

FIR No.290/20  
PS.Laxmi Nagar  
28.08.2020

Present: Sh. Agredeep Goel, Ld. Counsel for applicant Manish Kumar  
(through video conferencing).  
IO Faizan Ghani (through video conferencing).

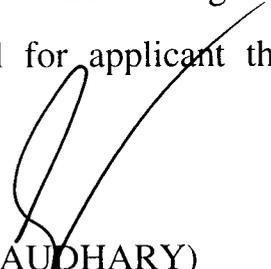
Time sought by the IO to ascertain the actual ownership of the vehicle bearing registration no. HR-26EC-0657 (Hyundi I10) from the concerned authority i.e. RTO, Gurugram. It is stated that despite several visits to the authority, it cannot be ascertained that how the vehicle was transferred in the name of complainant.

Heard.

IO is directed to expedite the process and file report on NDOH i.e. 05.09.2020.

IO is at liberty to initiate legal proceedings against the concerned authority in case, the officials thereof do not cooperate in the investigation.

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

  
( RENU CHAUDHARY)  
MM-04/East/KKD/Delhi/28.08.2020

FIR No.351/20  
PS. Laxmi Nagar  
**Applicant: Arun**

28.08.2020

Present: Ld. APP for the State (through video conferencing).  
Sh. Brajesh Yadav, Ld. Counsel for accused/applicant Arun  
(through video conferencing).

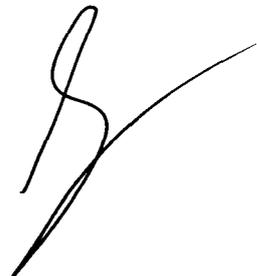
Vide this order, I shall dispose of the application moved by accused Arun, seeking bail.

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 filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that accused has been falsely implicated in the present case and he is in JC since 21.08.2020. It is further stated that there is no previous conviction record of accused and he is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.



On the other hand, the application has been vehemently opposed by Ld. APP for the state stating that as per the report of IO, police custody remand of accused is yet to be taken to recover the vehicle used in commission of crime. It is further stated that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the bail.

The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, the allegations against the applicant/accused are grave and serious, the investigation is at the initial stage and vehicle used in commission of offence is yet to be recovered. There is every likelihood that the accused may temper with the prosecution's evidence if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Arun is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

( RENU CHAUDHARY )  
MM-04/East/KKD/Delhi/28.08.2020

FIR No.351/20  
PS. Laxmi Nagar  
28.08.2020

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 Samsung J-7 IMEI No. 3567356273071164399.

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.



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In view of above IO/SHO is directed to release the mobile phone make Samsung J-7 IMEI No. 356273071164399 to the applicant/owner on furnishing security / indemnity bond as per valuation of mobile phone make Samsung J-7 IMEI No. 356273071164399. 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/28.08.2020

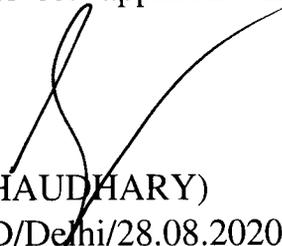
FIR No.221/19  
PS.Laxmi Nagar  
28.08.2020

Present: Sh. Sharad Pandey, Ld. Counsel for applicant (through video conferencing).

Repot not filed by Jail Superintendent concerned.

Let the same be filed on or before 29.08.2020.

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

  
( RENU CHAUDHARY)  
MM-04/East/KKD/Delhi/28.08.2020

FIR No.290/20  
PS.Laxmi Nagar  
28.08.2020

Present: Sh. Agrdeep Goel, Ld. Counsel for applicant Mohd. Nasir (through video conferencing).  
IO Faizan Ghani (through video conferencing).

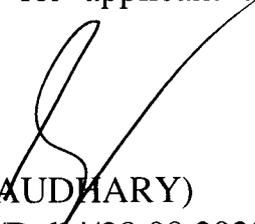
Time sought by the IO to ascertain the actual ownership of the vehicle bearing registration no. HR-26EC-4866 from the concerned authority i.e. RTO, Gurugram. It is stated that despite several visits to the authority, it cannot be ascertained that how the vehicle was transferred in the name of complainant.

Heard.

IO is directed to expedite the process and file report on NDOH i.e. 05.09.2020.

IO is at liberty to initiate legal proceedings against the concerned authority in case, the officials thereof do not cooperate in the investigation.

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

  
( RENU CHAUDHARY)  
MM-04/East/KKD/Delhi/28.08.2020

E. FIR No.000247/20  
PS.Laxmi Nagar  
28.08.2020

Present: Sh. Imran Khan, Ld. Counsel for applicant (through video conferencing).

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.

Additional report filed by the IO. Same is perused.

As per report, the mobile phone mentioned by the applicant is not the one recovered in the present FIR.

It is stated by the applicant that inadvertently wrong description of mobile phone has been mentioned in his application.

In view of these facts and circumstances, the present application is dismissed and disposed of accordingly.

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

( RENU CHAUDHARY )  
MM-04/East/KKD/Delhi/28.08.2020

FIR No.379/20

PS. Laxmi Nagar

**Applicant: Fahad Ansari**

28.08.2020

Present: Ld. APP for the State (through video conferencing).  
Sh. Abdul Gaffar, Ld. Counsel for accused/applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Fahad Ansari, seeking bail.

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.

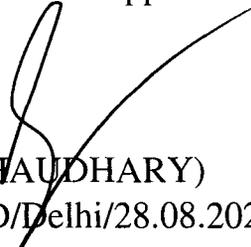
Ld. Counsel for accused seeks liberty to withdraw the application due to technical reasons.

Heard.

In view of the aforesaid reason, the present bail application is dismissed as withdrawn.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

  
( RENU CHAUDHARY)  
MM-04/East/KKD/Delhi/28.08.2020

FIR No.8365/20

PS. Laxmi Nagar

28.08.2020

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

This is an application U/Sec. 173 Cr.P.C filed on behalf of complainant seeking orders for accepting the 'Untrace Report' filed by the IO.

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 that the present FIR was lodged on 12.03.2020 by the complainant /applicant alleging that his car make Maruti Dzire VDI bearing registration no. DL-2CAV-1889 has been stolen. Thereafter, an untrace report was filed by IO in the aforesaid FIR to which the complainant/applicant has no objection, if accepted.

As per the reply filed by IO, the Court of Ld. ACMM (East) is the designated Court of MVT cases.

Hence, this Court doesn't have jurisdiction to decide the present application. Therefore, the present application is dismissed for want of jurisdiction and disposed of accordingly.

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

( RENU CHAUDHARY)

MM-04/East/KKD/Delhi/28.08.2020

FIR No.367/20

PS. Laxmi Nagar

**Applicant: Fahad Ansari**

28.08.2020

Present: Ld. APP for the State (through video conferencing).  
Sh. Abdul Gaffar, Ld. Counsel for accused/applicant (through video conferencing).

Vide this order, I shall dispose of the application moved by accused Fahad Ansari, seeking bail.

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.

Ld. Counsel for accused seeks liberty to withdraw the application due to technical reasons.

Heard.

In view of the aforesaid reason, the present bail application is dismissed as withdrawn.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

  
( RENU CHAUDHARY)

MM-04/East/KKD/Delhi/28.08.2020