

**FIR No. 336/2021
PS Kalyanpuri
State Vs. Nishant
U/s 25 Arms Act.**

Application No. 1

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mohit Jain, LAC for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Nishant, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 15.07.2021 and is not required for any custodial purposes, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.15,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 40/2021
PS Kalyanpuri
State Vs. Vikram
U/s 25/54/59 Arms Act.

Application No. 2

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mohit Jain, LAC for the applicant/accused.

IO is present through VC.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vikram, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 13.02.2021 and is not required for any custodial purposes, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.10,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 0392/2020
PS Pandav Nagar
State Vs. Pradeep Kumar
U/s 419/406/120B/420/34 IPC.

Application No. 3

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Kanti Prasad, Counsel for the applicant/accused.

Sh. Chander Shekhar, Counsel for the complainant.

IO/Inspector Satender Khari is from EOW.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Pradeep Kumar, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Counsel for the applicant/accused submits that a settlement has arrived between the parties. However, there is some technical defect in the application and hence he wants to withdraw the present application with liberty to file a fresh application.

In view of the same, present application is dismissed as withdrawn, and stands disposed of, accordingly.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 0374/2021
PS Kalyanpuri
State Vs. Rajesh @ Bengali
U/s 25/54/59 Arms Act.

Application No. 4

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Rajesh @ Bengali, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

As per the allegations against the applicant/accused, he was found in possession of a button actuated knife about a fortnight ago. Moreover, he is also involved in 10 other criminal cases as reported by IO, which shows his criminal antecedents. The accused may be carrying weapon to commit further offences.

Under these circumstances, I am not inclined to grant bail to the applicant/accused at this juncture. His bail application is, accordingly, dismissed and stands disposed of.

A copy of this order be sent to the counsel for the applicant/accused on his e-mail ID or whatsapp number.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

**FIR No. 310/2019
PS Pandav Nagar
State Vs. Vishal Kumar
U/s 379/411 IPC.**

Application No. 5

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mohit Jain, LAC for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vishal Kumar, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.


Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 05.08.2020 and is not required for any custodial purposes, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.10,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 8490/2020
PS Pandav Nagar
State Vs. Vishal Kumar
U/s 379/411 IPC.

Application No. 6

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mohit Jain, LAC for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vishal Kumar, for grant of regular bail. Reply filed by the IO concerned.

Heard submissions from both sides.

Considering the facts and circumstances of the case, besides the fact that the applicant/accused is in JC since 05.08.2020 and is not required for any custodial purposes, I deem it a fit case to grant bail to the applicant/accused. Accordingly, applicant/accused is admitted to bail on his furnishing a bail bond in the sum of Rs.10,000/- with one surety of the like amount. Applicant/accused shall abide by the conditions laid down in Section 437(3) Cr.P.C.

Present application is, accordingly, disposed of.

A copy of this order be sent to the Ld. Counsel for the applicant/accused on his e-mail id or whatsapp number. A copy of this order be also sent to the Jail Superintendent concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 322/2021
PS Pandav Nagar
State Vs. Sushil & Ors.
U/s 420/411/34 IPC.

Application No. 7

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application for releasing currency notes in the denomination of Rs.500/- each amounting to Rs.5,000/- to the applicant/owner Pankaj on superdari. Reply filed by the IO concerned.

Record is perused and it reveals that **the cash of Rs.5,000/- was recovered from the apprehended accused Rajo Jha @ Raju, which belongs to applicant Pankaj as per prosecution. IO has no objection in release of the said cash amount.**

Keeping in view the report of IO and judgment passed by Hon'ble High Court of Delhi in ***Manjit Singh Vs State; Crl. M.C.4485/2013 and Crl. M.A.No. 16055/2013*** wherein inter-alia the law laid down by Hon'ble Supreme Court in case titled as ***Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat; (2002) 10 SSC 283*** has been reiterated; the application is allowed. Concerned IO as well as SHO are directed as under:

- (i) to release the above-mentioned cash amount to the applicant subject to preparing detailed proper panchnama of above-mentioned cash amount and taking photographs of all the currency notes from all possible angles and file the same along with charge sheet;
- (ii) to get panchnama and photographs of above-mentioned cash amount attested and countersigned by concerned party as well as by applicant and IO.

