

State Vs. Avdhesh Kumar
FIR No: 17275/2020
PS:Shakarpur
U/S: 379/411 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Bail Application perused. Reply of IO also perused. As per the reply of IO, the present accused Avdesh Kumar has not been arrested in the present case. Hence, the application is disposed off as infructuous.

Copy of this order be sent to the Ld. CI for applicant on his email ID. Order be also uploaded on the website of Delhi District Courts.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Sanjeev Kumar
EFIR No: 020285/20
PS:Shakarpur
U/s: 379/411 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.
None for applicant through V.C.

The present application for release of vehicle **Car No. UP-83AN 3290 Swift Deziro** on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Krishan 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. Order be also uploaded on the website of District Courts.

(Akanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Sanjay
FIR No: 61/2020
PS:Krishna Nagar
U/S: 380/457/411/34 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.

Ld. Cl. Sh. S.K. Tiwari for applicant through V.C.

Application perused. Reply of IO also perused. As per the reply of IO, the accused is already on Court bail. Hence, the present application is dismissed as infructuous.

Copy of this order be sent to the Ld. Cl for applicant on his email ID. Order be also uploaded on the website of Delhi District Courts.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Surender Nagar @ Bhola
FIR No: 343/2020
PS:PIA
U/S: 323/324/452/506/34 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.

Ld. CI. Sh. A.K. Pandey for accused through V.C.

This is a bail application moved on behalf of accused. Bail application perused. Reply of IO also perused.

Ld. CI for accused has submitted that accused is in J/C since 18.11.2020 and he has been falsely implicated in the present case. Ld. CI for accused has also submitted that accused is more than 40 years old, well settled in the society and has no previous criminal involvement. Ld. CI also contended that there is a delay in the lodging of FIR. Ld. CI for accused also submitted that all the injured persons were discharged from the hospital within some hours and the injuries were found to be 'simple' in nature.

Ld. APP for the state has opposed the bail application of the accused stating that allegations are serious in nature and the present accused has been named in the FIR. Further, as per the reply of the IO, the co-accused persons are yet to be apprehended.

I have given careful consideration to the submissions of Ld. APP for the State as well as Ld. CI for the accused. The allegations against the accused are grave in nature, in as much as it is alleged that on the day of the incident, the present accused alongwith the co-accused persons entered the house of the complainant with sticks and assaulted the complainant and his family members. As per the reply of the IO, the MLCs of the injured persons including the complainant have already been collected, which reflect injury. Further, as per the reply of the IO, co-accused persons are yet to be apprehended. Investigation is therefore in progress. The Ld. CI had strongly emphasized the fact that there is a delay in lodging of the FIR, in as much as the alleged incident took place on 17.11.2020, but the FIR was lodged on 18.11.2020, however, it is also pertinent to note that although the FIR was lodged on 18.11.2020, on 17.11.2020 i.e. the date of alleged incident itself, a call on 100 number was made and further the incident in question pertains to late night of 17.11.2020. Therefore, keeping in view the entire facts and circumstances of this case, I am not inclined to grant bail to the accused. Hence, the present bail application stands dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID. Order be also uploaded on the website of District Courts.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Deepak Bhardwaj
FIR No: 162/2019
PS:PIA
U/S: 394/411/34 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.

Ld. CI Sh. Vipin Kr. Singh for accused through V.C.

This is an interim bail application moved on behalf of accused. Bail application perused. Reply of IO also perused.

Ld. CI for accused has submitted that accused is in J/C since 21.10.2019. Ld. CI has prayed for interim bail of accused on the ground that his mother has been hospitalized and is on ventilator. Further, even the father of the accused is a patient of high BP and is also suffering from various other ailments. LD. Counsel also submitted that chargesheet has already been filed.

Ld. APP for the state has opposed the bail application of the accused stating that allegations are serious in nature and the accused has been identified by the complainant during TIP. Further, there is every possibility that accused can commit similar offence in future and threaten the complainant. Ld. APP for the State also submitted that as per the reply of IO, accused is a habitual offender.

