

Metropolitan Magistrate (East Distt)
Karlalooma Court Complex
Delhi

FIR No. 355/20
State vs. Gaurav @ Lefti
PS Krishna Nagar
U/s 302/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Dipanshu Chugh, Id. Counsel for the accused Gaurav through VC.

None for remaining accused.

Application perused. The file is not present before the undersigned at the moment. Accordingly, let the present application be listed for 03.11.2020.



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Metropolitan Magistrate (East Distt)
Karlalooma Court Complex,
Delhi
26.10.2020

AAKANKSHA VYAS
Metropolitan Magistrate
No. 03, Floor,

FIR No. 221/2019
State vs. Mukesh Kumar
PS PIA
U/s 279/337 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Naman Maheshwari, Id. Counsel for the applicant present through VC.

The present application for release of vehicle bearing No. **UP 32 DE7304** on Superdari has been filed by the applicant.

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

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. The vehicle in question was insured on the date of the accident.

2. The mechanical inspection of the vehicle in question has been conducted.

3. IO shall prepare detailed panchnama mentioning the colour, appearance, Engine no. Chassis No., registered owner and other necessary details of the vehicle:

4. 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.

5. The photographs should be attested and counter signed by the complainant, accused and rightful owner.

6. IO shall get the vehicle valued from a proper valuer and shall take a valuation report in this regard from the valuer.

7. 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.



(Signature)
(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
MM-5, (East) KKD Courts
Karkardooma Courts Complex,
Delhi/26.10.2020
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 262/20
State vs. Sumit
PS PIA
U/s 379/411 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. R.P. Singh, Id. Counsel for the accused through VC.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 25.09.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and the recovery, if any, shown from the accused has been planted upon him. Further, the Id. Counsel also submitted that the accused is having the responsibility of his wife and four minor children and he 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 the accused was apprehended at the spot and as per reply of the IO he is a habitual offender.

Heard both the parties.

In the present case, case property has already been recovered. The accused is in J/C since 25.09.2020 and hence it is evident that the accused has been JC since last one month. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Accused is no more required for investigation. 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 the Id. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.



Metropolitan Magistrate (East District)
Karkardooma Court, Delhi
MM-5, (East) KKD Court Complex,
Delhi 110020.
26.10.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

DD No.114A 20.09.2020
State vs. Sunil
PS Krishna Nagar
U/s 41.1 (D) IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

LAC Sh. Pradeep Kumar on behalf of the applicant/accused through VC.

Application perused. Reply of IO perused.

As per reply of the IO, no article of the applicant was seized during the personal search. Hence, the present 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.



(Signature)
Metropolitan Magistrate (East Dist)
Karkardooma Court Complex,
Delhi-110032
Date: 26.10.2020

ANKI 100/11/2020
Metropolitan Magistrate
Court
Karkardooma

FIR No. 188/20
State vs. Sakir Ali
PS Shakarpur
U/s 186/353/332/174A/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Rahul Chaudhary, Id. Counsel for the applicant/accused
through VC.

At request, relist on 02.11.2020.



(Signature)
Metropolitan Magistrate (East Distt,
MM-Karkardooma KKD-00 Complex,
Delhi 110020
26-10-2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 33421/19
State vs. Asif
PS Krishna Nagar
U/s 379 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Basin Anwar, Id. Counsel for the accused through VC.

Bail application perused. Reply of IO perused.

As per reply of the IO, the accused Asif has not been arrested in the present case till date. Hence the present application is dismissed for being infructuous.

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.


Metropolitan Magistrate (East Distt.)
(Aakanksha Vyas)
Karkardooma Court Complex,
MM-5, (East) KKD Court
Delhi-110032
Delhi/26.10.2020





FIR No. 367/29
State vs. Mukul Arya
PS Shakarpur
U/s 392/397/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Ashok Kumar, Ld. Counsel for the applicant/accused through VC.

Bail application perused. Reply of IO perused.

As per reply of the IO, the accused has already been discharged in the present case. Accordingly, the present bail application is dismissed being infructuous.

