

Regular steno is on leave today and no substitute has been provided despite request.

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

COURT IS CONVENED THROUGH V/C (CISCO WEBEX).

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of vehicle bearing no. **UP-85AN-8639** on *Superdari*.

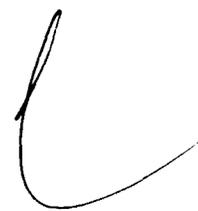
Reply filed and perused. As per reply, IO has no objection, if the vehicle is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the Hon'ble Supreme Court in *Sunderbhai Ambalal Desai vs. State of Gujarat* (A.I.R.2003 S.C.638) and the Hon'ble High Court of Delhi in the case of *Manjeet Singh vs. State*, I am satisfied that this will be an eminently fit case where the case property i.e. vehicle bearing no. **UP-85AN-8639** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds.

Accordingly, let vehicle bearing no. **UP-85AN-8639** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc. The photographs of the vehicle bearing no. **UP-85AN-8639** 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 charge-sheet. IO is also directed to follow the necessary safeguards insisted in *Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State*.



The applications stand disposed of accordingly.

Copy dasti.

(BABITA PUNIYA)

MM-05, East District, KKD Courts

Delhi/06.08.2021

Amend  
Ravinder (C) →  
(Advocate)  
6/8/21

06.08.2021

**Regular steno is on leave today and no steno has been provided to this court.**

Present: Learned APP for the State  
Learned counsel for the applicant  
IO through V/C

This is an application seeking release of the vehicle bearing Registration **DL-3SBP-6849**.

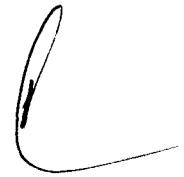
Heard. Record perused.

This is a case under section 279/338 IPC. As per IO, the vehicle in question was not insured at the time of accident/incident. Therefore, let the vehicle in question be released to its registered owner/rightful owner subject to his depositing a sum of Rs. 50,000/- in the form of FDR, in terms of Rule 6 of the Delhi Motor Accident Claims Tribunal Rules, 2008, so that this amount may be adjusted towards compensation that may be awarded in the motor accident claims.

IO/SHO is also directed to follow the guidelines laid down by the Hon'ble Delhi High Court in **Manjeet Singh's** case while releasing the vehicle.

Copy dasti.

Order be also communicated to the SHO concerned through Naib Court.



(Babita Puniya)  
MM-05, East District, KKD Courts,  
Delhi/06.08.2021

Regular steno is on leave today and no substitute has been provided despite request.

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

COURT IS CONVENED THROUGH V/C (CISCO WEBEX).

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of vehicle bearing no. **DI-3SCQ-2402** on *Superdari*.

Reply filed and perused. As per reply, IO has no objection, if the vehicle is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the Hon'ble Supreme Court in *Sunderbhai Ambalal Desai vs. State of Gujarat* (A.I.R.2003 S.C.638) and the Hon'ble High Court of Delhi in the case of *Manjeet Singh vs. State*, I am satisfied that this will be an eminently fit case where the case property i.e. vehicle bearing no. **DI-3SCQ-2402** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds.

Accordingly, let vehicle bearing no. **DDI-3SCQ-2402** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc. The photographs of the vehicle bearing no. **DI-3SCQ-2402** 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 charge-sheet. IO is also directed to follow the necessary safeguards insisted in *Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State*.



The applications stand disposed of accordingly. Copy dasti.

(BABITA PUNIYA)

MM-05, East District, KKD Courts

Delhi/06.08.2021

**State vs. Trun Kumar Sagar**

FIR No. 370/21  
PS: Krishna Nagar  
U/sec. 356/379/34 IPC

**Regular steno is on leave today and no substitute has been provided despite request.**

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

**COURT IS CONVENEED THROUGH V/C (CISCO WEBEX).**

Vide this order, I shall decide the bail application filed on behalf of the accused **Tarun Kumar Sagar** seeking regular bail.

It is stated by the learned counsel for the accused that he is FTO and is no more required for custodial interrogation. He submitted that accused has just passed 12<sup>th</sup> class examination. He further submitted that the accused cannot be punished before conclusion of trial and if he is kept behind the bars, not only he but his families would also suffer. Reliance is placed on the judgment passed by Hon'ble Supreme Court of India in the case of **Sanjay Chandra Vs. Central Bureau of Investigation (2012)1 SCC 40** to contend that every man is deemed to be innocent until duly tried or duly found guilty and that refusal of bail is restriction on the personal liberty of the individual guaranteed under Article 21 of the Constitution of India.

