

FIR No.015093/20
PS Laxmi Nagar

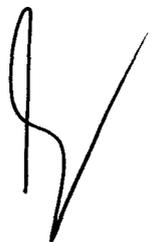
25.08.2020

Present: Ld. APP for the State (through video conferencing).
Sh. Rakesh Kumar, Ld. Counsel for accused (through video conferencing).
IO/HC Surender (through video conferencing).

On the LDOH, it was submitted on behalf of the accused that he was below 18 years on the date of the alleged incident i.e. 03.07.2020. School Certificate was also filed alongwith the present application wherein it was mentioned that the date of birth of Deepak Kumar S/o Sh. Roshan Lal is 10.08.2002. On LDOH, directions were given to IO to verify the age-related documents of the accused wherein the date of birth is mentioned as 10.08.2002.

Reply filed by the IO. Same is perused.

As per report, the accused was arrested by AATS, Shahdara on 06.07.2020. It is submitted by the IO that the accused was produced before the concerned Duty MM on 07.07.2020 wherein, upon inquiry, the accused stated that he was more than 18 years of age on the date of commission of offence and accordingly the accused was sent to JC on the same day. Thereafter the accused was formally arrested by PS Laxmi Nagar on 08.07.2020 and in compliance of the Court Orders dated 22.08.2020, the age-verification was done on 24.08.2020 from the 'Nagar Nigam Prathmik Pratibha Vidhyalaya, Chandar Vihar II, Shahdara, Delhi and as per the school records, the date of birth of the applicant is 10.08.2002.



Hence, as per the age-related documents and the verification report filed by IO, the applicant/accused was 17 years, 10 months and 23 days on the date of the alleged incident.

In view of these facts and circumstances, this Court does not have the jurisdiction to proceed with the present matter.

The present application is dismissed being infructuous.

Let the complete file and records pertaining to the present case be placed before the concerned Juvenile Justice Board (JJB) through the office of Ld. CMM (East) on 26.08.2020.

Jail Superintendent concerned is directed to transfer the CCL Deepak Kumar S/o Sh. Roshan Lal to the concerned Observation Home for Boys (OHB) with immediate effect and report be filed before this Court and the concerned JJB on 26.08.2020.

Copy of this order be sent to Jail Superintendent concerned for information and compliance.

Copy of this order be also provided to the IO through Naib Court to ensure that the CCL is transferred to the concerned OHB with immediate effect without delay and to produce him before this concerned JJB.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/25.08.2020

FIR No.232/19
PS. Laxmi Nagar
25.08.2020

Present: Sh. C. S. Bhandari, Ld. Counsel for applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by complainant seeking issuance of NBWs against the accused.

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020, Order bearing No.322/RG/DHC/2020 Dated 15.08.2020 of the Hon'ble High Court of Delhi and office order no. 5757-5777/Judl.Br./East/KKD Dated 16.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

It is submitted that the matter was compromised between the parties vide compromise deed dated 10.08.2019 wherein the accused agreed to pay Rs.85,00,000/- to the complainant and subject to the same, accused was granted interim bail vide order dated 21.08.2019. Thereafter, the accused violated the terms of said compromise deed and consequently the application for extension of interim bail of the accused was dismissed on 18.10.2019, 19.10.2019 and 20.11.2019. Thereafter, the accused made certain payments and again was granted interim bail. However, a sum of Rs. 56,00,000/- is still outstanding against the accused as per the above-said compromise deed. Hence, it is prayed that NBW's be issued against the accused.

Heard and perused.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long horizontal stroke that curves upwards at the end.

In view of prevailing condition of spread of COVID-19 pandemic, no adverse order is passed against the accused today.

However, last and final opportunity is given to the accused to abide by all the terms and conditions of the compromise deed dated 10.08.2019 and to make payment of remaining amount to the complainant as per compromise deed failing which adverse orders shall be passed.

Put up for consideration of the present application on 03.09.2020.

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

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/25.08.2020

FIR No.042364/19

PS.Laxmi Nagar

25.08.2020

Present: Ld. Counsel for applicant (through video conferencing).

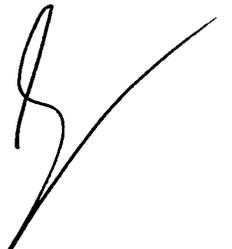
Vide this order, I shall dispose of the application moved by applicant for release of vehicle bearing No. DL-7SBH-4350 on superdari.

