

State vs. Not known
FIR No. 002171/2021
PS Krishna Nagar

26.02.2021

Present : Ld. APP for the State.

None for applicant.

The present application for release of vehicle bearing No. **DL14SJ2031** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Avdresh Kumar wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments 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:

"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 IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
2. IO 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. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond of appropriate value from the rightful owner, 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 and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

State vs. Not known
e-FIR No. 017758/2020
PS Shakarpur
U/s 379/411 IPC
26.02.2021

Present : Ld. APP for the State.

None for applicant.

The present application for release of vehicle bearing No. **DL 3SCH 8756** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Ritesh Kumar wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments 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:

"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 IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
2. IO 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. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond of appropriate value from the rightful owner, 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 and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

State vs. Not known
E. FIR No. ED-SP-001808/2019
PS shakarpur
U/s 379 IPC

26.02.2021

Present : Ld. APP for the State.
Applicant in person.

The present application for release of mobile phone **OPPO A5S F-3** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Dharmender Singh, 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 and the same be uploaded on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 40/21
PS PIA
State vs. Sunny @ Hemant
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

Bail application perused. Reply of the bail application is on record.
Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated. Further he belongs to a poor family and he has responsibilities. It is further stated that the accused is in JC since 05.02.2021 and investigation has been completed and hence accused may be enlarged on bail.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, accused was apprehended at the spot. Furthermore, case property is yet to be recovered and co-accused is still absconding.

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR. The offences alleged are serious in nature. The accused was apprehended at the spot itself. Stolen purse of the complainant is yet to be recovered and co-accused is still at large. There is every possibility that the accused might threatened the complainant as well as commit similar offence in the future. Therefore, in the facts and circumstances, bail application is dismissed. Copy of this order be given dasti to the IO. Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

State vs. Unknown
FIR No. 23413/15
PS shakarpur
u/s 379 IPC

26.02.2021

Present : Ld. APP for the State.

None for applicant.

Application perused.

The present FIR pertains to the year 2015 PS Shakarpur, which does not fall within the jurisdiction of this Court. Hence, the present application disposed off as dismissed for want of territorial jurisdiction.

Copy of this order be sent to the Id. Counsel for the applicant/accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No . 38/21
PS PIA
State vs. Ajay Prakash
U/s 356/379/411 IPC
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.
Bail application perused. Reply of the bail application is on record. Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated. Further he belongs to a poor family and he has responsibilities. It is further stated that the accused is in JC since 03.02.21. Further the accused is married and recently his wife was blessed with a child on 22.12.20 and there is no one to look after them. Further, the mother of accused is a widow and suffering from various diseases. Further the recovery shown from the accused, if any, has been planted upon him. Lastly, the accused has no criminal antecedents and investigation has been completed and hence accused may be enlarged on bail.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, the accused was apprehended at the spot itself. Further, the reply of IO shows that the accused is a habitual offender and he can commit similar offence in future.

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR. The offences alleged are serious in nature in as much as the accused stole the mobile phone of the complainant while he boarding a bus. Furthermore, the accused was apprehended at the spot itself and the reply of IO shows that he has previous involvement in various cases pertaining to similar offences. There is every possibility that the accused might threaten the complainant as well as commit similar offence in the future. Investigation has not been completed. Therefore, in the facts and circumstances, bail application is dismissed.

Copy of this order be given dasti to the IO. Copy of this order be sent to the Ld. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 14645/20
PS Shakarpur
U/s 379/411/34 IPC
State vs. Khoob Singh
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 14.07.2020 after the accused was arrested in the FIR No. 235/20 PS Bahadurgarh whereafter the accused was implicated in the present case on the basis of disclosure statement. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 02.11.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet is about to be filed. Accused is no more required for investigation. 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 bail 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 the Ld. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e-FIR No. 00167/20
PS Krishna Nagar
U/s 379/411/34 IPC
State vs Karan
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future because as per reply of IO, he is a habitual offender.

Heard both the parties.

In the present case, the accused is in J/C since 05.08.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet has been filed. Trial is likely to take time. 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 bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
- 2..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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

State vs. Nishant Sharma @ Nanhe
PS shakarpur
e-FIR No. 550/2020
U/s 356/379/34 IPC

26.02.2021

Present : Ld. APP for the State.

Ld.counsel for the applicant.

The present application for release of mobile phone make **Red MI Note 5 Pro** on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Maneesh Kumar.
Same is perused.

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. The mobile phone in question is no more required for investigation.
2. IO shall prepare detailed panchnama mentioning the colour, appearance, IMEI number, ownership and other necessary details of the mobile phone:
3. IO shall take the colour photographs of the mobile phone from different angles.
4. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
5. 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 and the same be uploaded on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e- FIR No. 257/20
PS Krishna Nagar
State vs. Karan

26.02.2021

Present : Ld. APP for the State.

Ld..counsel for the accused.

Application perused. Reply of IO perused.

As per the reply, accused was discharged in the present case for lack of incriminating material. Hence, the present bail application is dismissed as infructuous.

Copy of this order be sent to the Id. Counsel for the applicant/accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e-FIR No. 00127/20
PS Krishna Nagar
U/s 379/411/34 IPC
State vs Karan
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future because as per reply of IO, he is a habitual offender.

Heard both the parties.

