

21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Pr Sh. Sanjay Tyagi Ld. Counsel of complainant

Receiver Dishank Dhawan (now Ld. APP in Saket) through VC.

There appears to be some mis communication between the parties w.r.t. execution of SARFAESI Order. Both need time.

At request, put up on 07.01.2021. at 12 pm.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 215/20

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PS Kalyanpuri

State vs. Karnail @ Rohit

u/s 392/34 IPC

21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for cancellation of bail.

Pr Ld. APP for State

IO ASI Jagmohan through VC on Cisco Webex App.

Accused absent.

IO has filed copy of bail application but has not filed copy of charge sheet of the subsequent case registered against the accused due to which cancellation of bail of accused is sought.

Put up on 16.01.2021.

Notice be issued to accused through Jail Superintendent, if he is still in JC in other case.

Applicant/IO is further directed to file the original application as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

At 12.45 pm

Accused has been produced through VC on Cisco Webex App. from Mandoli Jail.  
He is apprised of the proceedings held today and next date of hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 39/08

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PS Kalyanpuri

State vs. Pradeep Shokeen.

21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Pr Ld. APP for State

Applicant and his father with Ld. Counsel for applicant.

Affidavit of applicant/ accused and his father as directed, has been filed. In view of the same accused is at liberty to travel abroad. However, it is clarified that permission is granted to travel abroad only till 31.03.2021 at this stage, as was requested by accused and directed vide previous order.

Application stands disposed off accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 283/13 and 489/13  
PS Kalyanpuri

4 and 5

21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for calling status report on the basis of one Postmortem.

Pr Ld. APP for State

Sh. Neeraj Kumar, Ld. Counsel for applicant

It is admitted by counsel that no complaint has been made by the applicant before the concerned PS w.r.t any offence relating to post mortem report in question. Hence, both the applications stands disposed off being misconceived.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 533/20  
PS Pandav Nagar  
State vs. Nitin Batra

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21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application for change of surety documents.

Pr Ld. APP for State

Ld. Counsel for applicant/ surety

Heard.

Let FD of surety be verified for 22.12.2020 and report be filed by IO.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 283/19  
PS Crime Branch  
State vs. Irshad

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21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Pr Ld. APP for State

None for applicant

Applicant has not given the clarification as required or produced the registered owner.

It is once again pertinent to mention that the ownership document of applicant could not be verified by the IO as per the report filed by him since owner is not traceable. The applicant has failed to appear and has already availed sufficient opportunity. The vehicle has been used in commission of offence and is case property.

In view of the same, the application stands dismissed.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 449/20  
PS Kalyanpuri  
State vs.

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21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

Pr Ld. APP for State

Ld. Counsel for applicant

This is an application for calling status report. Report from the IO of MACT Department has been filed. Copy of the same be provided to Ld. Counsel for applicant.

Nothing survives in the present application. Application stands disposed off accordingly.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No.377/20

9

PS Kalyanpuri

State vs. Chhanga @ Birju

U/s 307 IPC

21.12.2020

This is a bail application of accused and received through official Email ID of the court. Reply has also been filed by the IO through Email. Application is taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. Counsel for applicant/ accused through V.C. on CISCO Webex App.

Arguments on bail application heard and the application/record perused.

Report of IO be also supplied to the Ld. Counsel.

Allegations against the accused are that he had caused multiple injuries to the victim by means of a knife. The nature of injury is stated to be grievous. Offence alleged against the accused is u/s 307 IPC which is also punishable with life imprisonment besides being a Sessions triable offence. Considering the above facts of the case, I am not inclined to grant bail to the accused at this stage. Hence, the present application of applicant/accused Chhanga @ Birju for grant of bail is hereby **dismissed**.

Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. One copy be also sent to Jail Suptd. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 104/2020  
PS Crime Branch  
State vs. Praveen Jain

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21.12.2020

Due to Corona pandemic outbreak and in view of Office Order No. 322/RG/DHC/2020 dated 15.08.2020 of Ld. Registrar General, Hon'ble High Court of Delhi and in view of directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020,, the present matter is taken up for hearing through V/C via Cisco Webex Meeting App, from the camp office cum residence of the undersigned.

This is an application of release of cash of Rs.50 lakhs and some gold articles of complainant.

Pr Ld. APP for State

Ld. Counsel for applicant

As per report of the IO, the reported theft of cash was only of Rs.14 lakhs besides gold articles and the rest of the amount of more than Rs.36 lakhs is stated to have been obtained by the accused persons after selling the other gold articles of the complainant. However, there is no proof filed regarding the same.

Let IO be called for clarification for 23.12.2020.

Counsel for the applicant is further directed to file the original application with original vakalatnama as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

FIR No. 497/2020  
PS Pandav Nagar  
State vs. Unknown  
21.12.2020

11

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123/Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. Counsel for applicant through V.C. on CISCO Webex App.

Record is perused and it reveals that **applicant Swaroop Nagpal is the owner/rightful claimant of the Mobile Phone Google Pixel-2. IO has no objection in release of case property to the applicant.**

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 re-iterated, the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above mentioned mobile to rightful claimant subject to preparing detailed proper panchnama of above mentioned mobile and taking photographs of above mentioned mobile from all possible angles and file the same alongwith charge sheet,

(ii) to get panchnama and photographs of above mentioned mobile attested and countersigned by concerned party as well as by rightful claimant and IO.

(iii) IO however shall release the mobile only after verification of ownership documents of applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama and court fees as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020

21.12.2020

This is a Superdari application received through official Email address of the court. Reply has also been filed through Email. Application taken up through CISCO Webex Meeting App. from my Camp Office-cum residence as per directions issued by Ld. District & Sessions Judge (East) vide order bearing no.7103-7123 /Judl.Br.East/KKD dated 27.11.2020.

Present: Ld. APP for the State through V.C. on CISCO Webex App.

Ld. Counsel for applicant through V.C. on CISCO Webex App.

Record is perused and it reveals that **applicant A.P. Panwar is the owner/rightful claimant of the vehicle bearing no. UP 14 CN 1112. IO has no objection in release of case property to the applicant.**

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 re-iterated, the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above mentioned vehicle to registered owner subject to preparing detailed proper panchnama of above mentioned vehicle and taking photographs of above mentioned vehicle from all possible angles including engine number and chasis number and file the same alongwith charge sheet,

(ii) to get panchnama and photographs of above mentioned vehicle attested and countersigned by concerned party as well as by registered owner and IO. (iii) IO however shall release the vehicle only after verification of ownership documents of applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed off** accordingly.

At request, copy of this order be made available to the Counsel, preferentially on his email ID or else on his mobile number. Ld. Counsel for the applicant is further directed to file the original application with original vakalatnama and court fees as and when the court reopens for regular hearing.

(Atul Krishna Agrawal)  
CMM(East) KKD Courts Delhi/21.12.2020