

21.01.2021

**This is an application to release vehicle no. DL-3SDE-0247 alongwith RC and Key on superdari moved on behalf of applicant Mrinal Paul.**

Present : Ld. APP for the State.

Counsel of applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

**Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State'** has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

*"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".*

In the facts and circumstances of the case, **vehicle bearing No. DL-3SDE-0247 alongwith RC and Key is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

**(Bharat Aggarwal)**  
MM-05/Shahdra/KKD Court  
21.01.2021

21.01.2021

**This is an application to release vehicle no. DL-14SA-5549 on superdari moved on behalf of applicant Paramjeet Singh.**

Present : Ld. APP for the State.

Counsel of applicant.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

**Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State'** has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

*"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".*

In the facts and circumstances of the case, **vehicle bearing No. DL-14SA-5549 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

**(Bharat Aggarwal)**  
MM-05/Shahdra/KKD Court  
21.01.2021

**21.01.2021**

**This is an application to release vehicle no. DL-3CAL-1905 on superdari moved on behalf of applicant Deepak Chawla s/o Sh. Satpal Chawla.**

Present : Ld. APP for the State.  
Applicant in person.

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

**Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State'** has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

*"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".*

In the facts and circumstances of the case, **vehicle bearing No. DL-3CAL-1905 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles including its chasis and engine number.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

**(Bharat Aggarwal)**  
MM-05/Shahdra/KKD Court  
21.01.2021

21.01.2021

Present order shall dispose off the bail application of accused Muneer Ahmad Bhat s/o Mohammad Ashraf Bhat.

Present: Ld. APP for State.  
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 17.01.2021. It is further stated that accused has no role in the said FIR in any manner and co-accused Zaigum Kehan Gul is his friend and the police officials arrested him along with car without any reason. It is further stated that accused is innocent and has no connection with the alleged offence. It is further stated that accused is permanent resident of J & K and he has deep roots in the society and there is no apprehension of his absconding or misusing the bail. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by the IO that accused along with co-accused was arrested by Jammu Police in case FIR no. 126/20, U/s 379 IPC PS Gandhi Nagar. It is further stated that stolen vehicle was recovered from the possession of accused persons and accused persons were travelling in stolen vehicle and they placed fake registration number plate. It is further stated that investigation of the case is in progress. It is further stated that accused did not have any permanent address in Delhi. It is further stated that if accused is released on bail, he can threaten the complainant and witnesses.

Heard the arguments and perused the record.

Considering the fact that there is no such previous involvement of accused. Further, it is only stated by the IO that the accused was found travelling in the stolen car. Further, upon query from the IO it was revealed that he has not taken steps for interrogation against alleged co-accused namely Jhagir Anger s/o Gulam Nabil Anger. IO also failed to point out any reason for continued custody of the accused. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Muneer Ahmad Bhat s/o Mohammad Ashraf Bhat be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 10,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
21.01.2021

21.01.2021

Present order shall dispose off the bail application of accused Zaigum Kehan Gul s/o Gulam Mohammad Guroo.

Present: Ld. APP for State.  
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 14.01.2021. It is further stated that accused had purchased the said car from Jhagir Ahmad Angar s/o Gulam Navi Angar on 11.12.2020 and he stated that I am the owner of this car then the accused khas transferred Rs. 2,20,000/- and sale out his one car bearing no. JK-01AB-4461 and said Jahgir Ahmad handed over the said alleged car. It is further stated that accused after purchasing the said car used this car as a owner. It is further stated that on 09.01.2021 when the police official arrested the accused he came to know that the abovesaid person Jhagir Ahmad cheated the acucsed. It is further stated that accused is innocent and has no connection with the alleged offence. It is further stated that accused is permanent resident of J & K and he has deep roots in the society and there is no apprehenson of his absconding or misusing the bail. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

Ld. Counsel for accused argued that accused purchsed the car bonafide after making a payment of Rs. 2,20,000/- to his long known person Jhagir Ahmad s/o Gulam Navi Angar. Ld. Counsel for accused further argued that accused did not have any knowledge about the present car being involved in any offence or being the stolen car as he has bonafidely purchased the same. He has also shown a print out of the amount of Rs. 2 lakhs being transfered on 23.12.2020 for purchasing of the car.

In reply thereof, it is stated by the IO that accused alongiwth co-accused was arrested by Jammu Police in case FIR no. 126/20, U/s 379 IPC PS Gandhi Nagar. It is further stated that stolen vehicle was recovered from the possession of accused persons and accused persons were travelling in stolen vehicle and they placed fake registration number plate. It is further stated that investigation of the case is in progress. It is further stated that accused did not have any permanent address in Delhi. It is further stated that if accused released on bail, he can be threatened the complainant and witnesses.

Heard the arguments and perused the record.

Considering the fact that there is no such previous involvement of accused and he is a first time offender. Further, upon query from the IO it was revealed that he has not taken steps for interrogation against alleged co-accused namely Jhagir Anger s/o Gulam Nabil Anger. IO also failed to point out any reason for continued custody of the accused. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Zaigum Kehan Gul s/o Gulam Mohammad Guroo be released on bail, subject to furnishing of bail bond and two sureties for a sum of Rs. 15,000/- each and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.
6. He is further directed to remain in contact with IO and share his location with the IO every two weeks.

Application is disposed off accordingly.

Let the copy of this order be uploaded on the official website of District Court.  
Computer Branch is directed to comply accordingly.

(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
21.01.2021

21.01.2021

Present order shall dispose off the bail application of accused Syed Suhail Aijaz @ Shaid s/o Syed Aijaz Qadri.

Present: Ld. APP for State.  
Counsel for applicant.

It is argued by counsel for accused that accused is in custody since 17.01.2021. It is further stated that accused has no role in the said FIR in any manner and co-accused Zaigum Kehan Gul is his friend and the police officials arrested him alongwith car without any reason. It is further stated that accused is innocent and has no connection with the alleged offence. It is further stated that accused is permanent resident of J & K and he has deep roots in the society and there is no apprehension of his absconding or misusing the bail. It is further stated that accused is not required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by the IO that accused alongwith co-accused was arrest by Jammu Police in case FIR no. 126/20, U/s 379 IPC PS Gandhi Nagar. It is further stated that stolen vehicle was recovered from the possession of accused persons and accused persons were travelling in stolen vehicle and they placed fake registration number plate. It is further stated that investigation of the case is in progress. It is further stated that accused did not have any permanent address in Delhi. It is further stated that if accused is released on bail, he can threaten the complainant and witnesses.

Heard the arguments and perused the record.

Considering the fact that there is no such previous involvement of accused. Further, it is only stated by the IO that the accused was found travelling in the stolen car. Further, upon query from the IO it was revealed that he has not taken steps for interrogation against alleged co-accused namely Jhagir Anger s/o Gulam Nabil Anger. IO also failed to point out any reason for continued custody of the accused. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Syed Suhail Aijaz @ Shaid s/o Syed Aijaz Qadri be released on bail, subject to furnishing of bail bond and one surety for a sum of Rs. 10,000/- and further bail is granted subject to the conditions that:-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before this court on each and every date of hearing.
5. He shall further intimate the court about change of his or his surety's address.

Application is disposed off accordingly.

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(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
21.01.2021