

24.07.2020

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 Vehicle bearing No. UP-14EA-7311 on superdari, on behalf of application.
Application perused. Reply of MHC/VKC has also been received and perused.

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"

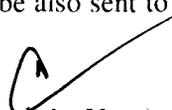
1. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; and a security bond.
2. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person 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 Challaning Officer of Vivek Vihar Circle about the following conditions:

1. Challaning officer shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
2. Challaning officer 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. Challaning Officer shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. Challaning officer shall take the security bond of appropriate value from the rightful owner, taking into consideration the valuation report.

It is made clear that the Challaning Officer is entitled to retain the vehicle and not release the same, if the vehicle is required for the purpose of investigation.

Copy of this order be sent to Ld. Counsel through email and be also sent to the concerned Challaning Officer, Vivek Vihar Circle for compliance.


(Aakanksha Vyas)
Duty MM (East)/ KKD Court
Delhi/ 24.07.2020

FIR No.0060/2020
P.S. PIA
U/s 279/337 IPC

24.07.2020

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

Ld. Counsel for the applicant is also present through Video Conferencing.

This is an application for release of vehicle bearing No. DL-10-SV-1692 on behalf of applicant, on superdari.

Application perused. Reply of the IO also perused. As per the reply of the IO, the mechanical inspection of the vehicle in question has been conducted. However, on query, Ld. Counsel for applicant/accused informed the court that the vehicle in question was not insured on the day of accident. Accordingly, Ld. Counsel for accused seeks some time to furnish FD in the sum of Rs. 50,000/-.

Re-list for 27.07.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

FIR No.310/2020
P.S. Krishna Nagar
U/s : 25/54/59 Arms Act
State Vs. Haidar @ Chhota

24.07.2020

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 Haidar @ Chhota.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused has submitted that accused is in JC since 09.06.2020. He has further submitted that accused has been falsely implicated in the present case. Accused is ready to furnish reliable surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Ld. APP has also submitted that reply of the IO reflects that accused is a habitual offender

Heard both the parties.

File perused. In the present case, accused is in J/C since 09.06.2020. Case property has already been recovered. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of personal bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. The accused shall cooperate with the IO during the 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 during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be sent to

Ld. Counsel for accused through email.


(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

EFIR No.032296/2018
P.S. Krishna Nagar
U/s : 379/411/34 IPC
State Vs. Mohd. Suhail

24.07.2020

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

Sh. Shokeen Rajput, Ld. Counsel for accused

Report from Dy. Superintendent, Central Jail No. 5, Tihar, Delhi has been received. Same is perused. As per report, it is stated that accused Mohd. Suhail could not be released from the Jail in this case, as he is in J/C in other cases also bearing FIR No. 11560/20 PS: OIA and FIR No. 209/20 PS: Jagat Puri. The present application stands disposed off accordingly.

Copy of this order be given dasti to Ld. Counsel for accused.


(Aakanksha Vyas)
Duty MM (East)/ KKD Court
Delhi/ 24.07.2020

FIR No.11069/2020
P.S. E-Police Station East (Shakarpur)
U/s 379 IPC

24.07.2020

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 vehicle bearing No. DL7SBY6662, on behalf of applicant, on superdari.

Application perused. Reply of IO has also been received. Same is perused. As per the reply of IO, the present FIR was registered in PS: Laxmi Nagar, which does not fall within the territorial jurisdiction of this Court. Hence, the present application is dismissed for lack of territorial jurisdiction.

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


(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

E-FIR No.003124/2019
P.S. Shakarpur
U/s 379 IPC
State Vs. Unknown

24.07.2020

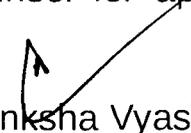
Present : Ld. APP for the State is stated to be present through Video Conferencing.

None for applicant in person.

This is an application for release of mobile phone REDMI MI A1, on behalf of applicant, on superdari,

Application perused. Reply of IO has also been received. Same is perused. As per the reply of IO, the present FIR was registered in PS: Laxmi Nagar, which does not fall within the territorial jurisdiction of this Court. Hence, the present application is dismissed for lack of territorial jurisdiction.

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


(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

Vehicle No. DL-9SBK-8324
Challan No. DL21371200306105504
Circle: Vivek Vihar
U/s: 5/180, 115/190/196 M.V. Act

24.07.2020

Fresh application for release of above mentioned vehicle on superdari, ob 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.

The present application pertains to Trafic Circle Vivek Vihar and hence it is not within the territorial jurisdiction of this Court. Ld. Counsel for applicant is directed to file this application in the concerned court, accordingly.

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

(Aakaranksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

EFIR No.: 389/20
P.S. Shakarpur

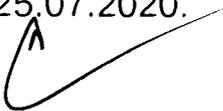
24.07.2020

Fresh application for release of Mobile Phone VIVO on superdari, 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 25.07.2020.


(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

KULBHUSHAN DANIA VS. KUMKUM DANIA

24.07.2020

Fresh application on behalf of the complainant for early hearing of the present case, 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 case is listed for PSE. In view of the suspension of regular working of courts and the fact that no urgency is made out from the application, the preset application is being dismissed.

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



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

24.07.2020

Present : Ld. APP for the State is present through Video Conferencing.
None for applicant in person.
The present application for release of mobile phone VIVO on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Jagsoran wherein it is submitted that there is no objection for the release of the mobile phone to the **rightful owner**.

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

In these circumstances the aforesaid mobile phone 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, IMEI number, ownership and other necessary details of the mobile phone:
2. IO shall take the colour photographs of the mobile phone from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the value / bill / receipt of the mobile phone to the satisfaction of the concerned IO/ SHO subject to verification of documents.

Copy of this order be sent to Ld. Counsel for applicant on his email ID and a copy be also sent to the SHO PS concerned for compliance.

(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/ 24.07.2020

FIR No.: 303/20
PS: Krishna Nagar
U/s 376 IPC
State Vs. Sachin Tyagi

24.07.2020

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

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

None for applicant in person.

The present FIR is U/s 376 IPC which is exclusively triable by the Court of Ld. ASJ.

Re-list for consideration on 25.07.2020.

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

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020

FIR No.72/2019
P.S. Krishna Nagar
U/s : 420 IPC
State Vs. Rahul

24.07.2020

Present: Ld. APP for the State is present through Video Conferencing. He has led arguments on the present application.

However, Ld. Counsel for accused has not joined the Webex meeting for leading arguments on the present bail application, despite a long wait.

Hence, re-list for arguments of Ld. Counsel for accused on the present bail application on 25.07.2020.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 24.07.2020