

28.07.2020

File taken up suo-moto today. Earlier date already fixed i.e. 03.09.2020 stands cancelled.

Present:- None for complainant in person.

An application u/s 156(3) alongwith a complaint u/s 200 Cr.PC. had been moved by the complainant against the accused persons with a prayer that the complaint be sent to the concerned PS for registration of FIR. In view of application u/s 156(3), status report was summoned from the concerned PS. Subsequently, arguments of Ld. Counsel for the complainant on the said application were heard on 18.10.19. The case is fixed for orders today.

ORDER

I have carefully perused the complaint and application u/s 156(3) Cr.P.C. as well as the other material on record. I have also perused the status report filed by the IO.

Briefly put, the facts of the present case are as follows. The complainants have stated that the accused is the wife of their late brother namely Sh. Harsaran and she is residing in a portion of the property i.e. H.No. 64/1, Shakarpur Khas, Delhi-110092 in which the complainants are also residing. The complainants have alleged that the said property belonged to their father namely Sh. Tofa Ram who had executed a will in favour of Sh. Harsaran qua the said property, but subsequently after the death of Sh. Harsaran, due to the illegal acts of the accused, Sh. Tofa Ram executed registered documents regarding cancellation of will and GPA which was executed in favour of



Sh. Harsaran. However, the accused misutilised the above mentioned will and GPA which was initially executed by Sh. Tofa Ram and obtained probate. The complainants have stated in their complaint that subsequently the said probate was even revoked vide order dated 16.03.2018 of Ld. ADJ Sh. Vishal Singh. The principal allegation of the complainants in the present complaint is that in her probate petition, the accused has relied upon certain documents i.e. Voter I-card, Aadhar Card, telephone bill, electricity bill and Ration Card, but there are grave discrepancies in these documents. For instance, it is alleged by the complainants that there is a discrepancy regarding the age of the accused in the Voter I-Card and her Aadhar Card. Further, in her ration card, the accused has disclosed that she has a daughter namely Suman whereas the truth is that accused has no daughter. Furthermore, it is also alleged by the complainants that the accused has given a different address in the electricity and the telephone bills. Accordingly, the complainants have alleged that the accused has committed offences Under Sections 420/468/471/192/193/195/120B/34 IPC and therefore FIR may be registered against her.

In this regard it becomes imperative to keep in consideration the circumstances, when such an application should be entertained by the court. In ***Ms. Skipper beverages P.Ltd. Vs. State 2002 CrI. L.J. NOC 333 (Delhi)***, the circumstances when the powers of magistrate U/s 156 (3) Cr.P.C should be exercised, has been explained. It was held that:

"Section 156 empowers Magistrate to direct police to register case and initiate investigation but this power had to be



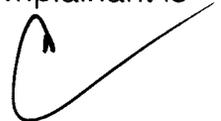
exercised judiciously not in mechanical manner. Those cases, where allegations are not very serious and complainant himself in possession of evidence to prove allegation, there should be no need to pass order U/s 156 Cr.P.C". But, cases where Magistrate is of view that nature of allegation is such that complainant himself may not be in position to collect, and produce evidence before court, and interest of justice demand that police should step into to help complainant, police assistance can be taken".

However after perusal of the material on record and after hearing the submissions of counsel, it is clear that the identity of the accused is known to the complainants and all the facts and circumstances of the case, also appear to be within the knowledge of the complainants and evidence can be conveniently taken without assistance of police investigation and any relevant documents required by the complainants to prove their above mentioned allegations, can also be obtained by them from the concerned authority by obtaining summons from the Court. It has been similarly held in **Gulab Chand Upadhyaya Vs State Of U.P. And Ors. 2002 CriLJ 2907** that:-

"where the complainant is in possession of the complete details of all the accused as well as the witnesses who have to be examined and neither recovery is needed nor any such material evidence is required to be collected which can be done only by the police, no "investigation" would normally be required and the procedure of complaint case should be adopted."

So, in the facts of the present case, there appears no requirement of police investigation. Further, if there is any need, police inquiry can be had u/s 202 Cr.P.C. Accordingly with the above observations, application u/s 156(3) Cr.P.C. is dismissed.