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)
Metropolitan Magistrate (East Distt)
MM-5, East KKD Court
Karkardooma Court Complex,
Delhi/26.10.2020
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

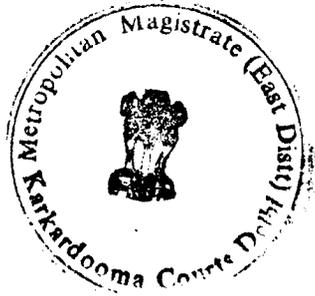
FIR No. 148/19
State vs. Gillin
PS Shakarpur
U/s 420/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

None for accused through VC.

Relist on 27.10.2020.



(Aakanksha Vyas)
Metropolitan Magistrate (East Dist.)
MM-5 (East) KKB Court Complex,
Karkardooma Court, Delhi/26.10.2020
Delhi-110032

FIR No. 035967/19
State vs. Avdhesh Kumar
PS Shakarpur
U/s 379/411 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Akash Giri, Id. Counsel for the accused through VC.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 08.08.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and the recovery of the stolen property 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 and stolen property has been recovered from the accused.

Heard both the parties.

In the present case, the accused is in J/C since 08.08.2020. Case property in the present case has already been recovered. As per reply of IO, the present accused was formally arrested in the present case on 11.09.2020 and since then he is in JC and the accused has no previous involvement in any offence. 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. 5,000/- 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.



(Ankanksha Vyas)
Metropolitan Magistrate (East District)
MM-3 (East) KKD Court
Delhi Karkardooma Court Complex,
Delhi-110032
26.10.2020

Metropolitan Magistrate
Room No. 03,
Karkardooma Court, Delhi

FIR No. 227/20
State vs. Not known
PS PIA
U/s 279/337 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. M.K. Sharma, Id. Counsel for the applicant is present through VC.

An application has been moved for release of Documents i.e. D.L and R.C. of the Vehicle No. HR 382-2146 (Canter).

Reply has been filed under the signature of SI Narender Kumar, wherein it is submitted that there is no objection for the release of DL and RC of the above said vehicle, to the **rightful owner** only.

I have perused the application and the reply. The RC and DL be released to the rightful owner only, if the same are not required by the IO for investigation. Further, photocopy of the above mentioned documents, countersigned by the applicant be retained by the IO.

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



(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
MM-5 (East) KKD Court
Karkardooma Court Complex.
Delhi-110032
26.10.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, Floor,
Karkardooma Court, Delhi

FIR No. 36/20
State vs. Kishan
PS PIA
U/s 392/411/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

None for applicant through VC.

I have perused the application. I have also perused the reply of the IO.

In the present application the applicant/accused Kishan is seeking status of the co-accused persons i.e. whether the co-accused persons have been granted bail or not. In view of the fact that the applicant/accused is not seeking any relief or information with respect to himself, the present application is not maintainable and hence it is dismissed.

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)
Metropolitan Magistrate (East Distt)
MM-5, Karkardooma Court Complex,
Delhi-110002
26-10-2020



FIR No. 387/20
State vs. Kavita Goyal
PS Shakarpur

AAKANKSHA VYAS
Metropolitan Magistrate
Karkardooma Courts
Delhi

26.10.2020

Present : Ld. APP for the State is present through VC.

Complainant and other victims along with Id.counsel Sh. Sudhir Sharma present through VC.

Sh. Ajit Rajput, Id. Counsel for the accused is present through VC.

Submissions of Id. APP for the State, Id. Counsel for the complainant and Id counsel for the accused heard.

Relist for clarifications/ order on 27.10.2020.



S
Metropolitan Magistrate (East District)
Karkardooma Courts Complex
MM-5, (East) Karkardooma Court
Delhi 2010032

FIR No. 387/20
State vs. Radhika Murli
PS Shakarpur

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

26.10.2020

Present : Ld. APP for the State is present through VC.

Complainant and other victims along with Id.counsel Sh. Sudhir Sharma present through VC.

