

FIR No.015075/20  
PS Laxmi Nagar

26.08.2020

File taken up on the application filed by IO seeking direction concerning the present accused as he was under 18 years on the date of alleged incident.

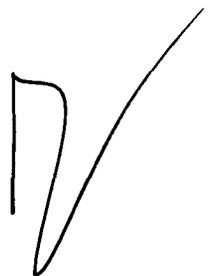
Present: Ld. APP for the State (through video conferencing).  
IO/HC Niranjan Dhama (through video conferencing).

Submissions heard.

It is stated that 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 in FIR No.015093/20, 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 application/report filed by IO, the applicant/accused was below 18 years of age 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.



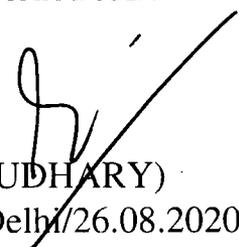
The present application is hereby allowed and disposed of accordingly.

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 27.08.2020.

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 27.08.2020.

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/26.08.2020

FIR No.06 /20  
PS. YDM  
26.08.2020

Present: Sh. Mohd. Yusuf, 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 Asus IMEI No. 352204104240322.

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 Asus IMEI No. 352204104240322 to the applicant/owner on furnishing security / indemnity bond as per valuation of mobile phone make Asus IMEI No. 352204104240322. 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/26.08.2020

FIR No.0038 /20  
PS. Laxmi Nagar  
26.08.2020

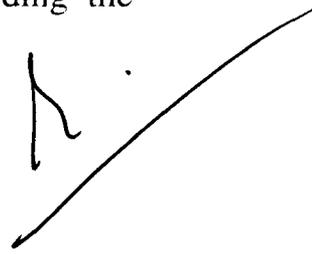
Present: Sh. Digvijender Sharma, Ld. Counsel for applicant (through video conferencing).  
IO/SI Rahul (through video conferencing).

Vide this order, I shall dispose of the application moved on behalf of complainant for calling status report from SHO.

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 stated on behalf of complainant/applicant that the present case was registered U/Sec. 363 IPC on 24.01.2020 regarding the missing/kidnapping of the complainant's 12 years old son and till today, charge sheet has not been filed by the IO. It is further submitted that the child went missing due to the negligence of the school and IO has not taken any step to investigate the school authorities.

Report filed by the IO. Same is perused. As per the report, on 24.01.2020, the complainant informed that his 12 years old son who is mentally challenged is missing from his school i.e. Hopes Special School, Mangal Bazar, Laxmi Nagar and the case was registered. Thereafter, several steps were taken to search the child. The said information regarding the



missing of child was broadcasted on Doordarshan and Akashvani and also published in leading newspapers. Extensive search was conducted at hospitals, shelters-homes, railway stations, bus-stands etc. The information was uploaded on ZIP Net and several other efforts were made to search the missing child. It is further stated that so far there is no angle of ransom of enmity and that the investigation is still in progress.

Upon inquiry from the IO, he stated that the case has been transferred to him recently and he will take all the necessary steps to investigate the school authority in the present matter.

IO is directed to expedite the investigation and to file report at the earliest.

Copy of the status report be supplied to the complainant.  
Application is disposed of accordingly.

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

( RENU CHAUDHARY )  
MM-04/East/KKD/Delhi/26.08.2020