It is further clarified that since this is an application for release of the cash amount, the applicant/superdar cannot be forced to keep the same currency notes with him till conclusion of trial of the present matter as it might be required by him for use in between, hence, the applicant shall be at liberty to use the said cash amount. IO/SHO concerned is directed to do the needful. Application is **disposed of**, accordingly.

At request, copy of this order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

Misc. CrI. No.15/2021

Bank of India

Vs.

M/s Kanchan International & Ors.

Application No. 9

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Sh. Gaurav Aggarwal, Advocate, the Court Receiver/applicant through VC.

Sh. Ayush, Counsel for the non-applicant/Bank.

This is an application moved by the Court Receiver seeking appropriate directions regarding fixing the date for taking over the possession of mortgaged property and for additional remuneration on the ground that he has performed his duties as per the order passed by this Court.

It is submitted by counsel for the non-applicant/Bank that he has received the application of Court Receiver today itself, hence he needs to seek instructions from the non-applicant/Bank in this regard. He seeks an adjournment, accordingly.

At request, be put up on 28.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 331/2021
PS Pandav Nagar
State Vs. Vikas Gautam
U/s 376D/376/313/328/506/34 IPC.

Application No. 10

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

IO/SI Shallu is present through VC.

This is an application/request in the form of an affidavit filed by the IO/SI Shallu for issuance of NBW against the accused Vikas Gautam.

Present application is taken up today as 20.08.2021 was declared holiday by the Hon'ble High Court of Delhi on account of Muharram.

It is informed by the IO/SI Shallu that the anticipatory bail application of the accused Vikas Gautam has been dismissed by the Hon'ble High Court of Delhi on the last date. In view of the same, present application for issuance of NBW against accused Vikas Gautam is allowed. Accordingly, NBW be issued against the said accused to be executed through the IO concerned. However, IO is further directed to make at least three visits to the house of the accused persons and at different times, e.g., she may visit in morning, afternoon and in evening on different dates.

Be put up on 08.09.2021. A copy of this order be given dasti to the IO concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No.116/2017
PS Gandhi Nagar (EOW)
State Vs. Manoj Jain
U/s 420/406/120B IPC.

Application No.11

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

IO concerned is absent.

This is an application moved on behalf of the IO qua the process issued under Section 82 Cr.P.C against the accused Manoj Jain.

Present application is taken up today as 20.08.2021 was declared holiday by the Hon'ble High Court of Delhi on account of Moharram.

In view of absence of the IO concerned, matter is adjourned to 23.09.2021.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 416/2021

Application No. 12

PS Kalyanpuri

State Vs. Suresh @ Lucky S/o Sh. Ram Narayan

U/s 33 Delhi Excise Act.

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO is absent.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused **Lakhi Ram**, for grant of regular bail.

Part arguments heard on the bail application. However, some clarification is required from the IO concerned, who is absent today as he is out of station as informed by the Naib Court of the Court.

Be put up on 23.08.2021.

Original application along with vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 95/2020
PS Pandav Nagar
State Vs. Aditya Negi
U/s 279/338 IPC.

Application No. 13

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant.

This is an application for release of original RC of vehicle Maruti Suzuki Swift Car bearing No. DL-5CF-8220 to the applicant Aditya Negi. Reply filed by the IO concerned.

Chargesheet is not yet filed in the case. IO has reported that the RC of the vehicle and its ownership has been duly verified.

It is pertinent to mention that vide order dated 13.08.2021, this Court had already granted permission to applicant to sell the aforesaid vehicle in view of its undisputed identity by the applicant, during trial. Hence, there is no reason to not to allow the present application. Present application is, accordingly, allowed.

Let the original RC of the applicant be released to him. However, the applicant shall file a self-attested copy of said RC with the IO before getting the same released.

Present application stands disposed of, accordingly.

A copy of this order be sent to the counsel for the applicant/accused on his e-mail ID or whatsapp number. A copy of this order be also sent to the IO concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 411/2021
PS Kalyanpuri
State Vs. Vikas
U/s 380 IPC.

Application No.14

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Vikas, for grant of regular bail.

Since another application connected to this application regarding calling the CCTV footage, is still pending, present application is adjourned to 23.08.2021.

Be put upon 23.08.2021.

Original application along with vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 411/2021
PS Kalyanpuri
State Vs. Vikas
U/s 380 IPC.

Application No.15

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

SHO, PS Kalyanpuri is also present through VC.