Sh. Ajit Rajput, Id. Counsel for the accused is present through VC.

Submissions of Id. APP for the State, Id. Counsel for the complainant and Id counsel for the accused heard.

Relist for clarifications/ order on 27.10.2020.



Metropolitan Magistrate (East Distt)
(Aakanksha Vyas)
Karkardooma Court Complex,
MM-5, (East) KKD Court
Delhi-110032
Delhi/26.10.2020

AANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 456/20
State vs. Surat
PS Krishna Nagar
U/s 380 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Padam Khanna, Id. Counsel for the applicant/accused through VC.

Application perused. Reply of the jail superintendent perused.

Copy of the reply of jail superintendent be supplied to the Id. Counsel for the applicant/accused. Further, today the bail application of the accused in the FIR No. 42/20 PS Krishna Nagar mentioned in the reply of the jail superintendent is also listed and as per reply of the IO to the said bail application, the accused has been discharged in the said FIR by order of Ld. Jail Duty MM dated 23.10.2020. Application accordingly stands disposed off.

Copy of this order as well as copy of the reply of jail superintendent 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)
Metropolitan Magistrate (East District)
Karkardooma Court Complex,
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No.03, 1st Floor,
Karkardooma Court, Delhi

State vs. Amit Kumar Jain
FIR No. Not known
PS Krishna Nagar

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Shobhit Gupta, Id.counsel for the accused is present through VC.

Ld. Counsel for the accused submitted that inadvertently he filed the present bail application before this Court and he wants to withdraw the same. Accordingly, application stands disposed off as withdrawn.

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
Metropolitan Magistrate (East Distt),
Karkardooma Court Complex,
MM-5, (East Distt) Courts, Delhi
26-10-2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, 1st Floor,
Karkardooma Court, Delhi

E-FIR No. 21936/20
State vs. Imran
U/s 379/411 IPC
PS Shakarpur

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. S.K. Shukla, Id.counsel for the accused through VC.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 25.09.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and the recovery of stolen property shown from the accused, if any, has been planted upon him. The Id. Counsel also submitted that the accused has no previous involvement in any other case. 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 and stolen case property has been recovered from the present accused and he can commit similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 25.09.2020 and he was formally arrested in the present case as per the reply of the IO. Case property in the present case has already been recovered. As per reply of IO, accused has no previous involvement in any offence. 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. 5,000/- 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-5, (East District Court)
Metropolitan Magistrate Complex,
Karkardooma Court, Delhi-110032
26.10.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Karkardooma Court Complex
Delhi-110032

FIR No. 409/20
State vs. Bhagirathpal @ Ranoo
PS Shakarpur
U/s 307/34 IPC And 27/ 54/ 59 Arms Act

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Vijay Sharma, Id. Counsel for the accused through VC.

Application perused. It is stated in the application that the accused wants to surrender himself in the present case. He is at liberty to appear before the IO and surrender. The IO is directed to comply with the mandate of the law while arresting the accused and the IO is also directed to ensure that the accused is not maltreated and the mandate of the law is followed while interrogating the accused. Further the IO is directed to produce the accused before the concerned Magistrate within 24 hours.

Copy of this order be given dasti to the Id.counsel for the accused and copy be also sent to the SHO PS concerned.

(Aakanksha Vyas)
Metropolitan Magistrate (East Distt)
MM-5 (East) KKD Court
Karkardooma Court Complex,
Delhi-110032
Date-11/10/20



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

FIR No. 324/20
State vs. Lalit Kumar
PS Shakarpur
U/s 380/457/511 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

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 Lalit Kumar.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 28.07.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further the entire family of the accused is dependent upon him and they are facing financial crises on account of the arrest of the accused. 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 and as per reply of the IO, the accused was apprehended at the spot and he is also a habitual offender.

Heard both the parties.

