

FIR No. 535/2020
PS Kalyanpuri
State Vs. Imran @ Bablu
U/s 380/411/34 IPC.

Application No. 1

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

None for the accused.

Present matter is taken up in view of order dated 04.08.2021 passed by this Court calling report of the Jail Superintendent concerned regarding surrender of above named accused before the jail authority.

Report of Jail Superintendent concerned received. As per the said report, accused Imran @ Bablu S/o Zarin @ Jarin Khan has been re-arrested in another case FIR No. 234/2021, U/s 457/380/411/34 IPC, PS Ranjit Nagar and as such re-admitted in Jail on 29.07.2021.

In view of the said report, accused Imran @ Bablu has been lodged in jail in another case as mentioned above, even prior to expiry of his interim bail period, i.e., on 04.08.2021 in the present case. Now his interim bail has expired. Accordingly, the Jail Superintendent concerned is directed to keep accused Imran @ Bablu in JC even in the present case i.e. FIR No.535/20 PS Kalyanpuri as he is no longer on bail in this case. He shall also furnish his report regarding accused Imran @ Bablu being taken into JC in the instant case too, within two days.

A copy of this order be sent to the Jail Superintendent concerned for information and compliance and also to the court of PS Ranjit Nagar since accused has violated the liberty of interim bail granted in this case.

Put up on 10.08.2021.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

e-FIR No.19004/2020
PS Pandav Nagar
State Vs. Zulfikar Ahmed
U/s 379/411 IPC.

Application No. 2

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused along with accused.

Present matter is taken up in view of the NBWs issued against the applicant/accused. Though his bail bonds were conditionally accepted by this Court, however, surety for the applicant/accused stopped appearing before the Court even before final acceptance of his bail bonds.

Now, an application has been moved for cancellation of NBW issued against the applicant/accused Zulfikar Ahmed stating that previous counsel had concealed/misinformed the applicant/accused about real facts of the case. Further, it is orally submitted that the applicant/accused would provide a new surety.

Heard.

For the facts stated, NBWs issued against the applicant/accused stands cancelled with a warning to be careful in future but subject to payment of fine of Rs.1,000/- to be paid in the Court today itself. Be **Awaited for the same for 1.15pm.**

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

At 1.15pm

It is informed by Reader of the Court that fine of Rs.1,000/- has been deposited by the applicant/accused and he has also furnished the fresh bail bonds. Let verification report be called qua the fresh bail bonds for 09.08.2021.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

Misc. CrI. No. 15/2021

Application No. 3

Bank of India

Vs.

M/s Kanchan International.

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/Bank.

None for the Court Receiver.

This is an application, moved on behalf of the applicant/Bank, for extension of time to execute the order dated 12.02.2021 passed by this Court.

It is informed by the Reader of the Court that Court Receiver has refused to appear before the Court stating that he has undergone heart surgery. Counsel for the applicant/Bank has also submitted that the same reply was given to him by the Court Receiver when he had contacted the Court Receiver, on the last date.

Counsel for the applicant/Bank further submits that he would move fresh applications for refund of Fees paid to the Court Receiver since the latter has not performed his share of duties as well as for appointment of a new Court Receiver in the matter. Seeks permission to withdraw this application.

In view of the same, present application stands dismissed as withdrawn with liberty to the applicant/Bank to move fresh applications as aforesaid. Present application is, accordingly, disposed of.

A copy of this order be given dasti to counsel for the applicant/Bank and a copy of this order be also sent to the Court Receiver.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

FIR No. 0351/2021
PS Kalyanpuri
State Vs. Rahish @ Google
U/s 25/54/59 Arms Act.

Application No. 4

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

IO/HC Kapil from Special Staff.

This is the second application Section 437 Cr.P.C., moved on behalf of the applicant/accused Rahish @ Google S/o late Sh. Udal, for grant of regular bail. Reply filed by the IO concerned. Reply filed by the IO concerned.

During arguments, Counsel for the accused has relied on one video clip, though not very clear, but which shows that 2-3 persons (stated to be HC Kapil and other Special Staff Members) are taking away one another person (stated to be applicant/accused) in a car, after having apprehended him.

However, HC Kapil denies that he is one amongst those 2-3 persons who are taking away the said person. Counsel for the applicant/accused insists that the person in blue shirt is HC Kapil himself.

It would be appropriate to hear the first IO on this matter. Accordingly, arguments are heard in part. Matter is adjourned to **07.08.2021 with directions to the first IO/ASI Bakshish to remain present on the date fixed. HC Kapil shall also remain present on the date fixed.**

Be put up on 07.08.2021. A copy of this order be sent to the IOs concerned for information and compliance.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

**FIR No. 0296/2021
PS Pandav Nagar
State Vs. Farukh Malik
U/s 392/411/34 IPC.**

Application No.5

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application under Section 437 Cr.P.C., moved on behalf of the applicant/accused Farukh Malik, for grant of regular bail. Reply filed by the IO concerned.

Perusal of the record shows that present applicant/accused Farukh Malik has already been discharged in the case vide order dated 31.07.2021 passed by this Court on an application moved by the IO/ASI Kehar Singh. Moreover, even in reply filed by the said IO in the present application, it is clearly mentioned by him that the present applicant/accused has already been discharged by this Court. Consequently, the present application is misconceived and stands dismissed. Present application is, accordingly, disposed of.