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020, Order bearing No.322/RG/DHC/2020 Dated 15.08.2020 of the Hon'ble High Court of Delhi and office order no. 5757-5777/Judl.Br./East/KKD Dated 16.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Reply to the application has been filed by the IO. Perused. As per the reply, the IO has not objected to the application stating that the vehicle is not required by the police.

Heard on the application for releasing the vehicle i.e. DL-7SBH-4350 to the applicant/owner. Photocopy of RC of the vehicle and the insurance papers of the vehicle in question in the name of the applicant/owner have been filed. Considering the same, in view of the judgment of **Hon'ble High Court of Delhi titled as "Manjit Singh vs. State in Criminal MC No. 4485/13 dated 10.09.2014** , the said vehicle in question is released to the rightful owner subject to following conditions:-

1. IO is directed to release the vehicle to the rightful 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. Owner is directed to furnish indemnity bond as per valuation of vehicle bearing no. DL-7SBH-4350 before IO/SHO concerned.
4. The investigation officer shall keep on record the permanent address and phone number of the rightful owner, his identity proof and address proof and shall release the vehicle after verifying the ownership of the applicant and insurance of the vehicle.
5. Owner of the vehicle is further directed to intimate the Court and also to concerned IO, in case he is willing to dispose of the vehicle.
6. In case of applicant changing his address, he shall inform the IO regarding the same vide a written intimation.
7. IO is directed to file panchnama and photographs of the vehicle in question alongwith negatives/CD and valuation report with the final report.

Copy of this order be sent to Id. Counsel for applicant through electronic mode.


(RENU CHAUDHARY)

MM-04/East/KKD/Delhi/25.08.2020

E. FIR No.00389/20
PS. Laxmi Nagar
25.08.2020

Present: Ld. Counsel for applicant (through video conferencing).

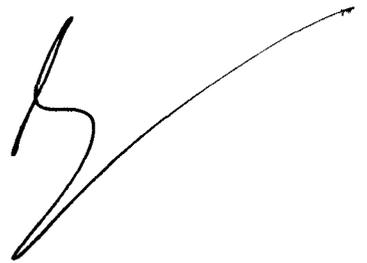
Vide this order, I shall dispose of the application moved by applicant for release of mobile phone make Vivo-V9, IMEI No. 868493032965491 and 868493032965483.

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020, Order bearing No.322/RG/DHC/2020 Dated 15.08.2020 of the Hon'ble High Court of Delhi and office order no. 5757-5777/Judl.Br./East/KKD Dated 16.08.2020 of Ld. District & Sessions Judge, East, the present application is taken up for hearing through video conferencing.

Reply to the application has been filed by the IO. Perused. As per the reply, the IO has not objected to the application stating that the mobile phone is not required by the police.

I have heard the applicant. Perused the record.

As per the directions of the **Hon'ble High Court of Delhi in Manjit Singh vs. State in Crl MC No. 4485/13 dated 10.09.2014** , case property may be released to the rightful owner after preparing detailed panchnama, taking photographs, valuation report and a security bond. Further, production of mobile should not be insisted upon during trial and its photographs along with panchnama should suffice for the purpose of evidence.



In view of above IO/SHO is directed to release the mobile phone make Vivo-V9, IMEI No. 868493032965491 and 868493032965483 to the applicant/owner on furnishing security / indemnity bond as per valuation of mobile phone make Vivo-V9, IMEI No. 868493032965491 and 868493032965483. Valuation shall be done prior to releasing the mobile phone to the applicant. A detailed panchnama shall be prepared after taking photographs of the mobile phone from all angles and the same shall be attested/countersigned by complainant as well as accused. The cost of photographs shall be borne by the applicant. Panchnama along with photographs and indemnity bond shall be filed in the court along with charge-sheet.

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

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/25.08.2020

FIR No.000247/20

PS. Laxmi Nagar

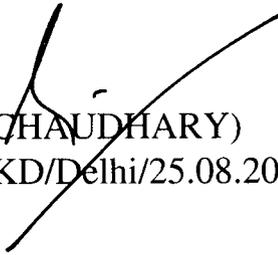
25.08.2020

Present: None.

None appeared on behalf of applicant on LDOH as well. It appears that applicant is not interesting in pursuing the present application.

Hence, the same is dismissed in default for non-prosecution.

Application is disposed of accordingly.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/25.08.2020