

आकंशा व्वास  
AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-05  
Metropolitan Magistrate (East)-05  
कोर्ट नं. 08, द्वितीय तल्ल  
Court No. 03, 2nd Floor  
कडकडडूमा कोर्ट, दिल्ली-32  
Karkardooma Courts, Delhi-22

Challan No. DL21354191216120557  
Vehicle No. UP14DF-9357  
U/s 194B MV Act  
Circle: VKC

22.07.2020

Fresh application for calling the above noted challan from the concerned circle for final disposal, on behalf of applicant, received by way of email.

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

None for applicant in person.

Application perused. The present matter pertains to VKC circle which does not fall within the territorial jurisdiction of this Court. Hence, the present application is dismissed. Copy of this order be sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्यास  
AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-05  
Metropolitan Magistrate (East)-05  
कोर्ट नं. 03, द्वितीय तल  
Court No. 03, 2nd Floor  
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Karkardooma Courts, Delhi-32

FIR No.0331/2020  
P.S. Krishna Nagar  
U/s 33/58 Delhi Excise Act  
State Vs. Arjun Singh Rana

22.07.2020

Fresh application for release of jamatalashi articles, on behalf of applicant, received by way of email.

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

None for applicant in person.

IO/SHO of PS concerned to file reply on 23.07.2020.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्यास  
AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-06  
Metropolitan Magistrate (East)-05  
कोर्ट नं. 05, द्वितीय तल  
Court No. 05, 2nd Floor  
कडकडडूमा कोर्ट, दिल्ली-32  
Karkardeoma Courts, Delhi-32

FIR No.69/2019  
P.S. PIA  
U/s 392 IPC  
State Vs. Sabir

22.07.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused/applicant, received by way of email.

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

None for applicant in person.

IO/SHO of PS concerned to file reply on 23.07.2020.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्योस  
AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-05  
Metropolitan Magistrate (East)-05  
कोर्ट नं. 03, द्वितीय तल  
Court No. 03, 2nd Floor  
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Karkardeoma Courts, Delhi-32

E-FIR No.290/2020  
P.S. Krishna Nagar  
U/s 379/411/34 IPC  
State Vs. Sanjay

22.07.2020

Fresh application for bail U/s 437 Cr.P.C on behalf of accused/applicant, received by way of email.

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

None for applicant in person.

IO/SHO of PS concerned to file reply on 23.07.2020.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



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AAKANKSHA VYAS  
महानगर दण्डाधिकारी (पूर्वी)-05  
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FIR No.0192/2020  
P.S. PIA  
U/s 379/411 IPC

22.07.2020

Fresh application for release of mobile phone REALME 3 PRO, on behalf of applicant, on superdari, received by way of email.

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

None for applicant in person.

IO/SHO of PS concerned to file reply on 23.07.2020.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्यास  
AAKANKSHA VYAS  
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Metropolitan Magistrate (East)-05  
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Karkardeoma Courts, Delhi-32

e-FIR No.01322/2019  
P.S. Patparganj Indl. Area  
State Vs. Ram Kumar  
U/s 379/411/34 IPC

22.07.2020

Present : Ld. APP for the State is stated to be present through Video Conferencing.  
None for applicant in person.

Report from Dy. Superintendent, Tihar, Delhi received. Same is perused. As per report, it is submitted that FIR No. mentioned on release warrant is different from the FIR No. mentioned in the custody warrant. It is also stated in the report that accused Ram Kumar is in J/C in three other cases pertaining to PS: Kalyan Puri.

Bail record perused. Vide order dated 08/07/2020 passed by this Court, it has already been clarified that FIR No. be read as **eFIR No. 001322/2019** instead of 01322/2020.

Application stands disposed off accordingly.

Copy of this order as well as copy of order dated 08/07/2020 be sent to Jail Superintendent. Copy of this order be also sent to Ld. Counsel for accused through email.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकाशा व्यास  
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FIR No.328/2020  
P.S. Krishna Nagar  
U/s 380 IPC  
State Vs. Unknown

22.07.2020

Present : Ld. APP for the State is stated to be present through Video Conferencing.  
None for applicant in person.

The present application for release of articles on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Narender Pal Singh wherein it is submitted that there is no objection for release of articles to the **rightful owner**. In view of the reply of IO, oral argument 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:

1. Release of articles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the articles; valuation report; and a security bond.
2. The photographs of the articles 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 articles should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should sufficient for the purpose of evidence.
4. Return of articles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid articles 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, make and other necessary details of the articles;
2. IO shall take the colour photographs of the articles from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and applicant.
4. IO shall get the articles valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond/ indemnity bond of appropriate value from the applicant, 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.



(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020

आकांशा व्यास  
AAKANKSHA VYAS  
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Metropolitan Magistrate (East)-06  
कोर्ट नं. 06, द्वितीय तल  
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FIR No.12589/2020  
P.S. Shakarpur  
U/s 379/411 IPC  
State Vs. Mayank

22.07.2020

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

None for applicant in person.

This is an application for release of jamatalashi articles. Reply of IO has been received under the signature of HC Sanjeev. Application perused. Reply of IO also perused. As per the reply of IO, the present accused was arrested from PS: Karol Bagh and his jamatalashi articles are also deposited in PS Karol Bagh and not in PS: Shakarpur. Hence, in view of the reply of IO, present application is dismissed.