However I take cognizance of the offence u/s 200 Cr.P.C. The case be re-listed for pre-summoning evidence. The complainant is



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directed to produce evidence and witnesses at his own efforts. Put up for PSE for 11.11.2020. Copy of this order be uploaded on the site of Delhi District Courts, today itself.


(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-06
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.178/2020
P.S.: PIA
U/s: 411/482 IPC
State Vs. Dimple Chauhan

28.07.2020

Present : Ms. Nikita Bansiwala, Ld. Substitute APP for the State is present through Video Conferencing.

None for applicant in person.

IO is directed to file fresh reply on 29.07.2020.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020



आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.11069/20
P.S.: e-police station, East(Shakarapur)
U/s: 379 IPC
State Vs. Unknown

28.07.2020

Present : Ms. Nikita Bansawal, Ld. Substitute APP for the State is available for hearing through VC.

None for applicant in person.

This is an application for release of vehicle on superdari. Reply of IO has also been received. Application perused. Reply of IO also perused. As per the reply of IO, the present FIR pertains to PS: Laxmi Nagar which does not fall within the territorial jurisdiction of this court. Hence, the present application is dismissed for want of territorial jurisdiction.

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

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020



आकांशा व्यास
AAKANKSHA VYAS
मुहाण्णर दण्डाधिकाारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
गेर्ट नं. 03, द्वितीय तला
Court No. 03, 2nd Floor
करकाडूमा कोर्ट, दिल्ली-05
Karkardooma Courts, Delhi-05

STATE Vs. Shubham Mittal
FIR No.155/2019
PS Shakarpur

28.07.2020

Fresh application for cancellation of NBW issued against the applicant/accused, received by way of email today.

Present : Ms. Nikita Bansiwala, Ld. Substitute APP for the State is available for hearing through VC.

None for applicant in person.

Relist on 29.07.2020.



(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-06
Metropolitan Magistrate (East)-06
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi

FIR No. 303/20
State vs. Sachin Tyagi
U/s 376 IPC
PS Krishna Nagar

28.07.2020

Present : Ms. Nikita Bansiwala, Ld. Substitute APP for the State is present through Video Conferencing.

Ld. Counsel for accused is present through Video Conferencing.

The present bail application has been filed on behalf of accused Sachin Tyagi. Reply of IO has also been received.

Ld. Counsel for the accused contended that the present accused has been falsely implicated in the present FIR. It is stated that the accused is a young person and a respectable citizen. It was also submitted that he has not been named in the present FIR which was initially registered U/s 376 IPC and has been arrested on the disclosure of co-accused persons. It was submitted by Ld. Counsel that mere disclosure statement on the basis of which accused has been arrested in the present case, is inadmissible evidence. It was also submitted by the Ld. Counsel that recovery if any, has been planted upon the present accused. It was further submitted by the Ld. Counsel that the reply of the IO fails to disclose the material on the basis of which the IO has concluded that the present accused conspired with the remaining co-accused persons in order to falsely implicate one Anil Jain for the offence of rape of the complainant. It was further submitted by Ld. Counsel that the accused has been implicated in the present case as an act of vengeance by the police officials because he got trapped one SI Vijay Kumar in a bribery case, who was later even convicted by the CBI Court. It was also submitted by the Ld. Counsel that there is an alarming situation in the jail on account of Covid-19 pandemic and thus the health of the present accused is also at grave risk in the jail. Lastly, the Ld. Counsel contended that in the present case, a grave error has been committed by the IO in as much as the IO has arrested the original complainant herself on whose statement the present FIR was registered initially u/s 376 IPC. Further, the IO has subsequently added 420/419/389/182/211

IPC, instead of registering a separate FIR and arrested the present co-accused as well.

Ld. APP for the State has opposed the bail application of accused stating that the allegations are serious in nature. She has further submitted that the investigation of the present case is ongoing and the present accused has a primary role.

