

FIR NO. 185/20
PS North Rohini
Surender @ Happy Vs. State
31.05.2020

Present: Ld. APP for the state.

Sh. Nagender Singh, Ld. counsel for the applicant through VC.

Reply not filed again on behalf of the Jail Superintendent.

Therefore, the Jail Department was contacted telephonically who have stated that they have not received the report from the concerned department and request for some time.

Let the order of this copy be sent to the Jail Superintendent with the direction to apprise as to why the accused Surender @ Happy is not released despite bail order dated 20.05.2020.

Jail Superintendent is directed to see the order on the Website of Rohini District Courts under the heading urgent Court orders(Lockdown Period) passed by Sh. Ajay Pandey, Ld. Duty Judge/ ADJ-02,NW.

The present application is pending since 28.05.2020 and is being delayed due to the non filing of the reply by the Jail Superintendent. The order has to be complied on urgent basis by the Jail Superintendent and any non compliance shall be viewed strictly.

Ahlmad is directed to take proper receiving from the Warder who come from the Jail to collect the Dak, while handing over the order to him.

Put up for further proceedings on 02.06.2020.

In-charge Computer Branch is directed to upload the order on website of the District Courts for the information of the application.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

FIR NO. 22/20
PS Aman Vihar
State Vs. Ravi
31.05.2020

Present: This is an application for releasing mobile phone Vivo V-15 Pro.
Ld. APP for State
None for applicant.

Applicant could not be connected through CISCO WEBEX Meeting App as there is no mobile number of the applicant as well as the counsel or E-mail ID mentioned in the application.

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the mobile phone is released to the applicant.

In view of the directions given by the Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the mobile phone in question be released to the applicant on furnishing **security bond as per valuation report of the Mobile Phone**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the mobile phone from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the Mobile phone is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the mobile phone prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court.

Copy of this order be sent to the concerned SHO for compliance by the Naib Court Ct. Rajesh attached with the court today.

In-charge Computer Branch is directed to upload the order on website of the District Courts for the information of the application.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

Ch. NO. 1003
State Vs. DL-3SAY-4441
PS Prem Nagar
31.05.2020

Present: Ld. APP for the state.

Sh. B.K. Singh, Ld. counsel for the applicant through CISCO
WEBEX Meeting App.

The present application has been filed by the applicant for the
release of DL on superdari.

Reply filed to the application by the concerned PS.

Arguments heard on the application.

In the present case, as per the report of the IO, the applicant was
challan u/s 129/177 MV Act on 18.04.2020 and the DL of the applicant was
impounded. It has been specifically mentioned by the IO in the report that the
vehicle of the applicant is not impounded. Also, the date of the challan for court
hearing has been mentioned as 25.05.2020 but could not be sent by the IO due to
the closure of the court and will be sent as soon as the court is open.

After hearing the arguments and going through the report of the IO,
I am of the view that there is no urgency in the application as the vehicle is not
impounded and DL of the applicant has been seized for the purposes of court
proceedings in the challan issued to the applicant. Since, there is no urgency in
the application, the plea can be made to the concerned after 14.06.2020, when
the court open. Therefore, the present application stands dismissed.

In-charge Computer Branch is directed to upload the order on
website of the District Courts.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

Ch. NO. 1003
State Vs. DL-6SBC-9334
PS Prem Nagar
31.05.2020

Present: Ld. APP for the state.

Sh. B.K. Singh, Ld. counsel for the applicant through CISCO
WEBEX Meeting App.

The present application has been filed by the applicant for the
release of RC of the vehicle bearing no. DL-6SBC-9334 on superdari.

Reply filed to the application by the concerned PS.

Arguments heard on the application.

In the present case, as per the report of the IO, the applicant was
challan u/s 129/177 MV Act on 18.04.2020 and the RC of the vehicle was
impounded. It has been specifically mentioned by the IO in the report that the
vehicle of the applicant is not impounded. Also, the date of the challan for court
hearing has been mentioned as 25.05.2020 but could not be sent by the IO due to
the closure of the court and will be sent as soon as the court is open.

After hearing the arguments and going through the report of the IO,
I am of the view that there is no urgency in the application as the vehicle is not
impounded and RC of the vehicle has been seized for the purposes of court
proceedings in the challan issued to the applicant. Since, there is no urgency in
the application, the plea can be made to the concerned after 14.06.2020, when
the court open. Therefore, the present application stands dismissed.

In-charge Computer Branch is directed to upload the order on
website of the District Courts.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

MOST URGENT

E FIR NO. 8704/20
PS Ashok Vihar
State Vs. Himanshu Kumar

31.05.2020

Present: Ld. APP for the state.

Sh. Sauraj Yadav, Ld. counsel for the applicant through VC.

Reply not filed again on behalf of the Jail Superintendent.

Therefore, the Jail Department was contacted telephonically who have stated that they have not received the report from the concerned department and request for some time.

It has been observed on the previous hearing by Ld. Duty MM Sh. Sushil Kumar that the number of the FIR in the bail order passed by Ld. Duty MM Sh. Anurag Thakur on 01.05.2020 has been mentioned as 8707/2020 whereas the report of the IO states that the correct FIR no. is 8704/2020, PS Ashok Vihar. Further, the report of the IO shows that there is no case pending against the accused with the FIR no. 8707/2020. Further, it is observed that the counsel for the accused mentioned the no. of the FIR as 8707/2020. Therefore, the order was passed on 01.05.2020 in FIR no. 8707/2020.

It has been clarified by the counsel that the correct no. of the FIR is 8704/2020, PS Ashok Vihar and he has inadvertently mentioned the no. of the FIR as 8707/2020 and he requests for the modification of the FIR in the bail order dated 01.05.2020.