I have given careful consideration to the submissions of Ld. APP for the State as well as Ld. CI for the accused. Although, the charge sheet has been filed in the present case, the offences are grave in nature. In the present case, even the prosecution evidence has not commenced and the complainant has identified the accused during TIP and there is every possibility that accused can threaten the complainant. Further, the reply of the IO shows that accused is involved in similar offences in the past also. Most importantly, it is pertinent to mention that one of the offences for which accused has been chargesheeted is under Section 394 IPC which is punishable with life imprisonment. The reply of the IO also reflects that another bail application of the accused was dismissed by the Id. Sessions court on 16/10/20 itself. Therefore, keeping in view the entire facts and circumstances of this case, I am not inclined to grant bail to the accused. Hence, the present bail application stands dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID. Order be also uploaded on the website of District Courts.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Unknown
FIR No: 510/2020
PS:Krishna Nagar
U/S: 279/337 IPC

21.11.2020

Present : Ld. APP for the State is present through Video Conferencing.
Ld. Cl. Sh. Chetan Kumar for applicant through V.C.

The present application for release of **DTC Bus bearing No. DL1PD-2267** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Vivek Bana 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:

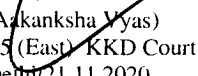
“Vehicles”

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. Order be also uploaded on the website of District Courts.


(Ankanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Himanshu
EFIR No: 026143/2020
PS:Krishna Nagar
U/S: 379/411 IPC

21.11.2020

Present : Ld. APP for the State is present through V.C.

Ld. CI. Sh. Subhash Chander for applicant through V.C.

This is an application moved on behalf of accused. Bail application perused. Reply of IO also perused.

Ld. CI. for accused has submitted that accused is in J/C since 15.11.2000. Ld. CI has further submitted that accused was lifted from his house and has been falsely implicated in the present case. Further, accused belongs to a poor family and is the sole bread earner in the family. Ld. CI for the accused has also submitted that investigation of the case has been completed.

Ld. APP for the state has opposed the bail application of the accused stating that allegations are serious in nature and the stolen property of the present case has been recovered from the accused. Further, as per the reply of the IO, accused is a habitual offender.

I have given careful consideration to the submissions of Ld. APP for the State as well as Ld. CI for the accused. In the present case, accused is in J/C since 16.11.2020. Case property has been recovered. No further investigation is pending qua the present accused. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Therefore, keeping in view the entire facts and circumstances of the case, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall cooperate with the IO during 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 and witnesses during the pendency of the case.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID. Order be also uploaded on the website of District Courts.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Roshan Bhatt
EFIR No: 027250/2020
PS: Shakarpur
U/S: 379 IPC

21.11.2020

Present : Ld. APP for the State is present through Video Conferencing.
Ld. Cl. Sh. Devesh Kumar for applicant through V.C.

The present application for release of vehicle **Motorcycle Pulsar-150 bearing No. UP19D-1065** on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Deep Chand 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:

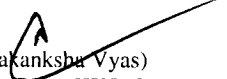
"Vehicles"

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 be 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. Order be also uploaded on the website of District Courts.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. SureshKumar
FIR No: 184/2019
PS:PIA

21.11.2020

Present : Ld. APP for the State is present through Video Conferencing.

Ld. CI Sh. Sanjeev Kumar for applicant through V.C.

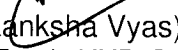
An application has been moved for release of D.L.

Reply has been filed under the signature of ASI Sanjeev Kumar, wherein it is submitted that there is no objection for the release of DL, to the **rightful owner** only.

In view of the no objection of IO, oral arguments of Ld. Counsel for applicant are dispensed with.

I have perused the application and the reply. The DL be released to the rightful owner only, if the same is not required by the IO for investigation. Further, photocopy of the above mentioned document, countersigned by the rightful owner be retained.

Copy of this order be sent to Ld. Counsel for applicant on his email ID. Order be also uploaded on the site of Delhi District Courts.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Manoj Malik
FIR No: 425/2020
PS:Krishna Nagar
U/s: 448/452/34 IPC

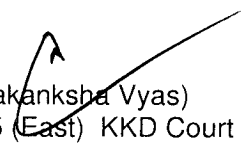
21.11.2020

Present:- Ld. APP for the State is available for hearing through VC.
None for applicant through V.C.

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

Let jamatalashi articles be released to the rightful owner only, as per personal search memo, if the same are 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. Order be uploaded on the website of Delhi District Courts.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020


State Vs. Junaid
E-FIR No: 01019/2020
PS: Shakarpur
U/S: 379/411/120B/34 IPC

21.11.2020.

