

22.12.2020

An application for release of vehicle bearing no. DL-13SL-3644 make Honda Shine Motorcycle is filed by the Authorised Representative of ICICI Lombard General Insurance Co. Ltd.

Present: Ld. APP for the State.

Counsel for applicant (through Webex).

Reply of the application has been filed by the IO. Perused. As per the reply, the IO has no objection for releasing the vehicle to the AR of the applicant.

I have heard the applicant & perused the record.

It is submitted by the counsel for applicant that the applicant is an insurance company who has already released the claim qua the insured vehicle in favour of the registered owner and the registered owner has ceded all his rights qua the insured vehicle in favour of the applicant. Accordingly this application for the released of the vehicle has been filed before this court by the applicant i.e. Insurance comapnay. The relevent documents including the copy of subrogation letter has also been placed on record.

In view of teh submissions made and considering the documents on record, I find no legal impediments to release the vehicle in favour of the applicant.

Hence, the case property i.e. vehicle bearing no. DL-13SL-3644 make Honda Shine Motorcycle be released to the Authorised Representative of ICICI Lombard General Insurance Co. Ltd. for disposal with the liberty to sell, after proper verification and on preparing the punchnama as per the direction of the Hon'ble High court of Delhi in Manjit Singh vs. State in Crl MC no. 4485/13 dt. 10.09.2014.

All the guidelines laid down in the said judgment be strictly complied with.

The application stands disposed of accordingly.

Copy of order be given dasti as prayed for.

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

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Date:
2020.12.22
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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

State vs. Afak @ Allu s/o Isak
FIR No. 340/20
PS. Jafrabad
U/s. 379/411 IPC

22.12.2020

Present order shall dispose off the bail application of accused Afak @ Allu s/o Isak.

Present: Ld. APP for State.
Counsel for applicant (through Webex).

It is argued by counsel for accused that accused is in custody since 06.08.2020. It is further stated that accused has falsely implicated in this case. 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 was theft the mobile phone of complainant. It is further stated that accused was apprehended at the spot and stolen mobile phone was recovered from the possession of accused. It is further stated that charge-sheet has already filed in the present case. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 06.08.2020 and recovery has already been effected. Further, charge-sheet has already filed in the present case. Furthermore, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Afak @ Allu s/o Isak 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.

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Date:
2020.12.22
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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

State vs. Aftab s/o Sh. Saiddudin
e-FIR No. 009/20
PS. Madhu Vihar
U/s. 379/411 IPC

22.12.2020

An application seeking release on personal bond of accused Aftab s/o Sh. Saiddudin is moved

Present : Ld. APP for the State.

Counsel for accused/applicant (through Webex).

In the present matter, the accused was arrested by IO on 14.02.2020 and accused was granted bail vide order dated 14.02.2020 subject to furnishing bail bond and surety bond of Rs. 10,000/-. Till date the bail bond and surety has not been furnished by the accused.

It is stated by the accused that he has no one in family who could furnish surety for him.

Considering the fact that accused is in custody in the present matter for about 9 months and he has not furnished surety till date, this court is of the view that financial restraint should not become an hindrance to the personal liberty, accused be released on furnishing of personal bond for a sum of Rs. 10,000/- to the satisfaction of concerned Jail Supt. The copy of the order be sent to Jail Supt.

Application disposed off accordingly.

Copy of order be given dasti.

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

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

State vs. Harpreet Singh @ Mani s/o Baldev Singh
e-FIR No. 300/20
PS. Jagatpuri
U/s. 379/408/411/34 IPC

22.12.2020

Present: Ld. APP for the State.
LAC Ravi Dhankar for applicant / accused.

An application for grant bail moved on behalf of applicant / accused Harpreet Singh @ Mani s/o Baldev Singh.

It is stated that accused Harpreet Singh @ Mani s/o Baldev Singh has already been released on bail vide order dt. 07.12.2020.

In these circumstances as accused has already released in the present case vide order dt. 07.12.2020, application of accused stands dismissed.

Application is disposed off accordingly.

Copy of order be given dasti.