Considering the delay that has been caused due to the mistake of the counsel by mentioning incorrect FIR and balancing the right of the accused for his release from the Jail, requests is allowed on the basis of the report of the IO. Thus, the bail order dated 01.05.2020 stands modified to the extent that the FIR no. shall read as 8704/2020.

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Jail Superintendent is directed to file the report apprising the court about the no. of the cases in which the accused is lodged in Jail and in how many cases he has been released on bail. Further, he is directed to consider the accused on bail in the present FIR as per the order dated 01.05.2020 which is available on the Website of Rohini District Courts under the heading urgent Court orders(Lockdown Period) passed by Sh. Anurag Thakur, Ld. Duty MM, NW and if the accused is not required to be kept in JC in other cases, then he shall be released on bail as per the order dated 01.05.2020 which mentions that the accused may be released on furnishing personal bond in the sum of Rs. 20,000/-.

Let the order of this copy be sent to the Jail Superintendent with the direction to file the report in compliance of the order dated 28.05.2020 passed by Ld. Duty MM Sh. Sushil Kumar.

Ahlmad is directed to take proper receiving from the Warder who comes from the Jail to collect the Dak, while handing over the order to him.

Put up for further proceedings on 02.06.2020.

In-charge Computer Branch is directed to upload the order on website of the District Courts for the information of the application.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

FIR NO. 35517/2019
PS Sultan Puri
State Vs. Neeraj
31.05.2020

Present: Ld. APP for the state.

Accused Neeraj is in J.C.

Sh. Kashmir Singh, Ld. Counsel for the accused through CISCO WEBEX Meeting
App

This is an application filed on behalf of the accused Naresh Kumar U/s 437 Cr.PC for regular bail.

It is submitted by the counsel that the accused is in J.C for more than 9 months and recovery has been effected from the accused and he is no more required to be kept in J.C for custodial interrogation. It is also stated that the accused is the sole bread earner of the family and is having permanent address in Delhi and there is no possibility that he will abscond during the trial or temper with the evidence. It is further submitted by the counsel that due to the Corona Pandemic, the family members of the accused are suffering a lot as they are unable to sustain themselves due to the financial insecurity. The counsel has prayed for the bail and has stated that they are ready to furnish sound surety is granted bail.

Reply to the bail application is filed on behalf of the IO. Ld. APP and the IO has opposed the bail application.

I have heard the argument and perused the record.

Considering the period of detention undergone by the accused and the fact that the investigation is complete qua him, the custody of the accused is no more required. Therefore, the bail application of the accused stands allowed subject to the condition that he shall furnished bail bonds in the sum of Rs. 10,000/- with one surety of the like amount.

Bail application stands disposed of. Record be sent to the court concerned.

Copy of this order be also sent to the counsel for the applicant through E-mail / WhatsApp by the Reader / Ahlmad.

In-charge Computer Branch is directed to upload the order on website of the District Courts.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

DD NO. 2029
Satish Chauhan Vs. Suresh Kumar
31.05.2020

Present: Ld. APP for the state.

Sh. Deepak Chuahan, Ld. counsel for the applicant through CISCO WEBEX Meeting App.

Reply filed by the IO. As per the report of the IO there are various complaints filed by the parties against each other and he is verifying all the complaints and due to the Covid situation, he is unable to get sufficient time for the same. He requests that some more time may be given to finalise the report.

There are two applications pending in this Court with the same title. Therefore, it is directed that both the application shall be clubbed together as the cause action is the same.

Let report be called from the IO with the direction to finalise the enquiry and file the report positively on 08.06.2020.

IO is directed that there shall be no delay with regard to the report and this shall be the last opportunity to the IO to finalise the same. SHO PS Mangolpuri is directed to monitor the enquiry and ensure that the report is filed by the next date.

Put up for further proceedings on 08.06.2020.

Copy of the order be sent to the IO as well as the SHO through E-mail or WhatsApp for the compliance of the order through the Naib Court Ct. Rajesh from prosecution branch attached with the court today.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

E FIR NO. 196/19
PS Mangolpuri
31.05.2020

File taken up today on an application filed on behalf of accused Sonu @ Nata for giving intimation to the Jail Superintendent.

Present: Ld. APP for the state.

Sh. Satish Kumar, Ld. counsel for the accused.

It is submitted by Ld. counsel that accused is not being released by Jail Superintendent citing that he required in the present case. However, accused is on bail in this case.

Considering the urgency, the matter is taken up and file has been called from the Ahlmad.

As per report of the Ahlmad, the above stated accused i.e. Sonu @ Nata is on bail in this case. Jail Superintendent be intimated that the above stated accused is on bail in this case. He be released if not required in any other case.

Copy of this order be sent to Jail Superintendent.

In-charge Computer Branch is directed to upload the order on website of the District Courts for the information of the application.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020

E FIR NO. 8334/18
PS Mangolpuri
31.05.2020

File taken up today on an application filed on behalf of accused Sanjay for giving intimation to the Jail Superintendent.

Present: Ld. APP for the state.

Sh. Satish Kumar, Ld. counsel for the accused.

It is submitted by Ld. counsel that accused is not being released by Jail Superintendent citing that he required in the present case. However, accused is on bail in this case.

Considering the urgency, the matter is taken up and file has been called from the Ahlmad.

As per report of the Ahlmad, the above stated accused i.e. Sanjay is on bail in this case. Jail Superintendent be intimated that the above stated accused is on bail in this case. He be released if not required in any other case.

Copy of this order be sent to Jail Superintendent.

In-charge Computer Branch is directed to upload the order on website of the District Courts for the information of the application.

(Abhishek Kumar)
Duty MM, (North-West), Delhi
Delhi/31.05.2020