Present: Ld. APP for the State is present through V.C.
None for applicant/accused through V.C.

I have perused the application. It has also come to the notice of the undersigned that one bail bond has been furnished for the accused in the present case and the same is pending consideration before the Ld. Duty MM. In view of this fact, the present application stands dismissed.

Copy of this order be sent to the Jail Superintendent concerned for onward transmission to the accused.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Yusuf etc
FIR No: 808/15
PS: Krishna Nagar
U/S: 379/411/34 IPC

21.11.2020

Fresh application on behalf of applicant/surety for release of FDR,
received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with file on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

FIR No:81/2020
PS:PIA
U/S: 279/338 IPC
State Vs. Babloo

21.11.2020

Fresh charge sheet received. It be checked and registered.

Present : Ld. APP for the State is present through V.C.

Accused is stated to be on court bail

IO is stated to be present in the Court.

Relist for consideration on 19.04.2021.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

FIR No:206/2019
PS:PIA
U/S: 394/411/34 IPC
State Vs. Mukesh Kr.

21.11.2020

Fresh charge sheet received. It be checked and registered.

Present : Ld. APP for the State is present through V.C.

Accused is stated to be on court bail

IO is stated to be present in the Court.

Relist for consideration on 19.04.2021.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

FIR No:257/20
PS:PIA
U/S: 379/34 IPC
State Vs. Farman

21.11.2020

Fresh charge-sheet received. It be checked and registered.

Present : Ld. APP for the State is present through V.C.

Accused is stated to be on court bail

IO is stated to be present in the Court.

Relist for consideration on 19.04.2021.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

FIR No:54/2020
PS:PIA
U/S: 279/337 IPC
State Vs. Untrace

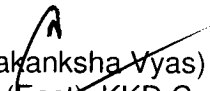
21.11.2020

Fresh untrace report received. It be checked and registered.

Present : Ld. APP for the State is present through V.C.

IO is stated to be present in the Court.

Relist for consideration on 19.04.2021.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Aman
FIR No: 258/2020
PS: PIA
U/S: 394/34 IPC

21.11.2020

Fresh application for bail on behalf of accused, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO of PS concerned to file reply on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Salman @ Munna
FIR No: 255/2020
PS: PIA
U/S: 379/411/34 IPC

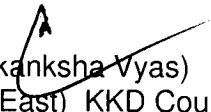
21.11.2020

Fresh application on behalf of accused for release on personal bond,
received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with bail record on 23.11.2020.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

CT: 4698/2018
DEV DUTT SHARMA & ORS. VS. SUKIRTI @ KIRTI & ORS.
Ps: Krishna Nagar

21.11.2020

Fresh application on behalf of complainant for early hearing, for withdrawal of the case, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with file on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

CT: 4699/2018
DEV DUTT SHARMA & ORS. VS. SUKIRTI @ KIRTI & ORS.
Ps: Krishna Nagar

21.11.2020

Fresh application on behalf of complainant for early hearing, for withdrawal of the case, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with file on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

ASHOK SHARMA VS. RAKESH GUPTA
U/S: 138 NI ACT

21.11.2020

Fresh application on behalf of applicant for summons to the bank clerk of complainant bank, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

Put up with file on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Not known
FIR No: 026143/2020
PS: Krishna Nagar
U/S: 379 IPC

21.11.2020

Fresh application on behalf of applicant for release of vehicle bearing No. DL-5S-BD-3203 Activa on superdari, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO of PS concerned to file reply on 23.11.2020.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Gajay Singh
FIR No: 508/2020
PS: PIA
U/S: 379 IPC

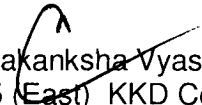
21.11.2020

Fresh application for bail on behalf of accused, received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO of PS concerned to file reply on 23.11.2020.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020

State Vs. Mohd. Yusuf Ali
FIR No: 188/2019
PS: Shakarpur
U/S: 186/353/332/174A/34 IPC

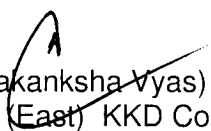
21.11.2020

Fresh application for surrender-cum-bail on behalf of accused,
received by way of email.

Present : Ld. APP for the State is present through V.C.

None for applicant through V.C.

IO/SHO of PS concerned to file reply on 23.11.2020.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/21.11.2020