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2020.12.22
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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

State vs. Kadar Khan
FIR No. 438/20
PS. Jafrabad
U/s. 4/5/7/8 DACA Act, 429/34 IPC
& 11 Prevention of Cruelty of Animal Act

22.12.2020

Present order shall dispose off the third bail application of accused Kadar Khan s/o Md. Tasleem Ahmad.

Present: Ld. APP for the state.
Counsel for applicant (through Webex).

It is stated that accused is in JC since 22.10.2020 and was falsely implicated in the present case. It is further stated that bail applications were dismissed by this court before filing the charge-sheet and the ground of dismissal was the investigation is pending charge-sheet not filed and co-accused are still absconding. It is further stated that not arresting of the co-accused is not the default of the accused. It is further stated that applicant / accused has never involved any previous crime. It is further stated that incident took place the area of vicinity highly crowded area and CCTV camera installed everywhere, applicant/accused never seen in any CCTV footage in the area. It is further stated that recovery has been effected and charge-sheet has been filed by the IO. It is further stated that accused is no more required for custodial interrogation and that accused may be released on bail.

In reply thereof, it is stated by IO that allegations against the accused person is serious in nature, as accused alongwith co-accused came a white colour cow in a car for cutting purpose. It is further stated that investigation is pending in the present case and co-accused are yet to be arrested. It is further stated that if accused released on bail, he may threaten the witnesses.

It is stated by Ld. APP for the State that challan has already been filed and investigation qua accused Kadar Khan is complete, but the co-accused are yet to be arrested.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 22.10.2020. Further, as per Ld. APP for State that challan has already been filed and investigation qua accused Kadar Khan is completed. Further accused has already spent 2 months in custody and all previous bail application were dismissed during investigation. Further, merely because of co-accused are yet to be arrested, the bail cannot be denied to accused Kadar Khan as investigation against him is complete. Furthermore, in view of the ongoing Covid pandemic

conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Kadar Khan s/o Md. Tasleem Ahmad be released on bail, subject to furnishing of bail bond and two sureties for a sum of Rs. 20,000/- 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 contact the IO every 15 days and share his location and address with the IO.

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.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

State vs. Shane Alam s/o Sh. Muqem
e-FIR No. 009/20
PS. Madhu Vihar
U/s. 379/411 IPC

22.12.2020

An application seeking release on personal bond of accused Shane Alam s/o Sh. Muqem is moved

Present : Ld. APP for the State.

Counsel for accused/applicant (through Webex).

In the present matter, the accused was arrested by IO on 14.02.2020 and accused was granted bail vide order dated 14.02.2020 subject to furnishing bail bond and surety bond of Rs. 10,000/-. Till date the bail bond and surety has not been furnished by the accused.

It is stated by the accused that he has no one in family who could furnish surety for him.

Considering the fact that accused is in custody in the present matter for about 9 months and he has not furnished surety till date, this court is of the view that financial restraint should not become an hindrance to the personal liberty, accused be released on furnishing of personal bond for a sum of Rs. 10,000/- to the satisfaction of concerned Jail Supt. The copy of the order be sent to Jail Supt.

Application disposed off accordingly.

Copy of order be given dasti.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020

22.12.2020

Present order shall dispose off the bail application of accused Shimul Mandal s/o Amarnath Mandal.

Present: Ld. APP for State.
Counsel for applicant (through Webex).

It is argued by counsel for accused that accused is in custody since 24.07.2020. It is further stated that accused has falsely implicated in this case. It is further stated that nothing has been recovered from the possession of accused. 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 was arrested in the present case and stolen case property was recovered from the possession of accused. It is further stated that accused has involvement in 3 other cases and a habitual offender. It is further stated that charge-sheet has already been filed in the present case. It is further stated that if accused released on bail, he may jump the bail.

Heard the arguments through VC and perused the record.

Considering the fact that accused is in JC since 24.07.2020 and recovery has already been effected. Further, charge-sheet has already been in the present case. Further, in view of the ongoing Covid pandemic conclusion of trial may take some time. In view of the same, no fruitful purpose will be achieved by keeping the accused in custody. In view of the same, accused Shimul Mandal s/o Amarnath Mandal 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.

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(Bharat Aggarwal)
MM-05/SHD/KKD Courts/ Delhi
22.12.2020