This is an application under Section 91 Cr.P.C., moved on behalf of the applicant/accused, for production of CCTV footage of PS Kalyanpuri, dated 13.08.2021 from 12.00 Non to 10.00Pm through the IO/SHO concerned.

It is informed by the SHO concerned that as there was some technical issue in the CCTV footage, the same could not be shown to the counsel for the applicant/accused on 19.08.2021. He further submits that counsel for the applicant was again called on 20.08.2021, however by the time the latter arrived at PS, the technician who was asked to show the said CCTV footage had already left the PS.

SHO has also submitted that counsel for the applicant/accused may come to PS today itself to watch the said CCTV footage. Counsel for the applicant/accused has no objection to this. Hence, counsel is accordingly permitted to visit the PS today itself before 2.00pm, for this purpose.

Be put up on 23.08.2021 for further proceedings.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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CMM (East), KKD, Delhi/21.08.2021

FIR No. 466/2007
PS Pandav Nagar
State Vs. Mahender Sati
U/s 380/448 IPC.

Application No.16

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Applicant in person.

This is an application for recalling of summons as well as for release of amount of Rs.12,500/- deposited by the applicant Mahender Sati at the time of bail.

Report has been filed by the IO concerned. As per the said report, aforementioned amount of Rs.12,500/- is lying deposited in the PS in the form of old currency notes in the denomination of Rs.500/- each.

Applicant has now requested for directions to Reserve Bank of India (RBI) to exchange the aforesaid amount in the new currency notes.

Heard. Record perused.

The above amount was deposited in the DIU (Delhi Police) by applicant on 14.03.2008, as per the order dated 24.09.2007 of Ld. ASJ while granting anticipatory bail to the applicant/accused. So, the applicant is the rightful claimant of the same since the present FIR has already been quashed by the Hon'ble Delhi High Court. The amount was deposited in old currency notes which were valid at that time. However now no such directions can be given by this Court to RBI to convert the same in new currency notes as has been prayed by the applicant as the same is beyond the jurisdiction of this Court. However, the applicant shall be at liberty to avail the best legal remedy available for conversion of the aforesaid amount into new currency notes, if the same is permitted by law.

Under these circumstances, present application is allowed with respect to release of the same to the applicant Mahender Sati in old currency notes itself, as per the seizure memo prepared by the IO concerned. Applicant can get the said amount released from the PS concerned unconditionally. Present application is, accordingly, disposed of.

Ahlmad has also filed his reply to the show cause notice issued by this Court regarding non-presenting the order of Hon'ble High Court in the matter before the Ld. Predecessor. He has tendered apology for the same. Accordingly, he is warned to be careful in future and no such dereliction of duty will be tolerated in future.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

A copy of this order be given dasti to counsel for the applicant and a copy of the order be also sent to the IO/SHO concerned for compliance.

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CMM (East), KKD, Delhi/21.08.2021

CC No. 55732/2007 (New Number 49586/2016)
Mahender Sati Vs. Ram Panday
U/s 451/380 IPC.

Application No.17

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. None for the complainant.

Matter is taken up in view of order dated 28.02.2020 being produced by the Ahalmad, through official email Id.

I have gone through the order dated 28.02.2020 passed by the Hon'ble High Court of Delhi. As per the said order, aforesaid complaint case was quashed by the Hon'ble High Court of Delhi subject to petitioner (accused) depositing a sum of Rs.5,000/- towards cost before the Delhi High Court Legal Services Committee.

However, none had appeared for the complainant in the lockdown. Moreover, the aforesaid order of Hon'ble High Court of Delhi was placed before the undersigned only today. Hence this matter is still shown as pending in this court.

Ahalmad has already tendered an apology in the connected matter for not showing the order of quashing passed by Hon'ble Delhi High Court, to the Ld. Predecessor. He is once again warned to be careful in future.

In view of the said order, let Court notice be issued to the complainant to verify if the aforesaid amount has been deposited by him or not. A report regarding verification of the said fact be also called from the IO concerned for 27.08.2021. The date already fixed in the case, if any, stands cancelled accordingly.

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CMM (East), KKD, Delhi/21.08.2021

Transfer Appl. No. 05/2021
Dharamveer Sharma & Anr Vs. State & Anr.

21.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 504/RG/DHC/2021, dated 12.08.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Pankaj Singh, Counsel for the applicant.

This is a transfer application moved under Section 410 Cr.P.C.

Since resumption of physical hearing is going to be effective from next week, hence matter is adjourned to 27.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

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