In the present case, the allegations are serious in nature in as much as it is alleged by the complainant that on the day of the incident in question, the accused was trying to open the shutter of the shop of the complainant and he was apprehended by the complainant himself with the help of the public persons. However, the accused has remained in JC since 28.07.2020. Further the investigation has already been completed and as per clarification received from the IO through the Naib Court, chargesheet has also been filed in the present case. 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 personal 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 Ld. Counsel for the accused on his email ID and the same be uploaded on the Delhi District Court Website today itself.



(Aakanksha Vyas)
Metropolitan Magistrate (East Dist.,
MIM-5, East) KKD Court
Karkardooma Court Complex,
Delhi-110032
26/10/2020

श्री अकंक्षा व्यास
महानगर न्यायाधीश (पूर्व)
दिल्ली न्यायालय
कानून संकाय, दिल्ली

e-FIR No.22538/20
State vs. Wasim
PS Shakarpur
U/s 379 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Narender Babu, Id. Counsel for the accused through VC.

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

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 12.09.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and the recovery of stolen property shown from the accused, if any, has been planted upon him. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and he has no criminal antecedent. 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 and the stolen property in the present case has been recovered from the present accused.

Heard both the parties.

In the present case, the accused is in J/C since 12.09,2020. Case property in the present case has already been recovered. As per reply of IO, the accused was formally arrested in the present case. 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. 5,000/- 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)
Metropolitan Magistrate (East Distt)
Karkardooma Court Complex,
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

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

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Sumit Sharma, Id. Counsel for the applicant/accused through VC.

Bail application perused. Reply of IO perused.

Ld. Counsel for the accused has submitted that in the present application, he has sought the interim bail for the accused of 45 days but now he wishes to move regular bail application for the accused and hence he wants to withdraw the present bail application.

In view of the submissions made by the Id. Counsel, the present application is disposed off as withdrawn.

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-5, (East) KKD Court
Delhi/26.10.2020


Metropolitan Magistrate (East Distt)
Karkardooma Court Complex,
Delhi-110032



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 20, East
Karkardooma Court Complex

FIR No. 42/20
State vs. Surat @ Soorat @ Raju
PS Krishna Nagar
U/s 457/380 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Padam Kumar Khanna, Id. Counsel for the accused through VC.

Bail application perused. Reply of IO perused.

As per reply of the IO, the present accused has been released in the present case by the Id. Jail Duty MM on 23.10.2020. Hence, the present application is dismissed as being infructuous.

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-5, (East) KKD Court
Delhi-26.10.2020
Metropolitan Magistrate (East District)
Karkardooma Court Complex,
Delhi-110032

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, Floor,
Karkardooma Court, Delhi

E-FIR No. 21861/20
State vs. not known
U/s 379 IPC
PS Krishna Nagar

26.10.2020

Present : Ld. APP for the State is present through VC.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL 6S AR 0393** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Dhiraj Singh 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.

Metropolitan Magistrate (East Dist)
(Aakanksha Vyas)
Karkardooma Court Complex,
MVF-5, (East) RKD Court
Delhi-110032
Date: 10/10/20



AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, 1st Floor,
Karkardooma Court, Delhi

FIR No. 14571/19
State vs. Mohit Raghav
PS Shakarpur
U/s 379 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Yashasvi, Id. Counsel for the accused through VC.

Bail application perused. Reply of the IO perused.

As per reply of the IO, the accused has not been arrested in the present case till date. Hence the present application is dismissed being infructuous.

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)
Metropolitan Magistrate (East District)
Karkardooma Court, Delhi
Delhi-110032
26.10.2020

AAKANKSHA VYAS
Metropolitan Magistrate
Room No. 03, 1st Floor,
Karkardooma Court, Delhi

FIR No. 296/20
State vs. Aakar Talwar
PS PIA
U/s 323/ 342/ 365/ 506/34 IPC

26.10.2020

Present : Ld. APP for the State is present through VC.

Sh. Gopal Sharma, Id. Counsel for the accused through VC.

Bail application perused. Reply of IO perused.