I have carefully perused the averments of the present bail application. I have also perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The present FIR was originally registered U/s 376 IPC on the basis of statement of complainant 'P' who had alleged that one Anil Jain committed rape against her on 02.06.20. As per the FIR, the said complainant 'P' disclosed this fact to her sister Pooja who then called on 100 No. and the present FIR was registered and investigation was set into motion. The reply of the IO reflects that subsequently the said Pooja disclosed in her statement recorded U/s 164 Cr.P.C that co-accused Afroz had threatened her and the present accused is also involved with co-accused Afroz. The IO has stated in her reply that during investigation it was found that the original name of the complainant 'P' is Alia Khan and she also turned hostile in her statement recorded U/s 164 Cr.P.C. I have perused the statement of complainant 'P' recorded U/s 164 Cr.P.C as well as the statement of Pooja recorded U/s 164 Cr.P.C . Upon specific query, the IO has informed the court that Anil Jain has already been released from custody after his bail application was allowed by the Ld. Sessions Court. I have also perused the statement of Pooja recorded U/s 164 Cr.P.C wherein she has specifically made allegations against the present accused. I have also perused the statement of the complainant's son as well as one Rajesh recorded U/s 161 Cr.P.C. The reply of the IO also reflects that the complainant's son Ayush Jain has also given a written complaint to the IO in which he has alleged that after his father i.e. Anil Jain was arrested, accused Afroz demanded Rs. 20 Lakhs from him for closing the present FIR with Rs. 5 Lakhs payable at the time the complainant 'P' /accused Alia turned hostile in her statement recorded U/s 164 Cr.P.C. As per

reply of IO, CDR has been obtained which shows that present accused was in touch with co-accused Afroz.

In light of the facts narrated above, I am not inclined to grant bail to the present accused. Investigation is at a very initial stage. Witness Pooja has made specific allegations against the present accused. In so far as the objection of Ld. Counsel to the error committed by the IO in adding offences U/s 420/419/389/182/211 IPC to the present FIR itself is concerned, I deem it fit to mention here that the proper course to be followed by the IO would have been to register a separate FIR upon the statement of witness Pooja. However, the said error committed by the IO does not affect the merits of the present bail application. Hence, the present bail application is dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused through email.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
केडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

e-FIR No.000545/20
P.S.: PIA
U/s: 379/411
State Vs. Shareef

28.07.2020

Present : Ms. Nikita Bansiwala, Ld. Substitue APP for the State is present through Video Conferencing.

None for applicant in person.

The present application for release of mobile phone **REDMI-7 Blue** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Inder Sharma 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.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

आकांक्षा व्यास
AAKANKSHA VYAS
महानगर न्यायाधिकारी (पूर्व)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 05, द्वितीय तल
Court No. 05, 2nd Floor
निकाहदोना कोर्ट, दिल्ली-32
Nahardonna Courts, Delhi-32

FIR No.238/2020
P.S.: Shakarpur
U/s: 392/34 IPC
State Vs. Rahul Raghav

28.07.2020

Present : Ms. Nikita Bansibal, Ld. Substitute APP for the State is stated to be present through Video Conferencing.

Report from Jail Superintendent not received. Jail Superintendent, Mandoli Jail is directed to file status report tomorrow i.e. 29.07.2020.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

STATE Vs. Lucky Yadav
FIR No.0236/2020
PS Krishna Nagar

28.07.2020

Fresh application for release the articles /jamatalashi as per seizure memo on behalf of the accused, received by way of email today.

Present : Ms. Nikita Bansiwal, Ld. Substitute APP for the State is available for hearing through VC.

None for applicant in person.

IO/SHO PS concerned to file reply on 29.07.2020.



(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

Fir No. 72/2019
P.S. Krishna Nagar
State Vs. Mohd. Rijwan
U/s 420 IPC

28.07.2020

Present : Ms. Nikita Bansawal, Ld. Substitute APP for the State is present through Video Conferencing.
Ld. Counsel for accused is present through video conferencing.

An application for grant of interim bail is moved on behalf of accused Mohd. Rijwan.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for accused has submitted that interim bail for the period 29/07/2020 to 01/08/2020 may be granted to accused as the Muslim festival of Bakar Eid is approaching and the accused wants to be with his family members on account of the said festival. Ld. Counsel for the accused has also stated that accused has no previous criminal antecedents. He is in JC since 08.07.2020. He has further submitted that accused has been falsely implicated in the present case on the basis of false complaint and that he is not named in the FIR.

