh application in the present matter. Hence, re-list on 21.07.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 20.07.2020

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

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

20.07.2020

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 Mohd. Rijwan.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused has stated that accused has no previous criminal antecedents. He is in JC since 08.07.2020. He has further submitted that accused has been falsely implicated in the present case on the basis of false complaint and that he is not named in the FIR.

Ld. APP for the State has objected to the bail application of the accused stating that the allegations are serious in nature and as per the reply of IO, there is a lot of incriminating evidence against the present accused. He has also stated that he is the main accused in the present case.

Heard both the parties.

I have carefully perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The allegations are serious in nature, as the complainant has alleged that the present accused alongwith co-accused persons fraudulently obtained copy of his Adhaar Card and Credit Cards and also fraudulently obtained duplicate SIM of his Mobile No. and thereafter used his Credit Cards for various transactions. As per the reply of IO, the present accused was identified by the complainant as the person who came to his house and collected the photocopy of his Adhaar Card and photocopy of his Credit Cards. Further, the IO has stated in his reply that as per the CDRs obtained, the present accused was in constant touch on the day of incident in question as well as the day after, with co-accused Shyam Mittal. The IO has also stated in his reply that the photograph of the present accused is morphed on the photocopy of the complainant's Adhaar Card which was furnished to the Vodafone Customer Care Centre for obtaining duplicate SIM of the complainant's Mobile No. 8375054250. Investigation is at initial stage. In these circumstances, the present bail application is dismissed.

Accordingly, bail application stands 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/ 20.07.2020



आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-06
Metropolitan Magistrate (East)-05
कोर्ट नं. 08, द्वितीय तल
Court No. 08, 2nd Floor
कडकडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

e-Fir No.14437/2020
P.S. Krishna Nagar
State Vs. Kunal Jain
U/s 379 IPC

20.07.2020

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. DL13ST-8743 (Motorcycle) 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 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/ 20.07.2020

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

Fig No.: 000528/2020
P.S. PIA
State Vs. Unknown
U/s 379 IPC

20.07.2020

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 Y83 PRO on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Jagsoran 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/ 20.07.2020