

04.01.2021

**This is an application to release the Gold Chain on superdari moved on behalf of applicant Jyoti w/o Sh. Shyam Bihari Sharan.**

Present : Ld. APP for the State.

Counsel of applicant (through Webex).

It is stated by the applicant that he is registered/rightful owner of the abovesaid property.

Learned APP for State has submitted that he has no objection if the Gold Chain is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013. '

**Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State'** has laid down detailed guidelines for disposal of the case properties. In respect of release of case property, Hon'ble Court has laid down following guidelines:

*"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. 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. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith he valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".*

In the facts and circumstances of the case, **the Gold Chain is directed to be released to registered/rightful owner against receipt and after proper verification by IO, if impounded in the present case and is not required for further investigation** on the following conditions:-

- (1) That the proper panchnama of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the abovesaid case property from all angles.
- (3) The photographs and the panchnama be countersigned by the registered owner, accused and IO.
- (4) The photographs and panchnama be read in evidence and above the Gold Chain is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarinama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of abovesaid property on superdari within 24 hours of passing this order. Application is disposed off.

Copy of the order be given dasti to the applicant.

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AGGARWAL  
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signed by  
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Date:  
2021.01.04  
15:34:26 -0300

**(Bharat Aggarwal)**  
MM-05/Shahdra/KKD Court  
04.01.2021

State vs. Harpal Singh  
FIR No. 296/20  
PS. Madhu Vihar  
U/s. 354/506/509/34 IPC

04.01.2021

Present: Sh. Ashutosh Rana, Ld. Counsel for applicant.

An application for calling status report moved on behalf of applicant / complainant Aruna Chauhan.

Counsel for applicant submits that he wants to withdraw the present application. Separate statement of counsel for applicant is recorded in this regard. In view of the same, present application disposed off as withdrawn.

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Date: 2021.01.04  
15:34:46 -0300

(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
04.01.2021

State vs. Harun Ali  
e-FIR No. 006497/18  
PS. Madhu Vihar  
U/s. 379 IPC

04.01.2021

Present: Ld. APP for the State.  
IO HC Liladhar in person.

An application for issuance of production warrant against the accused Harun Ali s/o Aktar Ali filed by the IO.

It is stated in the application that accused Harun Ali is on Kanoj Jail in FIR no. 100/20 and he disclosed the involvement in the present case and stolen vehicle was also recovered from the possession of accused.

Heard and perused.

Let production warrant be issued against the accused Harun Ali for 15.01.2021.

Copy of order be given dasti.

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2021.01.04  
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(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
04.01.2021

State vs. Ravi s/o Rajey  
FIR No. 482/20  
PS. Madhu Vihar  
U/s. 380/411 IPC

04.01.2021

**An application seeking release on personal bond of accused Ravi s/o Rajey is moved**

Present : Ld. APP for the State.

Counsel for accused/applicant (through Webex).

In the present matter, the accused was arrested by IO on 17.11.2020 and accused was granted bail vide order dated 04.12.2020 subject to furnishing bail bond and surety bond of Rs. 10,000/-. Till date the bail bond and surety has not been furnished by the accused.

It is stated by the accused that he has no one in family who could furnish surety for him.

Considering the fact that accused is in custody in the present matter since 17.11.2020 and he has not furnished surety till date, this court is of the view that financial restraint should not become an hindrance to the personal liberty, accused be released on furnishing of personal bond for a sum of Rs. 10,000/- to the satisfaction of concerned Jail Supt. The copy of the order be sent to Jail Supt.

Application disposed off accordingly.

Copy of order be given dasti.

Let the copy of this order be uploaded on the official website of District Court. Computer Branch is directed to comply accordingly.

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Date:  
2021.01.04  
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(Bharat Aggarwal)  
MM-05/SHD/KKD Courts/ Delhi  
04.01.2021