Copy of order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

**(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021**

FIR No. 76/2021

Application No.6

PS Crime Branch, Delhi

Rajeev Kumar Vs. State

U/s 3/7 of Essential Commodities Act, Sec.3 of Epidemic Diseases Act & Sec. 420/188 IPC.

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Applicant Rajeev Kumar and previous owner Amar Nath Pandey, present on VC.

Counsel for the applicant Rajeev separately through VC.

This is an application under Section 451 Cr.P.C., moved on behalf of the applicant/superdar, for release of the **vehicle bearing No. DL-2CAD-7282** to the applicant Rajeev Kumar on superdari. Reply filed by the IO concerned.

On Court query, the person claiming himself to be Amar Nath Pandey stated that he had sold the vehicle in question to **CARS24**, who might have then sold the said car to the applicant Rajeev Kumar. IO has already filed his report as per which the said vehicle was sold to applicant Rajeev Kumar by **CARS24**. Let ID proof of Amarnath Pandey be filed on record.

In view of the same, the applicant Rajeev Kumar is now the rightful claimant of the vehicle bearing No. DL-2CAD-7282. IO has no objection in release of case property to the applicant.

Keeping in view the report of IO and judgment passed by Hon'ble High Court of Delhi in ***Manjit Singh Vs State; Crl. M.C.4485/2013 and Crl. M.A.No. 16055/2013*** wherein inter-alia the law laid down by Hon'ble Supreme Court in case titled as ***Sunderbhai Ambalal Desai and C.M. Mudaliar Vs. State of Gujrat; (2002) 10 SSC 283*** has been reiterated; the application is allowed. Concerned IO as well as SHO are directed as under:

(i) to release the above-mentioned vehicle to registered owner subject to preparing detailed proper panchnama of above-mentioned vehicle and taking photographs of above-mentioned vehicle from all possible angles including engine number and chasis number and file the same along with charge sheet;

(ii) to get panchnama and photographs of above-mentioned vehicle attested and countersigned by concerned party as well as by registered owner and IO.

(iii) IO however shall release the vehicle only after verification of ownership documents of applicant.

Applicant shall also file an indemnity bond before the IO. IO/SHO is directed to do the needful. Application is **disposed of** accordingly.

At request, copy of this order be given dasti.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

FIR No.90/2021

Application No. 7

PS Kalyanpuri

State Vs. Mohd. Abbas

U/s 307/34/195/182/120B IPC & 25/27 Arms Act.

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/accused.

This is an application for supply of copy of chargesheet. Cognizance was not yet taken, so application was kept pending.

I have perused the chargesheet and documents annexed with it. Perusal of the same shows that sanction under Section 39 of the Arms Act has not been filed on record for offence u/s 25/27 Arms Act. Moreover, complaint under Section 195 Cr.P.C for offence under Section 182 IPC has also not been filed on record.

So clarifications are also required from the IO qua the facts of the case.

Let an explanation be called from the IO concerned regarding non-filing of sanction under Section 39 of the Arms Act and Complaint under Section 195 Cr.P.C. for the next date of hearing. He shall also remain present on the NDOH for clarifications.

A copy of this order be sent to the IO concerned for information and compliance. Be put up on **13.08.2021**.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

FIR No.015041/2020
PS Pandav Nagar
State Vs. Rohit @ Lala
U/s 379/411 IPC.

Application No. 8

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Mohit Jain, LAC for the applicant/accused.

This is an application for release of the applicant/accused Rohit @ Lala on personal bond.

Record perused.

As the accused is unable to arrange a surety for himself to be released on bail, let the address verification report of the applicant/accused along with the report of his previous involvement in other criminal cases be called from the IO concerned for 10.08.2021.

Be put up on 10.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

FIR No. 392/2020
PS Kalyanpuri
State Vs. Noor Mohammad
U/s 302/380/457/201/34 IPC.

Application No. 9

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Sh. Naveen Saxena, Counsel for the applicant/accused Noor Mohammad (stated to be in JC)

Other accused persons, namely, Rajender and Raj Kumar are absent (stated to be on court bail).

This is an application for early hearing. Let notice of the same be issued to other accused persons, namely, Rajender and Raj Kumar for 12.08.2021. Ahalmad shall also produce the case file on the NDOH.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021

Misc. CrI. No. 24/2021

Application No.10

Dewan Housing Finance Corporation Ltd

Vs.

M/s Three Leaves Books International Pvt. Ltd. & Ors.

06.08.2021

Due to corona pandemic outbreak and in view of Office Order No. 438/RG/DHC/2021, dated 22.07.2021, of Ld. Registrar General, Hon'ble High Court of Delhi, the present matter is taken up for hearing through VC via Cisco Webex Meeting App.

Pr. Ld. APP for the State.

Counsel for the applicant/debtor.

This is an application, moved on behalf of the applicant/respondent, for correction/amendment in the **order dated 22.03.2021** and subsequent **order dated 28.07.2021** passed by this Court.

There is an issue regarding maintainability of the present application before this Court.

However, at request and keeping the issue of maintainability open, let notice of the said application be issued to the non-applicant/Financial Institution for 09.08.2021.

Original application along with court fees and vakalatnama be filed upon resumption of normal functioning of the courts.

(Atul Krishna Agrawal)
CMM (East), KKD, Delhi/06.08.2021