

FIR No. 019076/2020
PS Pandav Nagar
State vs. Unknown

24.08.2020

Normal functioning of subordinate courts is suspended till 31.08.2020 in light of Covid pandemic.

Ld. PO is on maternity leave.

This is an application for releasing the vehicle bearing no. DL-7S-CK-0831 on superdari.

Pr :- Ms. Sandeep Kaur, Ld. APP for the State (through CISCO Webex Conferencing facility).

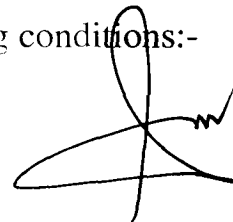
Sh. U.M. Tripathi, Counsel for the applicant in person.

Heard submissions on the application for releasing the vehicle bearing no. DL-7S-CK-0831 on superdari to the applicant. Photocopy of ID proof of the applicant has also been filed. It is stated that the applicant is the registered owner of the vehicle in question and he has also not taken any claim from any Insurance Company regarding the vehicle. Applicant further submits that he shall not take any claim from any Insurance Company.

Report has been filed by the IO. Report perused. It is stated in the reply that there is no objection, if the vehicle in question is released to its owner.

Ld. APP for the State also submits that he has no objection, if the vehicle in question be released to its registered owner.

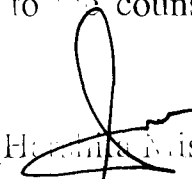
Considering the same, in view of the judgment of Hon'ble High Court of Delhi titled as "Manjit Singh Vs. State" Criminal M.C. 4485/2013, the said seized vehicle be released to the applicant who is stated to be the registered owner of the vehicle in question subject to following conditions:-



1. IO is directed to release the vehicle to applicant/ registered owner after preparing a detailed panchnama, taking photographs of the vehicle and valuation report.
2. The photographs of the vehicle should be attested and counter signed by the complainant/accused as well as by the person to whom the custody is handed over.
3. IO is directed to get the valuation of the vehicle in question done and the applicant is directed to furnish security-cum-indemnity bond of the like amount before the IO.
4. IO is also directed to verify the address of the applicant/ registered owner of the vehicle in question.

Application stands disposed off.

Copy of this order be sent via e-mail to the counsel for the accused/be given dasti to him as prayed.


(Harshita Mishra)
Link CMM, East District,
11K1 Court, Delhi,
24.08.2020

FIR No. 189/2019
PS Kalyanpuri
State vs. Deepak @ Dabbu

24.08.2020

Normal functioning of subordinate courts is suspended till 31.08.2020 in light of Covid pandemic.

This is bail application u/s 437 Cr.P.C for granting bail to the accused Deepak @ Dabbu.

Ld. PO is on maternity leave.

Pr :- Ld. APP for the State (through CISCO Webex Conferencing facility).

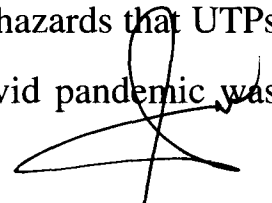
Sh. Rama Kant Kashyap, Ld. Counsel for the accused / applicant (through CISCO Webex Conferencing facility).

Applicant / accused is in JC.

IO is absent.

Reply of the IO to the bail application is received. Copy of the same be supplied to the counsel for the accused / applicant.

It is stated by the counsel for the accused that the accused is in JC since 08.04.2020. It is stated that the accused has been falsely implicated in the present case and he had no complicity or role to play in the offence(s) in question. It is stated that the accused is first time offender and that he has no previous involvement or conviction in any case. It is stated that the accused is permanent resident of Delhi. It is stated that the parents of the accused are fully dependent on the accused / applicant. It is also stated that the accused is no more required for the purpose of the investigation and no purpose would be served by keeping the accused behind bars. The Counsel for the accused has also prayed for grant of bail to the accused citing the health hazards that UTPs are exposed to during incarceration, more so when the Covid pandemic was



raging across the globe and wrecking havoc with many lives. Hence, the counsel for the accused prayed to release the accused on bail.

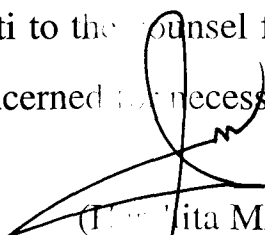
Per-contra, Ld. APP for the State has opposed the bail application citing the gravity of allegations levelled and the accused may threaten the complainant and PWs, if he is released on bail.

Submissions heard. Record perused.

Accused had been in JC in the present case since 08.04.2020. The charge sheet in the instant matter has admittedly been filed by the IO in the concerned court. Further detention of the accused is not required for further interrogation for the ends of effective investigation. The accused has no previous involvement / conviction in any criminal case as reported by the IO. Taking these factors into account coupled with the prevailing Covid pandemic, which calls for de-congestion of jails, I deem it fit to grant bail to the accused Deepak @ Dabbu on his furnishing bail bonds and surety bonds in the sum of Rs. 20,000/- each. Accused is directed not to tamper with evidence; threaten prosecution witnesses; commit any offence of a similar kind when on bail; to apprise the IO expeditiously about any change of address; and to regularly appear before the IO and the court as and when called upon to do so. Any breach of the bail condition, if brought to the notice of the court, might entail cancellation of bail of the accused.

Application is disposed off in the above said terms.

Copy of this order be given dasti to the counsel for the accused and be also sent to the Jail Superintendent concerned for necessary compliance.