Ld. APP for the State has objected to the bail application of the accused stating that the allegations are serious in nature and as per the reply of IO, there is a lot of incriminating evidence against the present accused. He has also stated that he is the main accused in the present case.

Heard both the parties.

I have carefully perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The allegations are serious in nature, as the complainant has alleged that the present accused alongwith co-accused persons fraudulently obtained copy of his Adhaar Card and Credit Cards and also fraudulently obtained duplicate SIM of his Mobile No. and thereafter used his Credit Cards for various transactions. As per the reply of IO, the present accused was identified by the complainant as the person who came to his house and collected the photocopy of his Adhaar Card and photocopy of his Credit Cards. Further, the IO has stated in his reply that as per the CDRs obtained, the present accused was in constant touch on the day of incident in question as well as the day after, with co-accused Shyam Mittal. The IO has also stated in his reply that the photograph of the present accused is morphed on the photocopy of the complainant's Adhaar Card which was furnished to the Vodafone Customer Care Centre for obtaining duplicate SIM of the complainant's Mobile No. 8375054250. Investigation is at initial stage. Further, regular bail application of present accused was dismissed by this court on 20.07.2020 and celebration of a particular festival

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is not a cogent ground for granting interim bail. In these circumstances, the present interim bail application of accused Mohd. Rijwan is dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

State Vs. Mohd. Rijwan

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

Fir No. 72/2019
P.S. Krishna Nagar
State Vs. Sartaj Ali
U/s 420 IPC

28.07.2020

Present : Ms. Nikita Bansiwali, Ld. Substitute APP for the State is present through Video Conferencing.

Ld. Counsel for accused is present through video conferencing.

An application for grant of interim bail is moved on behalf of accused Sartaj Ali.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for accused has submitted that interim bail for the period 29/07/2020 to 01/08/2020 may be granted to accused as the Muslim festival of Bakar Eid is approaching and the accused wants to be with his family members on account of the said festival. Ld. Counsel for the accused has also stated that accused has no previous criminal antecedents. He is in JC since 08.07.2020. He has further submitted that accused has been falsely implicated in the present case on the basis of false complaint and that he is not named in the FIR. Ld. Counsel for accused has also submitted that the present accused was only a field agent of co-accused Shyam Mittal, but he did not conspire with the co-accused Shyam Mittal or the other co-accused persons, for the commission of the offence in question.

Ld. APP for the State has objected to the bail application of the accused stating that the allegations are serious in nature and as per the reply of IO, there is a lot of incriminating evidence against the present accused. He has also stated that he is the main accused in the present case. Ld. APP has also submitted that the present accused is also involved in another FIR pertaining to cheating, which is also under investigation, which shows that the accused is a habitual offender.

Heard both the parties.

I have carefully perused the present FIR and also considered the submissions of the Ld. Counsel for accused and Ld. APP for the State. I have also carefully perused the reply of the IO. The allegations are serious in nature, as the complainant has alleged that the present accused alongwith co-accused persons fraudulently obtained copy of his Adhaar Card and Credit Cards and also fraudulently obtained duplicate SIM of his Mobile No. and thereafter used his Credit Cards for various transactions. As per the reply of IO, the present accused was identified by the complainant as the person who came to his house alongwith co-accused Rijwan and collected the photocopy of his Adhaar Card and

