

M/s Peejay Finance Co.Ltd. vs. Shri Charan Lal Verma & Anr.
FIR NO. 21/20
U/s 420/468/471 IPC
PS Laxmi Nagar

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
Sh. B.B. Sharma, Id. Counsel for the applicant (through Video Conferencing).

The present application has been moved by the complainant for calling the status report of the case by the IO/SHO PS concerned.

It is stated that the present FIR case was registered as per the directions of the Court vide order dated 18.01.2020 and since then no action has been taken by the IO on the aforesaid FIR nor the accused persons have been arrested. It is further stated that the IO is deliberately delaying the proceedings.

Let report be filed by the IO.

Put up on 17.10.2020.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: None.

The present application has been moved on behalf of the surety seeking withdrawal and return of documents.

It is stated that the applicant is the surety for accused in the present case but due to some reasons, wants to withdraw his surety and prays for the release of his documents i.e.. the FDR.

None is present today.

Let notice of the present application be sent to the accused.

Be listed on 19.10.2020.

Both the parties are directed to be present through VC on NDOH.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

FIR NO. 793/06
PS Shakarpur
U/s 323/324 IPC
State vs. Imran Ali

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).

Sh. Alanine, Ld. Counsel for the applicant (through Video Conferencing).

This is an application moved on behalf of the surety Kiran seeking withdrawal of her surety bond and return of her FDR no. 2024787775.

It is stated that the applicant stood surety for the accused Imran Ali in the present FIR case and placed on record her FDR amounting to Rs. 20,000/- of Corporation Bank which was impounded by the Court. It is further stated that the accused Imran Ali has been acquitted from the Court vide order dated 22.11.2017 and hence the present application has been filed by the applicant praying that her FDR be released to her.

Let certified copy of the order/judgment dated 22.11.2017 be filed before the Court.

Put up on 15.10.2020.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

State vs. Momin
FIR NO. 349/20
PS Pandav Nagar
U/s 392/34 IPC

06.10.2020

The present application has been assigned to the undersigned from the Court of Ld. CMM, East District, KKD Courts.

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing)
Sh. Virender Singh, Id. Counsel for the accused (through Video Conferencing).

Let reply be filed by the IO.

IO is directed to be present through VC on NDOH. Let chargesheet be called for NDOH.

Be listed on 14.10.2020.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

State vs. Not known
e-FIR NO. 014234
U/s 379 IPC
PS Laxmi Nagar

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
None for the applicant.

The present application has been moved by the complainant praying for re-order of superdari in the present case.

None is present to pursue the application.

Hence, the same is dismissed in default and for non-prosecution. Application disposed of accordingly.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

State vs. Surender @ Bunty
FIR NO. 0291/2020
PS Kalyanpuri
U/s 307/34 IPC

06.10.2020

The present application has been assigned to the undersigned from the Court of Ld. CMM, East District, KKD Courts.

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
None for accused (through Video Conferencing).

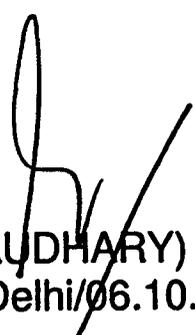
The application has been moved under the provisions of Section 439 Cr.PC. This Court does not have the jurisdiction to decide the application under this provision.

The application filed on behalf of the accused contains only two pages and is incomplete. No vakalatnama has been filed along with the present application.

None is present on behalf of the accused for clarifications.

In view of the same, the present application is dismissed in default and for non prosecution.

Application is disposed of accordingly.


(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
Ld. Counsel for the accused (through Video Conferencing).

Report filed by the IO. Same is perused.

As per the report, the fact of the death of the accused stands verified. It is stated that the father of the accused expired on 01.10.2020.

Hence, in view of the submissions of the Id. Counsel for the accused and the abovementioned facts and circumstances, the accused Imran is admitted to interim bail for a period of 45 days on furnishing personal bond and surety bond in the sum of Rs. 15000/- each, subject to the following conditions:-

1. That he shall not indulge in commission of any similar or other offence upon his release;
2. That he shall not tamper with the evidence in any manner;
3. That he shall not make any inducement, threat or promise to any witness(es) involved in case;
4. That he shall furnish his complete residential address and intimate the Court if and when there is any change thereto;
5. That he shall appear before the Court/IO if and when called upon before expiry of bail of 45 days;
6. That he shall surrender before the Court concerned upon the expiry of period of 45 days.

