

State vs. Unknown
FIR no. 0478/21
PS Krishna Nagar
U/s 380 IPC
31.08.2021

Present: Learned APP for the State through VC.

None for the applicant in person.

The present application for release of articles (two Batteries) on Superdari has been filed by the applicant.

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

In view of the no objection of the IO, oral arguments of 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:

1. Release of articles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the articles; valuation report; and a security bond.
2. The photographs of the articles 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 articles should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should sufficient for the purpose of evidence.
4. Return of articles and permission for sale thereof should be general norm rather than the exception.

In these circumstances the aforesaid articles be released to the **rightful owner (after verification of ownership)** subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, make and other necessary details of the articles:
2. IO shall take the colour photographs of the articles from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
4. IO shall get the articles valued from a proper valuer and shall take a valuation report in this regard from the valuer.
5. IO shall take the security bond/ indemnity bond of appropriate value from the applicant, taking into consideration the valuation report.

Copy of this order be sent to the Id. counsel for the applicant on his email ID and a copy be also sent to the SHO PS concerned for compliance.

(Babita Puniya)

MM-5, (East) KKD

Court/Delhi/31.08.2021

State vs. Samdarsh @ Jaggi
FIR No. 292/21
PS Shakarpur
U/s 356/379/411/34 IPC

31.08.2021

Vide this order, I shall decide the bail application filed on behalf of applicant/accused Samdarsh @ Jaggi.

Present: Learned APP for the State through VC.
Ld. counsel for the accused through VC.

I have heard the parties and have also reused the reply.

After hearing the learned counsel for the applicant/accused and the learned APP for the State and going through the contents of the reply, I am of the considered view that the applicant/accused is not entitled to the concession of regular bail at this stage. Allegations leveled against him are serious in nature. The case is at primary stage of investigation and the apprehension of the prosecution that he may influence the witnesses and may tamper with evidence cannot be ruled out. Under the circumstances, keeping in view the nature of the crime alleged and the primary stage of investigation, the bail application is dismissed.

Copy *dasti*.

Copy of the order be also sent to the Jail Superintendent for information and record.

(Babita Puniya)

MM-5, (East) KKD

Court/Delhi/31.08.2021

E.FIR No. 022193/21
PS Krishna Nagar
State vs. Sonu @ Kaale
U/s 379/411 IPC

31.08.2021

Present: Learned APP for the State through VC.
None for applicant present through VC.

The present application for release of vehicle bearing No. **DL-13CA 3762 (Car)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of HC Adesh Kumar 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 (after verification of ownership)** 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 (after verification of ownership).
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 given dasti to Ld. Counsel and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Babita Puniya)
MM-5, (East) KKD

Court/Delhi/31.08.2021

State vs. Vijaypal Singh &Ors.
FIR No. 311/21
PS Krishna Nagar

31.08.2021

This is an application for supply of medicine to the applicant/
accused Vijay Pal Singh.

Present: Learned APP for the State through VC
Sh. Himanshu Singh, Id.counsel for the applicant.

Application perused.

Report received from the jail superintendent concerned.

Copy of the same be supplied to the Id.counsel for the applicant.

Application stands disposed off.

Copy dasti. Order be uploaded to the website of Delhi
District Courts today itself.


(Babita Puniya)
MM-5, (East) KKD

Court/Delhi/31.08.2021

FIR No. 361/21
PS Krishna Nagar
U/s 279/337 IPC
31.08.2021

Present: Learned APP for the State through VC.

None for applicant present through VC.

The present application for release of vehicle bearing No. **DL-5S-CD-5565 (Make TVS-XL 100)** on Superdari has been filed by the applicant.

Reply has been filed under the signature of SI Kamal Kishor wherein it is submitted that documents have been verified and 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 (after verification of ownership)** 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 (after verification of ownership).
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 given dasti to Ld. Counsel and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Babita Puniya)
MM-5, (East) KKD

Court/Delhi/31.08.2021

FIR No. 491/21
PS Krishna Nagar
U/s 25/54/59 A. Act
State vs. Khalid

31.08.2021

Vide this order, I shall decide the bail application filed on behalf of accused Khalid seeking regular bail.

Present: Learned APP for the State through VC.

Ld. Counsel for the accused through VC.

Learned counsel for the applicant/accused has submitted that a false case has been foisted against him; he has no complicity in the crime and is in judicial custody since 27.08.2021 and is not a previous convict or offender. He further submitted that applicant/accused would abide by the terms and conditions imposed by this Court if the prayer as set out in the application is granted.

Bail application is vehemently opposed by the learned APP for the State.

I have heard the arguments and have also perused the reply filed by the IO.

The accused is a young man of 19 years of age. He has no criminal antecedents. Recovery has already been effected. I am of the view that no useful purpose would be served by keeping the accused behind the bars where he will come in contact with hardened criminals and lose the sensitivity whatever he has. Therefore, I deem it appropriate to grant bail

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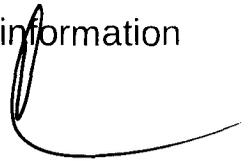


to the applicant/accused Khalid on his furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the condition that after filing of charge sheet in the court, he accused shall remain present before the court on each and every date fixed for hearing of the case. If he wants to remain absent, then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent, he shall immediately give intimation to the court and request that he may be permitted to be represented through counsel and he will not dispute the identity of the accused in the case and that he shall not commit an offence similar to the offence of which he is accused or suspected of the commission of which he is suspect.

Application stands disposed of.

Copy dasti.

Copy of the order be also sent to the Jail Superintendent for information and record.



(Babita Puniya)
MM-5, (East) KKD
Court/Delhi/31.08.2021

State vs. Vishwajeet
FIR No. 391/21
PS Shakarpur
U/s 33 Delhi Excise Act

31.08.2021

Present: Learned APP for the State through VC.

Ld. Counsel for the accused through VC.

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

Ld. Counsel for the accused has submitted that accused is in JC since 26.08.2021. Ld. Counsel has further submitted that accused has been falsely implicated in the present case and he is a sole bread earner of his family. Further, recovery 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. Further, as per reply of IO accused is a habitual offender and he can commit the similar offence in future.

Heard both the parties.

In the present case, the accused is in J/C since 26.08.2021. Case property has already been recovered. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Considering the period of custody and keeping in view the entire facts and circumstances of the case, it reveals that no fruitful purpose would be served to keep the accused behind the bars. Therefore, the accused is admitted to Court bail on furnishing of bail bond in the sum of **Rs. 25,000/- 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 given dasti to the Ld. Counsel for the accused and the same be uploaded on the Delhi District Court Website today itself.

(Babita Puniya)
MM-5, (East) KKD

Court/Delhi/31.08.2021