

e-FIR No. 016071/2020
PS Mayur Vihar
U/s 379/411/413/414/465/467/482/120B/34 IPC
State vs. Sonu Kumar

04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for accused/applicant through VC.

An application for release of accused Sonu Kumar u/s 437 Cr.P.C on bail was moved by the Ld. Counsel for the accused.

IO/SI Manoj Kumar Tomar has also filed his reply. Both the sides have also advanced arguments with respect to the present application.

While arguing on behalf of accused, Ld. Counsel has submitted that accused has been falsely implicated in the present case. It is further stated that nothing has been recovered from the possession of accused and whatsoever has been shown as recovery is planted by the police. It is further submitted that the accused is already in JC since 17.07.2020 and he is not required for any further investigation or interrogation. Hence, it is prayed that accused may be released on bail.

On the other hand, Ld. APP for the state has strongly opposed the present bail application submitting that alleged offences against the accused are serious in nature, stolen case property has been recovered from accused and co-accused who deals with stolen case property is yet to be arrested. It is stated that investigation of the case is still pending and accused may jump the bail or tamper with evidence or influence the witnesses if he is released on bail. Hence, it is prayed that considering the circumstances and gravity of offence, the present application may be dismissed.

I have heard both the sides.

After hearing both the sides, considering the gravity of alleged offences as one of alleged offence u/s 413 IPC is punishable with life imprisonment, recovery of stolen case property from the possession of the accused, one of co-accused to whom the stolen case property was to be supplied is yet to be arrested, investigation of the case is still pending, there is likelihood of accused absconding or tampering the evidence of prosecution, the court does not deem it fit to release the accused on bail at this stage of the case.

Accordingly, the present application stands dismissed for the reasons aforesaid. Copy of this order be given dasti.

Application is disposed of accordingly.

(Balwinder Singh)

MM (East)/KKD/Delhi/04.08.2020

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e-FIR No. 009503/2020
PS Gandhi Nagar
U/s 379 IPC

04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of vehicle bearing No.
DL-5SAV-8296.

An application for release of vehicle bearing registration no. DL- 5SAV-8296 on superdari has been moved by the applicant Hitesh Kumar.

Reply is filed by the IO. As per reply, IO has no objection if the vehicle is released to its rightful owner. Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where vehicle bearing registration no. **DL- 5SAV-8296** can be released to rightful owner, subject to execution of security bond. Accordingly, let vehicle be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report and a security bond.

The photographs of the vehicle should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed along with the chargesheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

(Balwinder Singh)

MM (East)/KKD/Delhi/04.08.2020

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04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of vehicle bearing No. DL-5SAQ-7235.

An application for release of vehicle bearing registration no. DL- 5SAQ-7235 on superdari has been moved by the applicant Rizwan Ansari.

Reply is filed by the IO. As per reply, IO has no objection if the vehicle is released to its rightful owner. Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where vehicle bearing registration no. **DL- 5SAQ-7235** can be released to rightful owner, subject to execution of security bond. Accordingly, let vehicle be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report and a security bond.

The photographs of the vehicle should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

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The panchnama/photographs/valuation report etc. be filed along with the chargesheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

(Balwinder Singh)
MM (East)/KKD/Delhi/04.08.2020

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DD No. 48 B dated 24.10.2019
PS Gandhi Nagar

04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for applicant through VC.

An application seeking the status report of the complaint of the application vide DD No. 48-B dated 24.10.2019 is moved by his Ld. Counsel.

Status report is filed by the IO/ASI Sanjeev Kumar. Copy of the same is supplied to Ld. Counsel for applicant.

Application stands disposed off accordingly.

(Balwinder Singh)
MM (East)/KKD/Delhi/04.08.2020

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Vehicle UP- 16CT-9164

04.08.2020

Present: Ld. APP for the State.

Ld. Counsel for applicant.

Heard on application moved by accused/driver.

Since, functioning of regular courts are suspended, the challans are not being entertained. Accordingly, present application stands dismissed as withdrawn.

(Balwinder Singh)

MM (East)/KKD/Delhi/04.08.2020

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FIR No. 363/19
PS Mayur Vihar
U/s 307/336/352/504/506/120B/34 IPC and 27/54/59 Arms Act
State vs. Bharat

04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Sh. C.M. Sharma, Ld. Counsel for accused/applicant through VC.

An application for release of accused Bharat u/s 437 Cr.P.C on bail was moved by the Ld. Counsel for the accused.

IO/SI Manoj Kumar Tomar has also filed his reply. Both the sides have also advanced arguments with respect to the present application.

At this stage, as one of alleged offence u/s 307 IPC is also added by the IO which is triable by Ld. Sessions Court, the Ld. Counsel for accused has stated that he does not want to press the present application and has requested for dismissal of the same as withdrawn.

In view of the above facts and circumstances, the present application in hand stands dismissed as withdrawn.

Copy of this order be given dasti.

Application is disposed of accordingly.

(Balwinder Singh)
MM (East)/KKD/Delhi/04.08.2020

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FIR No. 21/2008
PS Mayur Vihar
U/s 279/337 IPC
State vs. Inder Pal @ Babloo

04.08.2020

The present application is taken up for hearing through VC through CISCO WEBEX APP.

Present: Ld. APP for the State.

Ld. Counsel for applicant/accused through VC.

An application u/sec. 437 Cr.P.C for the release of the accused Inder Pal @ Babloo on bail is moved by his Ld. Counsel.

Reply to application is filed by the IO.

Both the sides are heard on the application.

Considering the fact that the investigation of case is complete, charge sheet has already been filed, accused is stated to be in JC since 26.07.2020, keeping in view the undertaking on behalf accused that accused shall remain regular in attending the court and the judicial custody of the accused is not required for any purpose, the application in hands stands allowed.

The accused Inder Pal @ Babloo is directed to be released on bail on furnishing of her personal bond in a sum of Rs.20,000/- with one surety of like amount. It is further directed that the accused shall not tamper with or try to influence the prosecution witnesses in any manner after his release.

Copy of the order be given dasti on request.

Application stands disposed off accordingly.

(Balwinder Singh)
MM (East)/KKD/Delhi/04.08.2020

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