Copy of this order be sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्यास  
AAKANKSHA VYAS  
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Karkardooma Courts, Delhi-32

FIR No.007857/2020  
P.S. Shakarpur  
U/s 379 IPC  
State Vs. Unknown

22.07.2020

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

None for applicant in person.

This is an application for release of motorcycle bearing No. No.DL10SW 8571 on superdari. Reply of IO has been received under the signature of HC Munna Lal. Application perused. Reply of IO also perused. IO has sought one week's time, as no motorcycle has been deposited yet, in the present E-FIR. Hence, re-list on 29.07.2020.

Copy of this order be sent to Ld. Counsel for applicant through email.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020



आकांशा व्यास  
AAKANKSHA VYAS  
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Karkardooma Courts, Delhi-32

Fir No. 72/2019  
P.S. Krishna Nagar  
State Vs. Sartaj Ali  
U/s 420 IPC

22.07.2020

Present : Ld. APP for the State is present through Video Conferencing.  
Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Sartaj Ali.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused has stated that accused has no previous criminal antecedents. He is in JC since 08.07.2020. He has further submitted that accused has been falsely implicated in the present case on the basis of false complaint and that he is not named in the FIR. Ld. Counsel for accused has also submitted that the present accused was only a field agent of co-accused Shyam Mittal, but he did not conspire with the co-accused Shyam Mittal or the other co-accused persons, for the commission of the offence in question.

Ld. APP for the State has objected to the bail application of the accused stating that the allegations are serious in nature and as per the reply of IO, there is a lot of incriminating evidence against the present accused. He has also stated that he is the main accused in the present case. Ld. APP has also submitted that the present accused is also involved in another FIR pertaining to cheating, which is also under investigation, which shows that the accused is a habitual offender.

Heard both the parties.

I have carefully perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The allegations are serious in nature, as the complainant has alleged that the present accused alongwith co-accused persons fraudulently obtained copy of his Adhaar Card and Credit Cards and also fraudulently obtained duplicate SIM of his Mobile No. and thereafter used his Credit Cards for various transactions. As per the reply of IO, the present accused was identified by the complainant as the person who came to his house alongwith co-accused Rijwan and collected the photocopy of his Adhaar Card and photocopy of his Credit Cards, which was subsequently misused. Investigation is at initial stage. Bail application of co-accused Rijwan has already been dismissed by this Court on 20.07.2020. In these circumstances, the present bail application is dismissed.

Accordingly, bail application stands disposed off. Copy of this order be  
Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020

आकांशा व्यास  
AAKANKSHA VYAS  
महानगर उण्डाधिकारी (पूर्वी)-06  
Metropolitan Magistrate (East)-06  
कोर्ट नं. 03, द्वितीय तल्ल  
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Karkardeoma Courts, Delhi-32

Fir No. 0072/2019  
P.S. Krishna Nagar  
State Vs. Shyam Mittal  
U/s 420 IPC

22.07.2020

Present : Ld. APP for the State is present through Video Conferencing.  
Ld. Counsel for accused is present through video conferencing.

An application for grant of bail u/s 437 Cr.P.C is moved on behalf of accused Shyam Mittal.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused has stated that accused has no previous criminal antecedents. He is in JC since 12.07.2020. He further submitted that accused has been falsely implicated in the present matter. He has also submitted that the present accused is the sole bread earner of his family which consists of him and his mother, who is very ill.

Ld. APP for the State has objected to the bail application of the accused stating that the allegations are serious in nature and as per the reply of IO, there is a lot of incriminating evidence against the present accused. Ld. APP has also stated that the present accused is the main accused in the present case. He has also submitted that the present accused is involved in another FIR pertaining to cheating, which is under investigation, which shows that accused is a habitual offender.

Heard both the parties.

I have carefully perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The allegations are serious in nature, as the complainant has alleged that the present accused alongwith co-accused persons fraudulently obtained copy of his Adhaar Card and Credit Cards and also fraudulently obtained duplicate SIM of his Mobile No. and thereafter used his Credit Cards for various transactions. As per the reply of IO, the present accused had called the complainant from his mobile No. 9910352411 asking him to purchase American Express Card whereafter co-accused Rijwan and Sartaj (identified by the complainant during the investigation), came to his house and collected the photocopy of his Adhaar Card and photocopy of his Credit Cards. Further, the IO has stated in his reply that as per the CDRs obtained, the co-accused Rijwan was in constant touch on the day of incident in question as well as the day after, with co-accused Shyam Mittal. Further, the IO has also stated in his reply that one of the payments made from the credit card of the complainant i.e. transfer of Rs. 10,300/- in the bank account of one Shivanand as well as another transaction of Rs. 60,000/- have been effected through the mobile No. of present accused. Furthermore, Samsung Mobile phone of the present accused containing mobile No. 9910352411 has been recovered from the possession of present accused. Bail application of co-accused Rijwan has already been dismissed by this Court on 20.07.2020. Investigation is at initial stage. In these circumstances,



the present bail application is dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID.

(Aakanksha Vyas)  
MM-05 (East)/ KKD Court  
Delhi/ 22.07.2020

