

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Makkhan Lal Jain
FIR No: 114/2020
PS Preet Vihar
U/s 387/506/201/120-B/34 IPC

27.06.2020

A bail application under Section 437 Cr.P.C. through VC.

Present: Sh. Ramesh, Ld. APP for the State through VC
Sh. Kashmir Singh, ld. Counsel for the applicant through VC.

Reply received from the IO.

At this stage, ld. Counsel for the applicant submits that without prejudice to the rights of the accused, he wants to withdraw the present application.

Considering his submissions, the **application is disposed of as withdrawn.**

Copy be sent to the ld. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original bail application along with documents within 7 days of the opening of the court.

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(DINESH KUMAR)
ACMM (EAST)/KKD/27.06.2020.

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Shahrukh

FIR No: 58/2020

PS New Ashok Nagar

U/s 356/379/34 IPC

27.06.2020

A bail application under Section 437 Cr.P.C. through VC.

Present: Sh. Ramesh, Ld. APP for the State through VC

Sh. D.K. Santoshi, Ld. Counsel for accused through VC

Reply is received from the IO

Accused is stated to be in JC.

Submissions on bail application heard.

Reply of IO perused.

It is stated by learned counsel for accused/applicant through VC that the accused has been falsely implicated in the present case and he is in J.C since 19.02.2020. It has been argued that investigation in the matter has already been completed and the charge sheet has also been filed in the court. It has been argued by Ld. Counsel for accused that no fruitful purpose would be served by keeping the accused/applicant in J/C. Nothing has been recovered from his possession and the alleged recovery has been planted upon the accused. Hence, it is prayed, that accused/applicant may be granted bail.

The accused is shown to be in custody since 19.02.2020. Sufficient time has already been passed. His custody is not required for further investigation. This is a period when there is need of decongestion of jails due to COVID-19 Pandemic. Considering the circumstances, nature of offence in question and the age of the

accused/applicant, accused/applicant is hereby granted bail on furnishing bail bond in the sum of Rs. 20,000/- with one surety of like amount and subject to verification of address of accused as well as his surety, with the following directions : -

1. He shall not change his address without intimation to the Court.
2. He will not try to influence the witnesses.
3. He will not leave the country without prior permission of the court.
4. He will not involve in similar type of offences after releasing on bail. If he is found indulge in similar such type of offences in future, State shall be at liberty to move an application for cancellation of his bail.

With above directions, bail application of accused stands disposed of.

Copy of this order be sent to Jail Superintendent concerned for necessary information and compliance, if any and to supply the copy to the accused.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original bail application along with documents within 7 days of the opening of the court.

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Date: 2020.06.27
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(DINESH KUMAR)
ACMM (EAST)/KKD/27.06.2020.

IN THE COURT OF ACMM -EAST KKD DELHI

State vs. Kusum Lata

FIR No: 113/2020

PS Preet Vihar

27.06.2020

**An application for releasing the vehicle on Superdari of Car/
vehicle no. DL-5CH-7315**

Present: Sh. Ramesh, Ld. APP for the State through VC
Sh. Sandeep Kumar, Id. Counsel for the applicant
through VC.

Reply received from the IO.

Submission heard. Reply perused.

Ld. Counsel submits that the aforesaid application has been moved for releasing the car bearing no. DL-5CH-7315 on superdari. However, in the application it is inadvertently mentioned as Motor cycle in the application.

Perusal of the record would show that the applicant is not the registered owner of the offending vehicle. Further, as per the report of the IO, the vehicle was not insured at the time of accident. Further, the IO has also stated that DL of the accused is yet to be verified.

In these circumstances, the application is kept pending.

The IO is directed to conduct investigation in relation following issues with regard to the aforesaid vehicle :-

- (i) Whether the applicant is the rightful owner of the vehicle. For that purpose, IO shall make inquiry from the registered owner of the vehicle and shall submit report on the next date of hearing.

- (ii) Whether the DL of the accused is valid or not, and ;
- (iii) What is the medical condition of the victim and current health status of the victim.

IO is directed to conduct a investigation as abovementioned and to file the report on the next date of hearing.

This application be listed for further consideration on 08.07.2020.

Copy of this order be sent to the IO for compliance.

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(DINESH KUMAR)
ACMM (EAST)/KKD/27.06.2020.

IN THE COURT OF ACMM -EAST KKD DELHI

FIR No.114/2020

PS Preet Vihar

State Vs DL 9 C AR 5707 (Owner-Himanshu Jain)

27.06.2020

Through Video conferencing

Application for releasing vehicle no. DL-9C AR 5707 on superdari.

Present: Ld. APP for the State through VC.

Sh. Kashmir Singh, Ld. counsel for applicant through VC.

Reply received from the IO.

Submission heard. Reply perused.

In view of the judgement of Hon'ble High Court of Delhi in the case of **Manjeet Singh Vs. State Crl. M.C. 4485/2013 and Crl. M.A. No. 16055/2013**, the above said vehicle be released to the applicant on superdari on furnishing indemnity bond in the sum of Rs. 6,00,000/- (Rs. Six lacs only) to the satisfaction of the IO. The superdar shall produce the vehicle in court during trial if required.

The SHO/IO is further directed to ascertain and satisfy himself about the ownership of the vehicle in question and also to take the photographs of the case property alongwith the negatives duly authenticated and certified and a detailed panchanama be also prepared of the property before such release. It is also directed that the investigating officer shall keep on record the permanent address of the applicant, his/her identity proof, his/her address proof as well

as his/her phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he/she will intimate to the court and address which he/she may change during the course of time.

Photographs shall be placed on record alongwith the Negative/CD. If the photographs are taken from digital camera, there is no need to place negatives on record.

Applicant shall be at liberty to dispose off the case property.

The documents of the property which are found genuine during investigation be also released to the rightful claimant. Application is disposed off accordingly. Copy of this order be given dasti to the applicant.

Copy be sent to the Id. Defence counsel on his E-mail and order be uploaded on the server.

Ld. Counsel for the applicant is directed to file the original application along with documents within 7 days of the opening of the court.

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DINESH KUMAR
Date: 2020.06.27
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(DINESH KUMAR)
ACMM (EAST)/KKD/27.06.2020.