-2-

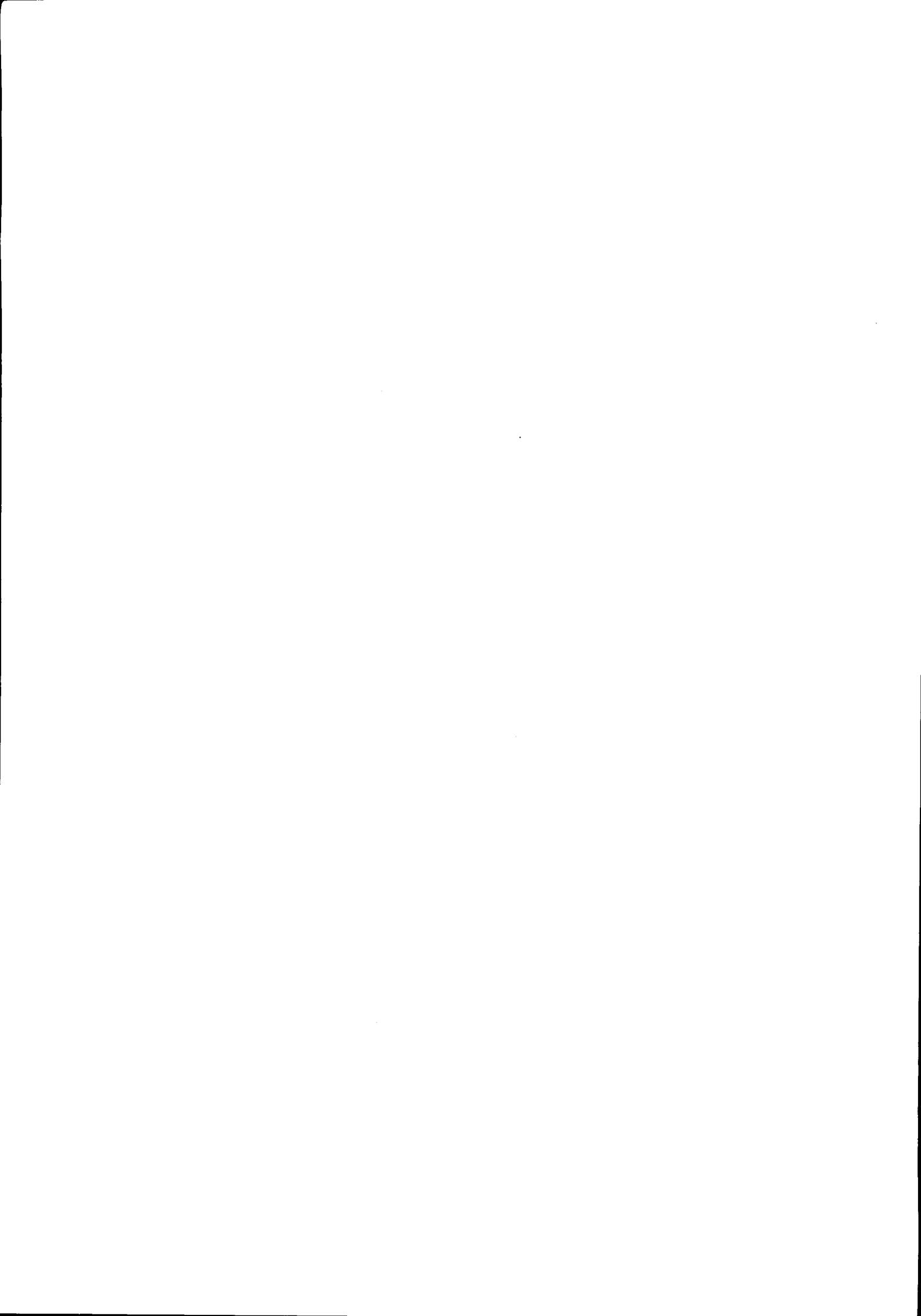
photocopy of his Credit Cards, which was subsequently misused. Investigation is at initial stage. Further, regular bail application of present accused was dismissed by this court on 22.07.2020 and celebration of a particular festival is not a cogent ground for granting interim bail. In these circumstances, the present bail application for interim bail of accused Sartaj Ali is dismissed.

Accordingly, bail application stands disposed off. Copy of this order be sent to Ld. Counsel for accused on his email ID.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

State Vs. Sartaj Ali



आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

STATE Vs. Yaad Mohammad @ Shanu
FIR No.0190/2020
PS PIA

28.07.2020

Fresh application u/s 437 Cr.PC for bail on behalf of accused received
by way of email today.

Present : Ms. Nikita Bansiwat, Ld. Substitute APP for the State is
available for hearing through VC.

