

e.FIR NO.1528/19
PS Shakarpur
State vs. Not known
U/s 379 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.

None for applicant/accused through VC.

I have perused the application. Reply of the IO perused.

As per reply of IO, the present matter pertains to the jurisdiction of PS Laxmi Nagar. Hence, the present application is dismissed for want of territorial jurisdiction.

Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

**FIR No.223/19
State vs. Rajeev Kumar
PS Shakarpur
U/s 420 IPC**

04.01.2021

Present : Ld. APP for the State is available through VC.

The abovementioned letter dated 25.12.2020 has been received from the jail superintendent concerned. I have perused the letter. The NDOH in the present case is 05.02.2021.

Copy of this order be sent to the jail superintendent concerned for information to the accused.


(Aakanksha Vyas)
MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 0391/20
PS PIA
State vs. Pawan Sharma & Ors.
U/s 392/394/411 /34 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.
Ld. counsel for the applicant through VC.

The present application for release of vehicle bearing No.**DL-3CBA-5844**, mobile phone make **Samsung S-9 plus**, DL, ID card of **Animal Welfare Board of India** and cash of **Rs. 700/-**, on Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Sudhir Kumar wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

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 bearing No.**DL-3CBA-5844** be released to the **rightful owner only** 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.
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.

The aforesaid mobile phone **make Samsung S-9 plus** be also released to the rightful owner only subject to satisfaction of the IO/ SHO about the following conditions:

1. IO shall prepare detailed panchnama mentioning the colour, appearance, IMEI number, ownership and other necessary details of the mobile phone:
2. IO shall take the colour photographs of the mobile phone from different angles.
3. The photographs should be attested and counter signed by the complainant, accused and rightful owner.



4. IO shall take the security bond of appropriate value from the rightful owner, taking into consideration the value / bill / receipt of the mobile phone to the satisfaction of the concerned IO/ SHO subject to verification of documents.

The aforesaid articles i.e. **DL, ID card of Animal Welfare Board of India** be also released to the rightful owner 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.

The aforesaid currency notes of Rs. 700/- be also released to the rightful owner subject to satisfaction of the IO/ SHO about the following conditions:

1. The currency notes in question are no more required for investigation
2. IO shall prepare detailed panchnama mentioning the number of currency notes.
3. IO shall take the colour photographs of the currency notes.
4. The photographs should be attested and counter signed by the complainant, accused and rightful owner.
5. IO shall take the indemnity bond of appropriate value from the applicant.

Copy of this order be sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.


(Akanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 265/20
PS PIA
State Vs. Karan

04.01.2021

Present : Ld. APP for the State is available through VC.
Sh. S.N. Jha, Id. LAC for the accused through VC.

The present application has been forwarded from the Jail superintendent concerned. Chargesheet has already been filed in the present case.

Bail application perused. Reply filed by IO also perused.

Ld. Counsel for the accused has submitted that accused is in JC since 05.10.2020. Ld. Counsel has further submitted that accused has been falsely implicated in the present case. Further, investigation has been completed and the accused is ready to furnish sound surety.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature and accused can commit similar offence in future. Further, as per reply of IO, the accused is a habitual offender.

Heard both the parties.

I have given careful consideration to the submissions of Id. LAC for the accused and Id. APP for the State. The allegations are serious in nature in as much as it is alleged by the complainant that the date of the incident in question, the accused along with his associate stopped the complainant's motorcycle and grabbed him and robbed his mobile phone and purse containing the identify proof and Rs.8000/-. Further, as per reply of the IO, the co-accused Rohit is yet to be arrested and the present accused was identified by the complainant as an offender during TIP proceedings. However, investigation in the present case has already been concluded and even chargesheet has been filed. Further, the accused is in JC since three months and as per reply of IO, he has no previous involvement in any other case. Trial is likely to take time. Further, the aspect of de-congestion of jails in light of Covid-19 pandemic is also a relevant consideration. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of personal bond in the sum of **Rs. 20,000/- with one surety in the like amount** before the Jail Superintendent concerned 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.



-2-

Accordingly, bail application stands disposed off. Jail Superintendent concerned is directed to transmit the bail bond to the court at the earliest and accused be released upon furnishing bail bond by him if not required in any other case. Copy of this order be given to the Id. LAC for the accused and copy of this order be sent to the Jail Superintendent concerned for information. Copy of the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO.43/20
PS PIA
State vs.Joginder

04.01.2021

Present : Ld. APP for the State is available through VC.

Sh. S.N. Jha, LAC for the accused through VC.

This is a bail application on behalf of the accused which was moved on 25.12.2020. I have perused the previous order.

The present bail application was forwarded from the Jail Superintendent Concerned.

Application perused. Reply of IO perused.

The Id. counsel for the accused submitted that the accused is in JC since 22.02.2020 and he has been falsely implicated in the present case. Further, the recovery shown from the accused, if any, is planted upon him. The Id.counsel also submitted that the investigation has been completed and accused is ready to furnish sound surety.

Ld. APP for the State has strongly opposed the present bail application stating that the allegations are serious in nature. Further, the accused was identified by the complainant during TIP proceedings and he is a habitual offender and there is every possibility that accused can commit similar offence in future and threaten the complainant.