In the present case, the accused is in J/C since 05.08.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet has been filed. Trial is likely to take time. 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 bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
- 2..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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e-FIR No. 00036/20
PS Krishna Nagar
U/s 379/411/34 IPC
State vs Karan
26.02.2021

Present : Ld. APP for the State.

Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future because as per reply of IO, he is a habitual offender.

Heard both the parties.

In the present case, the accused is in J/C since 05.08.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet has been filed. Trial is likely to take time. 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 bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
- 2..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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e-FIR No. 00314/20
PS Krishna Nagar
U/s 379/411/34 IPC
State vs Karan
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. Accused is ready to furnish reliable surety.

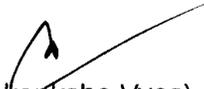
Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further accused can commit similar offence in future because as per reply of IO, he is a habitual offender.

Heard both the parties.

In the present case, the accused is in J/C since 05.08.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet has been filed. Trial is likely to take time. 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 bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
- 2..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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

e-FIR No. 00304/20
PS Krishna Nagar
U/s 379/411/34 IPC
State vs Karan
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future because as per reply of IO, he is a habitual offender.

Heard both the parties.

In the present case, the accused is in J/C since 05.08.2020 as per reply of IO. Case property in the present case has already been recovered. Further, as per reply of IO, chargesheet has been filed. Trial is likely to take time. 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 bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
- 2..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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakariksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 426/20
PS Shakarpur
U/s 407 IPC
State vs Manoj
26.02.2021

Present : Ld. APP for the State.

Ld.counsel for the applicant.

Application perused. Reply of IO perused.

As per reply of IO, the Mobile phone in question is required for the purpose of investigation and it has to be sent to the FSL. In view of the reply of IO, application is dismissed.

Copy of this order be sent to the Id. Counsel for the applicant/accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 39/21
PS PIA
State vs. Sonu Sharma
U/s 456/379/411/34 IPC
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

Bail application perused. Reply of the bail application is on record.

Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated . Further he belongs to a poor family and he has responsibilities. It is further stated that the accused is in JC since 05.02.21. Further the recovery shown from the accused, if any, has been planted upon him and investigation has been completed and hence accused may be enlarged on bail.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, the accused was apprehended at the spot itself and he can commit similar offence in future.

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR. The offences alleged are serious in nature in as much as the accused stoles the mobile phone of the complainant while he was getting down from a bus at the bus stop. Furthermore, the accused was apprehended at the spot itself and the reply of IO shows that he has previous involvement in a similar offence. There is every possibility that the accused might threatened the complainant as well as commit similar offence in the future. Investigation has not been completed. Therefore, in the facts and circumstances, bail application is dismissed.

Copy of this order be given dasti to the IO. Copy of this order be sent to the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 440/20
PS Krishna Nagar
State vs. Avdhesh Pandey
U/s 25 Arms Act & 103 DP Act
26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

Bail application perused. Reply of the bail application is on record.

Same is perused.

Ld. Counsel for the accused submits that the accused has been falsely implicated . Further he belongs to a poor family and he has responsibilities. It is further stated that the accused is in JC since 01.09.2020. Further the recovery shown from the accused, if any, has been planted upon him and investigation has been completed and hence accused may be enlarged on bail. It was also submitted that although recovery of various other stolen properties have been shown from the accused at the time of commission of offence in question, no satisfactory evidence has been produced by the IO qua the complainants of those cases.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. Further, the accused was apprehended at the spot itself. Lastly the reply of IO shows that the accused is a habitual offender and he can commit similar offence in future.

Heard both the parties.

I have perused the reply of the IO as well as the contents of the FIR. Case property has already been recovered. Further, the chargesheet has been filed in the Court. Accused is in JC since September, 2020. The reply of IO does not show previous involvement of the accused in similar offence. Trial is likely to take time. 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

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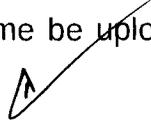


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circumstances of the case, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 10,000/- with one surety in the like amount** subject to the conditions that :-

1. Accused shall not indulge in similar offence as that of which he is the accused.
2. 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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

State vs. Unknown
e-FIR No. 023007/19
PS shakarapur
U/s 379 IPC
26.02.2021

Present : Ld. APP for the State.

None for applicant.

The present application for release of vehicle bearing No. **DL 4SCX-7549 R-15 (Yamaha)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Munna Lal wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

In view of the no objection of IO, oral arguments 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:

"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 (after verification of documents of the ownership)** subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:
2. IO 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. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond of appropriate value from the rightful owner, 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 and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021

FIR No. 15/21
PS Krishna Nagar
State vs. Aalim
U/s 379/411/34 IPC

26.02.2021

Present : Ld. APP for the State.
Ld. Counsel for accused.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.02.2021. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, recovery shown from the accused, if any, has been planted upon him. Ld. Counsel has also submitted that accused is no more required for the purpose of investigation. 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. Further accused can commit similar offence in future. Ld. APP for the State also submitted that accused is a habitual offender. Furthermore, entire case property has not been recovered and co-accused persons are also absconding.

Heard both the parties.

In the present case, the accused is in J/C since 05.02.2021 as per reply of IO. The present accused has been arrested on the disclosure of co-accused Wasim and only Rs. 1000/- have been recovered from him. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the nature of recovery effected from the present accused and the fact that he is JC since 05.02.2021, accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 20,000/- 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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.

(Aakanksha Vyas)

MM -05(East) KKD Court
Delhi/26.02.2021