(Jyoti Mishra)
Link to Court, East District,
Family Courts, Delhi,
08.04.2020

FIR No. 40/2020
PS Kalyanpuri
State vs. Firoz Ali @ Sankey

24.08.2020

Normal functioning of subordinate courts is suspended till 31.08.2020 in light of Covid pandemic.

This is bail application u/s 437 Cr.P.C for granting bail to the accused Firoz Ali @ Sankey.

Ld. PO is on maternity leave.

Pr :- Ld. APP for the State (through CISCO Webex Conferencing facility).

Sh. Rama Kant Kashyap, Ld. Counsel for the accused / applicant (through CISCO Webex Conferencing facility).

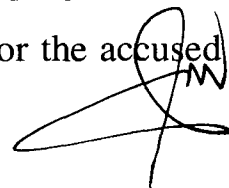
Applicant / accused is in JC.

IO is absent.

Reply of IO to the bail application alongwith previous involvement and conviction report of the accused is received.

Submissions heard. Record perused.

It is stated by the counsel for the accused that the accused is in JC since 18.01.2020. It is stated that the accused has been falsely implicated in the present case and he had no complicity or role to play in the offence(s) in question. It is stated that the accused is first time offender and that he has no previous involvement or conviction in any case. It is stated that the accused is a permanent resident of Delhi. It is stated that the parents of the accused are fully dependent on the accused / applicant. It is also stated that the accused is no more required for the purpose of the investigation and no purpose would be served by keeping the accused behind bars. The Counsel for the accused has



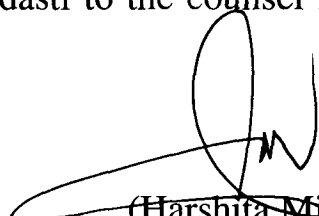
also prayed for grant of bail to the accused citing the health hazards that UTPs are exposed to during incarceration, more so when the Covid pandemic was raging across the globe and wrecking havoc with many lives. Hence, the counsel for the accused prayed to release the accused on bail.

Per-contra, Ld. APP for the State has opposed the bail application citing the gravity of allegations levelled and the past criminal history of the accused.

Submissions heard. Record perused.

Accused had been in JC in the present case since 18.01.2020. The offence is serious in nature. As per the previous involvement and conviction report of the accused, the accused is involved in many other criminal cases, the list of which is appended with the reply of the IO. The criminal history of the accused dates back to the year 2012. Considering the criminal proclivities of the accused, I am of the view that he might commit a similar offence in case he is enlarged on bail and that he might tamper with the evidence/threaten prosecution witnesses etc. Hence, I am not inclined to release the accused on bail at this stage. Hence, the bail application of the accused is hereby disposed off as dismissed.

Copy of this order be given dasti to the counsel for the accused / send via email.


(Harshita Mishra)
Link CMM, East District,
KKD Courts, Delhi,
24.08.2020

FIR No. 316/2020
PS Kalyanpuri
State vs. Rohit Kumar

24.08.2020

Normal functioning of subordinate courts is suspended till 31.08.2020 in light of Covid pandemic.

This is bail application u/s 437 Cr.P.C for granting bail to the accused Rohit Kumar.

Ld. PO is on maternity leave.

Pr :- Ld. APP for the State (through CISCO Webex Conferencing facility).

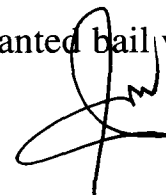
Sh. Pankaj Verma, Ld. Counsel for the accused / applicant.

Applicant / accused is in JC.

IO is absent.

Reply of the IO to the bail application is received. Copy of the same be supplied to the counsel for the accused / applicant.

It is stated by the counsel for the accused that the accused is in JC since 10.08.2020. It is stated that the accused is a young boy of 18 years and he has been falsely implicated in the present case. It is stated that the accused has clean antecedents and he is the only bread earner in his family. It is also stated that the investigation is already completed and recovery has also been effected and hence, the accused is no more required for the purpose of the investigation and no purpose would be served by keeping the accused behind bars. It is stated that this is the second bail application of the accused and the earlier bail application of the accused was dismissed by this Court vide its order dt. 13.08.2020. It is further stated that the accused deserves bail on the ground of parity since the co-accused has already been granted bail vide order



dt. 22.08.2020 of this Court. In view of the same, the counsel for the accused prayed to release the accused on bail.

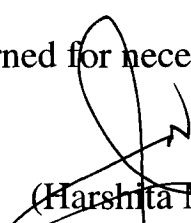
Per-contra, Ld. APP for the State has opposed the bail application citing the gravity of allegations levelled and the accused may threaten the complainant and prosecution witnesses, if he is released on bail.

Submissions heard. Record perused.

The co-accused has been granted bail in this case. Further detention of the accused is not required for further interrogation for the ends of effective investigation. Taking these factors into account coupled with the prevailing Covid pandemic, which calls for de-congestion of jails, I deem it fit to grant bail to the accused Rohit on his furnishing bail bonds and surety bonds in the sum of Rs. 20,000/- each. Accused is directed not to tamper with evidence; threaten prosecution witnesses; commit any offence of a similar kind when on bail; to apprise the IO expeditiously about any change of address; and to regularly appear before the IO and the court as and when called upon to do so. Any breach of the bail condition, if brought to the notice of the court, might entail cancellation of bail of the accused.

Application is disposed off in the above said terms.

Copy of this order be given dasti to the counsel for the accused and be also sent to the Jail Superintendent concerned for necessary compliance.


(Harshita Mishra)
Link CMM, East District,
KKD Courts, Delhi,
24.08.2020