

State vs. Ajay @ Bunty @ Sumit
FIR no. 144/2020
PS Preet Vihar
U/s 25 Arms Act

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. Mohd. Imran, ld. LAC for the applicant/
accused.
Accused is stated to be in JC.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 22.07.2020. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed and charge sheet has also been filed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/ applicant may be granted bail.

Ld. APP submits that appropriate order as per law may be passed.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 22.07.2020. The investigation has already been completed and charge sheet has also been filed. Alleged recovery has already been effected. 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 aforesaid circumstances, submissions of ld. LAC and nature of offence in question, the accused/ applicant is hereby granted bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent concerned shall ascertain from Police Station concerned as to whether the address of the accused is verified or not. Accused be released from JC if not required in any other case. With these observations, application stands disposed of.

Digitally signed copy of the order be sent to the Jail Superintendent concerned, which shall also be treated as release warrants upon the acceptance of personal bond by the Jail Superintendent concerned, for necessary information and compliance, if any, and to supply the copy to the accused.

Copy be given dasti to the ld. LAC.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Himanshu Jaiswal
FIR no. 38/2021
PS Preet Vihar
U/s 356/379/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.

Sh. Arvind Saxena, ld. counsel for the applicant/accused.

The accused is stated to be in J.C.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 17.05.2021. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 17.05.2021. The investigation has already been completed and alleged recovery has already been effected. The complainant is not in a position to identify the accused persons. 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 aforesaid circumstances and submissions of ld. defense counsel, the accused/ applicant is hereby granted bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent concerned shall ascertain from Police Station concerned as to whether the address of the accused is verified or not. Accused be released from JC if not required in any other case. With these observations, application stands disposed of.

Digitally signed copy of the order be sent to the Jail Superintendent concerned, which shall also be treated as release warrants upon the acceptance of personal bond by the Jail Superintendent concerned, for necessary information and compliance, if any, and to supply the copy to the accused.

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Imran @ Raja
FIR no. 38/2021
PS Preet Vihar
U/s 356/379/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.

Sh. Arvind Saxena, ld. counsel for the applicant/accused.

The accused is stated to be in J.C.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 17.05.2021. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 17.05.2021. The investigation has already been completed and alleged recovery has already been effected. The complainant is not in a position to identify the accused persons. 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 aforesaid circumstances and submissions of ld. defense counsel, the accused/ applicant is hereby granted bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent concerned shall ascertain from Police Station concerned as to whether the address of the accused is verified or not. Accused be released from JC if not required in any other case. With these observations, application stands disposed of.

Digitally signed copy of the order be sent to the Jail Superintendent concerned, which shall also be treated as release warrants upon the acceptance of personal bond by the Jail Superintendent concerned, for necessary information and compliance, if any, and to supply the copy to the accused.

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Himanshu Jaiswal
FIR no. 58/2021
PS Preet Vihar
U/s 356/379/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.

Sh. Arvind Saxena, ld. counsel for the applicant/accused.

The accused is stated to be in J.C.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 17.05.2021. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 17.05.2021. The investigation has already been completed and alleged recovery has already been effected. The complainant is not in a position to identify the accused persons. 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 aforesaid circumstances and submissions of ld. defense counsel, the accused/ applicant is hereby granted bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Jail Superintendent concerned. Jail Superintendent concerned shall ascertain from Police Station concerned as to whether the address of the accused is verified or not. Accused be released from JC if not required in any other case. With these observations, application stands disposed of.

Digitally signed copy of the order be sent to the Jail Superintendent concerned, which shall also be treated as release warrants upon the acceptance of personal bond by the Jail Superintendent concerned, for necessary information and compliance, if any and to supply the copy to the accused.

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Imran @ Raja
FIR no. 58/2021
PS Preet Vihar
U/s 356/379/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.

Sh. Arvind Saxena, ld. counsel for the applicant/accused.

The accused is stated to be in J.C.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 17.05.2021. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/applicant may be granted bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 17.05.2021. The investigation has already been completed and alleged recovery has already been effected. The complainant is not in a position to identify the accused persons. 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 aforesaid circumstances and submissions of ld. defense counsel, the accused/ applicant is hereby granted bail on furnishing a bail bond in the sum of Rs. 20,000/- with one surety to the satisfaction of ld. M.M/Duty M.M/Link M.M. With these observations, application stands disposed of.

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

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Mohd. Habibul @ Sanjay
FIR no. 190/2021
PS New Ashok Nagar
U/s 379/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. Sunil Tomar, ld. counsel for the applicant/
accused.
The accused is stated to be in J.C.

It is submitted by ld. Counsel for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in J.C since 12.03.2021. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, charge sheet has also been filed and co-accused has also been granted bail, hence no fruitful purpose would be served by keeping the accused/applicant in custody. Hence, it is prayed, that accused/ applicant may be granted bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard the submissions and perused the reply.

The accused is shown to be in custody since 12.03.2021. The investigation has already been completed and alleged recovery has already been effected. 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 aforesaid circumstances and submissions of ld. defense counsel, the accused/ applicant is hereby granted bail on furnishing a bail bond in the sum of Rs. 15,000/- with one surety to the satisfaction of ld. M.M/Duty M.M/Link M.M. With these observations, application stands disposed of.