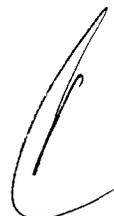
He further submitted that bail is a right and jail is an exception; denial of bail would amount to pretrial conviction; applicant/accused is ready to abide by all the condition as imposed by this court and are ready and willing to cooperate in the investigation. He, therefore, prays that the accused may be enlarged on bail pending investigation.

Per contra, bail application is strongly opposed by the Ld. APP for State. He submitted that accused does not deserve the concession of bail as serious allegations have been leveled against him and investigation is at nascent stage.

On court query, it is stated by the IO that custodial interrogation of accused is not required.

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

There is nothing on record to suggest that accused is a previous convict or offender. Therefore, I am of the view the no useful purpose would be served by keeping the



accused behind the bars where he would come in contact with hardened criminals and lose the sensitivity whatever he has. Therefore, without commenting on the merits of the case, keeping in view the overall conspectus of the case, particularly the age of the accused, I deem it fit to admit the accused **TARUN KUMAR SAGAR** on bail on his furnishing bail bond in the sum of Rs.10,000/- with one sound surety in the like amount on the conditions:-

1. That the surety shall be local surety;
2. **That he shall not try to contact the complainant or his family members or friends;** and
3. That the accused shall co-operate in the investigation.

In view of the above, the bail application stands disposed of.

Copy dasti.

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



(BABITA PUNIYA)  
MM-05, East District  
KKD Courts, Delhi/06.08.2021

Received  
Dasti  
Shailendra K  
6/8/2021

Regular steno is on leave today and no substitute has been provided despite request.

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

***COURT IS CONVENED THROUGH V/C (CISCO WEBEX).***

Vide this order, I shall decide the application filed on behalf of the accused ***FAISAL @ SALAM*** seeking regular bail.

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

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

Perusal of the file reveals that accused is running in J/C since 09.06.2020. Therefore, considering the custody period, I deem it fit to admit the accused on bail on his furnishing a bail bond in the sum of Rs. 10,000/- with one surety in the like amount.

Bail application stands disposed of.

Copy dasti.

Order be also sent to the concerned Jail Superintendent for information and record.

(BABITA PUNIYA)  
MM-05, East District

KKD Courts, Delhi/06.08.2021

06.08.2021

**Regular steno is on leave today and no substitute has been provided despite request.**

Present: Learned APP for the State through V/C

Sh. Abbas Khan, learned counsel for the accused through V/C

**Court is convened through V/C (CISCO WEBEX).**

This is an application filed on behalf of accused **Rihan @ Majid @ Gullu** seeking regular bail.

After some arguments, it is stated by the learned counsel for the accused/application that he wants to withdraw the bail application.

Heard. File and application perused.

Application stands dismissed as withdrawn.

Copy *dasti*.



(BABITA PUNIYA)

MM-05, East District

KKD Courts, Delhi/ 06.08.2021

06.08.2021

**Regular steno is on leave today and no substitute has been provided despite request.**

Present: Learned APP for the State through V/C

Learned counsel for the accused in person

IO in person with case file

**Court is convened through V/C (CISCO WEBEX).**

These are two separate bail applications filed on behalf of the accused persons namely *Sundaram Gupta* and *Surjeet Yadav* seeking regular bail.

It is stated by the learned counsel for the accused persons that IO has not followed the guidelines laid down by the Hon'ble Supreme Court of India in the case of *Arnesh Kumar vs State of Bihar*. He further submitted that accused persons have been falsely implicated in this case and that there is no sufficient material justifying the custody of the accused persons.

IO has filed the same reply in both the bail applications. He is hereby directed to file fresh replies stating his grounds of objection. Advance copy be supplied to the learned counsel for the accused persons.

Be put up on 09.08.2021 for further arguments. IO to remain present in person with CD.



(BABITA PUNJYA)

MM-05, East District

KKD Courts, Delhi/ 06.08.2021

06.08.2021

**Regular steno is on leave today and no substitute has been provided despite request.**

Present: Learned APP for the State through V/C

Learned counsel for the accused in person

IO in person with case file

**Court is convened through V/C (CISCO WEBEX).**

These are two separate bail applications filed on behalf of the accused persons namely *Sundaram Gupta* and *Surjeet Yadav* seeking regular bail.

It is stated by the learned counsel for the accused persons that IO has not followed the guidelines laid down by the Hon'ble Supreme Court of India in the case of Armesh Kumar vs State of Bihar. He further submitted that accused persons have been falsely implicated in this case and that there is no sufficient material justifying the custody of the accused persons.

IO has filed the same reply in both the bail applications. He is hereby directed to file fresh replies stating his grounds of objection. Advance copy be supplied to the learned counsel for the accused persons.

Be put up on 09.08.2021 for further arguments. IO to remain present in person with CD.