None for applicant in person.

IO/SHO PS concerned to file reply on 29.07.2020.



(Aakanksha Vyas)
MM-5, (East) KKD Court
Delhi/28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.0060/2020
P.S. PIA
U/s 279/337 IPC

28.07.2020

Present : Ms. Nikita Bansawal, Ld. Substitute APP for the State is stated to be present through Video Conferencing.

Ld. Counsel for the applicant is also present through Video Conferencing.

Applicant is stated to be present in the Court Room alongwith FD of Rs. 50,000/- (as informed by Ahlmd)

Ahlmd has also informed me that the above mentioned FD of Rs. 50,000/- is in the name of applicant instead of, in the name of Court. Hence, the said FD be returned to the applicant with the direction to furnish FD of Rs. 50,000/- in the name of Court.

Re-list for 30.07.2020.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020



आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.000566/2020
P.S.: PIA
U/s: 379/411 IPC

28.07.2020

Present : Ms. Nikita Bansiwali, Ld. Substitute APP for the State is present through Video Conferencing.

None for applicant in person.

The present application for release of mobile phone VIVO white colour on Superdari has been filed by the applicant.

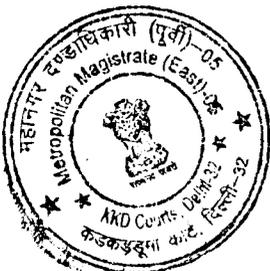
Reply has been filed under the signature of HC Jagsoran wherein it is submitted that there is no objection for the release of the mobile phone to the **rightful owner**.

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.



(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020

आकांशा व्यास
AAKANKSHA VYAS
महानगर दण्डाधिकारी (पूर्वी)-05
Metropolitan Magistrate (East)-05
कोर्ट नं. 03, द्वितीय तल
Court No. 03, 2nd Floor
कडकडडूमा कोर्ट, दिल्ली-32
Karkardooma Courts, Delhi-32

FIR No.0306/2020
P.S.: Shakarpur
U/s: 25/54/59 Arms Act
State Vs. Sunny Singh

28.07.2020

Present : Ms. Nikita Bansiwala, Ld. Substitute APP for the State is present through Video Conferencing.

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 Sunny Singh.

Bail application perused. Reply filed by IO also perused.

Counsel for the accused has submitted that accused is in JC since 14.07.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Accused is the sole bread earner of his family. He has also submitted that investigation of the case has already been completed. 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.

Heard both the parties.

File perused. Previous involvement of the accused in various offences including serious offences has been disclosed by IO. In the present case, one loaded pistol has been recovered from the accused. The investigation is at initial stage. Hence, the present bail application of accused is dismissed.

Accordingly, bail application disposed off. Copy of this order be sent to

Ld. Counsel for accused on his email ID.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020



FIR No.354/15
P.S. Shahdara
U/s 282/211/201/195A/120B/34 IPC & 25/27 Arms Act

28.07.2020

Present : Ms. Nikita Bansawal, Ld. Substitute APP for the State is stated to be present through Video Conferencing.

IO is stated to be present in the Court.

The present application has been moved by the IO in the Court in person and has been forwarded to me by the Ahlmad. I have perused the application. I have also perused order dated 14.02.2019 of Ld. MM Ms. Swati Sharma which was passed. I have also perused the application moved by the IO upon which the above mentioned order dated 14.02.2019 was passed by Ld. MM Ms. Swati Sharma as well as the reply which was sent by SHO PS Krishna Nagar, upon that application. The said reply mentions that the relevant number of the FIR registered in PS: Krishna Nagar is 521/2019. Accordingly, keeping in view the averments made in the present application filed today, the No. of the relevant FIR of PS: Krishna Nagar mentioned in order dated 14.02.2019 be read as FIR No. 521/2019. The directions mentioned in the order dated 14.02.2019 be strictly complied with by the IO.

Copy of this order be given dasti to the IO. Copy of this order be also sent to SHO PS: Krishna Nagar today itself.

(Aakanksha Vyas)
MM-05 (East)/ KKD Court
Delhi/ 28.07.2020