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

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Pawan @ Neebu
FIR no. 00118/2021
PS Preet Vihar
U/s 379/356/411/34 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. Mohd. Yusuf, ld. counsel for the applicant/
accused.

Accused is stated to be in JC.

It is submitted by ld. counsel for the applicant/accused that he is innocent and has been falsely implicated in the matter and he is in J.C since 04.03.2021. It is further submitted that father of the applicant/accused has also passed away during the second wave of Covid-19 Pandemic and the applicant/accused is the sole bread earner of his family. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and the alleged recovery has been planted upon him. It is further submitted that investigation qua the accused has also been completed, charge sheet has also been filed and co-accused has also been granted bail, hence no fruitful purpose would be served by keeping the accused/applicant in custody.

Hence, it is prayed, that accused/ applicant may be granted bail/interim bail.

Ld. APP opposed the bail applications and requests for dismissal of the same.

I have heard rival submissions and perused the reply.

Keeping in view the present Covid-19 Pandemic scenario, period of custody of the accused, submission of the ld. defense counsel and family circumstances of the applicant/accused, the accused/ applicant is hereby granted interim bail for a period of 45 days w.e.f the date of his release on furnishing personal bond in the sum of Rs. 15,000/- to the satisfaction of Jail Superintendent concerned. The applicant/accused shall surrender before the Jail Superintendent concerned after expiry of interim bail period. Jail Superintendent concerned shall ascertain from Police Station concerned as to whether the address of the accused is verified or not. Accused be released from JC if not required in any other case. With these observations, application stands disposed of.

Digitally signed copy of the order be sent to the to Jail Superintendent concerned, which shall also be treated as release warrants upon the acceptance of personal bond by the Jail Superintendent concerned, for necessary information and compliance, if any and to supply the copy to the accused.

Copy be given dasti to the ld. defense counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Unknown
FIR no. 10970/2021
PS New Ashok Nagar

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

An application for release of vehicle having registration no. HR-26-DP-3293 (Motor-cycle) on superdari

Present.: Ld. APP for the State.

Sh. Yogesh Bhardwaj, ld. counsel for applicant.

Submission heard. Reply of IO perused.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that :

“Vehicle 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.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused

as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/re/eased its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.”

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question be released to the **registered owner as per RC after due identity verification to be conducted by IO/SHO concerned** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle be released by the IO.

Panchnama and valuation report shall be filed in the court along with charge sheet/within one month.

Copy of this order be given dasti to applicant/his counsel.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Raj Kumar
E. FIR no. 027169/2019
PS New Ashok Nagar
U/s 379 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. S.K. Gaur, ld. LAC for the applicant/
accused.
The accused is stated to be in J.C.

It is submitted by ld. LAC for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in custody. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. It is further submitted that present application has been filed on behalf of the applicant/accused through Jail Superintendent concerned on the recommendations made by the Hon'ble High Power Committee (HPC) for effective

implementation of directions issued by the Hon'ble Supreme Court of India in Suo Moto Petition no. 1/2020. Hence, it is prayed, that accused/ applicant may be granted bail.

As per the reply to the application filed by the IO, the applicant/accused has not yet been arrested in the aforesaid case. Under these circumstances, question of granting bail to the applicant/accused does not arise. Accordingly, the bail application of the applicant/accused stands dismissed being premature.

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

Copy be given dasti to the ld. LAC.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021

State vs. Ajay
E. FIR no. 027169/2019
PS New Ashok Nagar
U/s 379 IPC

31.05.2021

Through Video Conference

The present matter has been taken up today through Video Conference according to the Office Order no. 5/R/RG/DHC/2021 dated 23.04.2021 as well as Office Order no. 6/R/RG/DHC/2021 dated 14.05.2021, issued by Hon'ble High Court of Delhi.

This is a bail application u/s 437 Cr.P.C moved on behalf of the applicant/accused.

Present: Ld. APP for the State.
Sh. S.K. Gaur, ld. LAC for the applicant/
accused.
The accused is stated to be in J.C.

It is submitted by ld. LAC for the applicant/accused that he is innocent, but he has been falsely implicated in the matter and he is in custody. It is submitted by ld. Counsel for the applicant/accused that nothing has been recovered from the applicant/accused and investigation qua the accused has also been completed, hence no fruitful purpose would be served by keeping the accused/applicant in custody. It is further submitted that present application has been filed on behalf of the applicant/accused through Jail Superintendent concerned on the recommendations made by the Hon'ble High Power Committee (HPC) for effective

implementation of directions issued by the Hon'ble Supreme Court of India in Suo Moto Petition no. 1/2020. Hence, it is prayed, that accused/ applicant may be granted bail.

As per the reply to the application filed by the IO, the applicant/accused has not yet been arrested in the aforesaid case. Under these circumstances, question of granting bail to the applicant/accused does not arise. Accordingly, the bail application of the applicant/accused stands dismissed being premature.

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

Copy be given dasti to the ld. LAC.

(PANKAJ ARORA)
ACMM (EAST)/KKD/31.05.2021