  
(BABITA PUNIYA)

MM-05, East District

KKD Courts, Delhi/ 06.08.2021

PS: Shakarpur

U/sec. 379 IPC

Regular steno is on leave today and no substitute has been provided despite request.

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

COURT IS CONVENED THROUGH V/C (CISCO WEBEX).

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of vehicle bearing no. **DL-13SU-5692** on *Superdari*.

Reply filed and perused. As per reply, IO has no objection, if the vehicle is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the Hon'ble Supreme Court in *Sunderbhai Ambalal Desai vs. State of Gujarat* (A.I.R.2003 S.C.638) and the Hon'ble High Court of Delhi in the case of *Manjeet Singh vs. State*, I am satisfied that this will be an eminently fit case where the case property i.e. vehicle bearing no. **DL-13SU-5692** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds.

Accordingly, let vehicle bearing no. **DL-13SU-5692** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc. The photographs of the vehicle bearing no. **DL-13SU-5692** 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 charge-sheet. IO is also directed to follow the necessary safeguards insisted in *Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State*.



of accordingly.



(BABITA PUNIYA)

MM-05, East District, KKD Courts

Delhi/06.08.2021

Regular steno is on leave today and no substitute has been provided despite request.

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

**COURT IS CONVENED THROUGH V/C (CISCO WEBEX).**

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of vehicle bearing no. **DL-5SCA-1708** on *Superdari*.

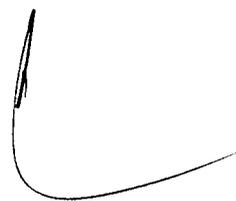
Reply filed and perused. As per reply, IO has no objection, if the vehicle is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the Hon'ble Supreme Court in *Sunderbhai Ambalal Desai vs. State of Gujarat* (A.I.R.2003 S.C.638) and the Hon'ble High Court of Delhi in the case of *Manjeet Singh vs. State*, I am satisfied that this will be an eminently fit case where the case property i.e. vehicle bearing no. **DL-5SCA-1708** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds.

Accordingly, let vehicle bearing no. **DL-5SCA-1708** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc. The photographs of the vehicle bearing no. **DL-5SCA-1708** 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 charge-sheet. IO is also directed to follow the necessary safeguards insisted in *Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State*.



The applications stand disposed of accordingly. Copy dasti.

(BABITA PUNIYA)

MM-05, East District, KKD Courts

Delhi/06.08.2021

*FIR No. 349/21*

**PS: Krishna Nagar**

**U/sec. 33 Delhi Excise Act**

*Regular steno is on leave today and no substitute has been provided despite request.*

Present: Learned APP for the State through V/C  
Learned counsel for the accused through V/C  
IO through V/C

***COURT IS CONVENED THROUGH V/C (CISCO WEBEX).***

Vide this order, I shall decide the 2<sup>nd</sup> bail application filed on behalf of the accused ***SARDAR CHARAN SINGH.***

It is stated by the learned counsel for the accused that he is first time offender and is running in custody since 20.07.2021.

He also placed reliance on a judgment passed by Hon'ble Supreme Court of India in the case of *Sanjay Chandra Vs. Central Bureau of Investigation (2012)1 SCC 40* to contend that every man is deemed to be innocent until duly tried or duly found guilty and that refusal of bail is restriction on the personal liberty of the individual guaranteed under Article 21 of the Constitution of India. He further submitted that bail is a right and jail is an exception; denial of bail would amount to pretrial conviction; applicant/accused is ready to abide by all the condition as imposed by this court and are ready and willing to cooperate in the investigation. He, therefore, prays that the accused may be enlarged on bail pending investigation.

Per contra, bail application is strongly opposed by the Ld. APP for State. He submitted that accused does not deserve the concession of bail as illicit liquor has been recovered from his possession. He therefore prayed that bail application may be dismissed.

On court query, it is stated by the IO that accused is FTO and is no more required for custodialinterrogation.



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

There is nothing on record to suggest that accused is a previous convict or offender. Therefore, I am of the view the no useful purpose would be served by keeping the accused behind the bars where he would come in contact with hardened criminals and lose the sensitivity whatever he has. Therefore, without commenting on the merits of the case, keeping in view the overall conspectus of the case, particularly the fact that he is FTO and the custody period, I deem it fit to admit the accused **SARDAR CHARAN SINGH** on bail on his furnishing bail bond in the sum of Rs.10,000/- with one sound surety in the like amount.

In view of the above, the bail application stands disposed of.

Copy dasti.

Copy of the order be aslo sent to the concerned Jail Suprintendent for information and record.



(BABITA PUNIYA)  
MM-05, East District  
KKD Courts, Delhi/06.08.2021

Copy received  
Dint Kumar  
6/8/2021  
D1479-R/1996