The Id.counsel for the complainant submitted that the accused has been falsely implicated in the present case and he is in JC since 21.10.2020. The Id. Counsel also submitted that the offences invoked against the accused are all bailable except section 365 IPC. The Id. Counsel further submitted that Section 365 IPC is not made out from the allegations in the FIR for the following reasons. Firstly the Id. Counsel submitted that the FIR itself reflects that no ransom was demanded by the accused persons from the complainant or from anyone related to the complainant. Further, the alleged incident of kidnapping occurred in the night of 21.10.2020 and on the same day, the complainant himself escaped from the clutches of the accused persons and himself called on 100 number. The Id. Counsel also submitted that as per the allegations in the FIR the complainant came back to the toll booth where the initial part of the alleged incident occurred in order to call on 100 number which creates a doubt because if the complainant was abducted as alleged by him, he would have made a call on 100 number the moment he was able to escape from the wrongful confinement by the accused persons. The Id counsel also submitted that the accused is a respectable person and well settled in the society and he is not previously involved in any other offence .



Ld APP for the State has strongly opposed the bail application of the accused stating that the allegations are serious in nature and there is every possibility that the accused will threaten the complainant or cause harm to him .

I have perused the FIR carefully and I have also perused the reply of the IO as well as the CCTV footage filed by the IO along with the reply in a pen drive. As per the FIR, the complainant was performing duty on the intervening night of 20-21/10/20 at Sabjimandi Naka Bhovapur, Ghaziabad of collecting toll tax. On 20.10.20 at about 11.00 pm, the present accused along with the co-accused persons namely Ravinder Kumar and Ram Kumar Pradhan came in a Brezza Car. Thereafter, co accused Ravinder called the complainant near the vehicle and then, the present accused Aakar as well as co accused Ram Kumar Pradhan came out of the vehicle and all the three accused persons started beating the complainant for daring to collect the toll tax from the accused persons. The complainant has further alleged that thereafter all the three accused persons took the complainant to Bhovapur, Ghaziabad after forcibly making him sit in the car and in Bhovapur village, the complainant was kept in a room by the accused persons and beaten by them. As per the FIR, the complainant somehow escaped from the clutches of the accused persons and came back to the toll tax booth and called on 100 number. As per the reply of the IO, the accused persons were arrested on the night of the incident itself .

The contents of the FIR as narrated above reflect serious allegations against the present accused as well as the co accused persons in as much as a person who was performing his duty was beaten and forcibly taken to a village where he was wrongfully confined and again beaten . The IO has stated in his reply that the part of the



incident in question which took place near the toll tax booth was captured in the CCTV camera and footage thereof was annexed by the IO along with his reply in a pen drive. I have perused the said CCTV footage also which corroborate the allegations of the complainant. Now the Id. Counsel for the accused has strongly contended that Section 365 IPC is not made out because the accused persons had no motive in abducting the complainant nor was any ransom demanded . However, section 365 IPC does not require the demand of ransom for the offence to be completed. Offence u/s 365 IPC is made out when a person is kidnapped or abducted with intention to cause a person to be secretly confined or kidnapped. In the present case the complainant has alleged that he was forced to sit in the vehicle of the accused and taken to a village where he was kept in a room and beaten . Therefore, prima facie Section 365 IPC gets attracted in the present case and the same is not bailable even though the remaining offences in the FIR are bailable. Investigation is at a very initial stage. Therefore keeping in view the nature of allegations and the fact that the investigation is at initial stage, I am not inclined to grant bail to the accused. Hence, the present bail application is dismissed. 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)

Metropolitan Magistrate (East Distt,
Karkardooma Courts Delhi-110032
Delhi-110032



AMENDMENT NO. 1003
Metrop. Magistrate (East Distt)
Room No. 03
Karkardooma Court, Delhi

Letter no. 344/ Ghaziabad dated 23.10.2020

26.10.2020

Present : Ld. APP for the State is present through VC.

The above mentioned letter received from the jail superintendent ,
District Jail, Ghaziabad, has been perused.

Issue notice to the IO to file reply on 27.10.2020.

sd -
Metropolitan Magistrate (East Distt)
Karkardooma Court Complex.
Delhi
26.10.2020