I have given careful consideration to the averments made in the application and the submissions of the Id. counsel for the accused as well as Id. APP for the State. The allegations are serious in nature in as much as the complainant has alleged that on the date of the incident in question, the present accused along with his two associates boarded his cab and after sometime the abovesaid three persons beat him and robbed him of his Rs. 1500/- cash, his mobile phone and Ola cab. As per reply of IO, the medical examination of the complainant was conducted and his MLC reflected simple injury. The



complainant also correctly identified the accused during TIP proceedings. Furthermore, as per reply of the IO, the present accused has previous involvement in similar offence. Most importantly, the chargesheet has been filed u/s 394 IPC amongst other offences and offence u/s 394 IPC is punishable with life imprisonment. Therefore, keeping in view the entire facts and circumstances, I am not inclined to grant bail to the accused. Hence, the present bail application stands dismissed.

Copy of this order be given to the Id. LAC for the accused and also be sent to the Jail Superintendent concerned for information to the accused. Copy of this order be also uploaded to the website of Delhi District Court today itself.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO.303/20
PS Shakarpur
State vs. Vicky @ Vikram

04.01.2021

Present : Ld. APP for the State is available through VC.

None for applicant/accused through VC.

I have perused the application. No reply has been received from the jail superintendent concerned.

The jail superintendent concerned is directed to file reply to the present application on 05.01.2021.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO.349/20
PS Krishna Nagar
Rahul Sharma vs. State

04.01.2021

Fresh application u/s 207 Cr.PC received through email.

Present : Ld. APP for the State is available through VC.

None for applicant through VC.

Put up with file on 05.01.2021.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 0535/20
PS Shakarpur
State vs. Uttam Dagar & Ors.
U/s 394/397/34 IPC

04.01.2021
Fresh application for grant of bail to the accused, received through
email.

Present : Ld. APP for the State is available through VC.

None for applicant through VC.

IO/ SHO PS concerned to file reply on 05.01.2021.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 355/20
PS PIA
U/s 392/397/34 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.
Sh. Dilip Kumar, Id.counsel for the applicant through VC.
Reply be called from Jail Superintendent concerned for
05.01.2021.



(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO.268/20
PS PIA
State vs. Gulshan

04.01.2021

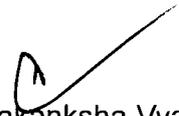
Present : Ld. APP for the State is available through VC.

None for applicant through VC.

I have perused the application. In the present case, reply has been received from the IO qua the status of the accused in the present FIR. However, no reply has been received from the jail superintendent concerned.

Jail superintendent concerned is directed to file reply on 05.01.2021.

Copy of this order be sent to the Id. Counsel for the applicant on his email ID and the same be uploaded on the Delhi District Court Website today itself.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

State vs. Kasim
FIR No. 0485/20
PS Shakarpur
U/s 279/337 IPC

04.01.2021.

Present : Ld. APP for the State is available through VC.

Sh. Girish Sharma, Id.counsel for the applicant through VC.

The present application for release of vehicle **Riksha Theli and four PVC Pipe 6 inch on** Superdari has been filed by the applicant.

Reply has been filed under the signature of ASI Om Prakash wherein it is submitted that there is no objection for the release of Riksha Theli and four PVC Pipe 6 inch to the **rightful owner** only.

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** 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.
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.

In these circumstances the aforesaid articles i.e. **four PVC Pipe 6 inch** be also released to the rightful owner 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 i.e. **four PVC Pipe 6 inch**.
2. IO shall take the colour photographs of the articles i.e. four PVC Pipe 6 inch 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 i.e. four PVC Pipe 6 inch 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 Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 0535/20
PS Shakarpur
State vs. Uttam Dagar & Ors.
U/s 394/397/34 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.
Sh. Deepak Kohli, Id. counsel for the applicant through VC.
I have perused the previous orders. Issue notice to the IO
to furnish clarifications for 06.01.2021.

(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

FIR NO. 0535/20
PS Shakarpur
State vs. Not known
U/s 394/397/34 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.

Sh. Deepak Kohli, Id. counsel for the applicant through VC.

I have perused the previous orders. Issue notice to the IO
to furnish clarifications for 06.01.2021.


(Akanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021

State vs. Not known
FIR No. 370/2020
PS PIA
U/s 392/397/34 IPC

04.01.2021

Present : Ld. APP for the State is available through VC.

Sh. Vipin Nagar, Id.counsel for the applicant through VC.

 The present application for release of vehicle bearing No.**UP-16-EN9697** on Superdari has been filed by the applicant.

 Reply has been filed under the signature of ASI Bijender wherein it is submitted that there is no objection for the release of vehicle to the **rightful owner** only.

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:

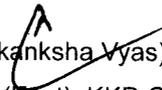
"Vehicles"

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** 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.
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 sent to Ld. Counsel on his email ID and be also sent to the SHO PS concerned for compliance and also be sent on the Delhi District Courts Website today itself.


(Aakanksha Vyas)

MM-05 (East) KKD Court
Delhi/04.01.2021