Copy of this order be sent to the Jail Superintendent concerned through dispatch rider deputed in this Court by the Jail Authorities.

The application stands disposed of.

Copy of this order be also sent to the Id. Counsel for the accused through electronic mode.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

e-FIR NO. 0347/20
U/s 392/411/34 IPC
PS Laxmi Nagar
State vs. Taufik

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
Applicant is present (through Video Conferencing).

Vide this order, I shall dispose off the application moved by the application for releasing the mobile phone make Vivo Y-53, on superdari.

It is pertinent to mention that this is the 2nd superdari application moved by the applicant wherein the first application was dismissed in default and for non-prosecution vide order dated 02.09.2020.

Report filed by the IO. Same is perused.

As per the reply, the present case was registered by the complainant Shivani. The complainant does not have the bill of the mobile phone Vivo Y-53 and as per the inquiry from the service provider, the CAF of installed SIM belongs to Shivani.

Heard and perused.

The present application is moved by the applicant namely Shivani. However, the ID proof filed along with the present application bears the name Nisha. No ID proof has been filed with the name of the applicant herein i.e. Shivani. Moreover, the applicant herein has not moved an affidavit stating that she has lost the bill of the above mentioned mobile phone.

In view of these facts and circumstances, the present application is hereby dismissed and disposed of accordingly.

Copy of this order be sent to the Id. Counsel for the applicant through electronic mode.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing).
Sh. Yad Ram Sharma, Id. Counsel for the accused.

Vide this order, I shall dispose of the application moved by accused Arvind, seeking bail.

Reply filed by the IO. Same is perused.

Arguments on the bail application heard on behalf of both the parties.

It is submitted by Ld. Counsel for the accused that the accused is in Judicial Custody since 24.09.2020. It is further stated that no recovery was affected from the accused. It is further stated that accused is ready to abide by all terms and condition to be imposed upon him, if he is granted bail.

On the other hand, it is submitted by Ld. APP for the state that the accused was caught at the spot of the incident along with other accused and mobile of the complainant was recovered from the co-accused. It is further submitted that accused may threaten the complainant and that he may tamper or hamper the evidence and jump the bail. Hence, accused doesn't deserve bail.



The court is mindful of the fact that as a general rule it is a bail not the jail which is the right of the accused. However, the right of the accused must be balanced with the general interest of the society and the fairness of investigation and the possibility of the witness tempering with the evidence. The apprehension of threat to witnesses and the possibility of the accused fleeing the process of law, are factors which cannot be ignored.

In the case in hand, the allegations against the accused are grave & serious and investigation is at initial stage. Therefore, there is every likelihood that accused may tamper the prosecution's evidence, if released on bail and the possibility of accused fleeing from the process of law cannot be ruled out. Hence, I do not find any merit in the present application of the applicant/accused. Accordingly, the present bail application of the applicant/accused Arvind is hereby **dismissed**.

Application is disposed of accordingly.

Copy of this order be also sent to Ld. Counsel for applicant through e-mail.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020

FIR NO. 020360/20
State vs. Not known
PS Laxmi Nagar
U/s 379 IPC

Vehicle No. UP-13BA-8724 (Hero Splendor Bike)

06.10.2020

In view of the directions contained in the Office Order No.26/DHC/2020 Dated 30.07.2020 of the Hon'ble High Court of Delhi and office order no. 5566-75/D&SJ (East)/KKD/Delhi dated 29.08.2020 of Ld. District & Sessions Judge, East, the abovesaid matter is taken up for hearing through video conferencing.

Present: Ld. APP for the State (through Video Conferencing)
Sh. Lokesh Kumar, Id.counsel for the applicant (through Video Conferencing).

Vide this order, I shall dispose of the application moved by applicant for release of vehicle bearing No. UP-13BA-8724 (Hero Splendor Bike), on superdari.

Reply to the application has been filed by the IO. Perused. As per the reply, the IO has not objected to the application stating that the vehicle is not required by the police.

Heard on the application for releasing the vehicle i.e. UP-13BA-8724 (Hero Splendor Bike) to the applicant/owner. Photocopy of RC of the vehicle and the insurance papers of the vehicle in question in the name of the applicant/owner have been filed. Considering the same, in view of the judgment of Hon'ble High Court of Delhi titled as "Manjit Singh vs. State in Criminal MC No. 4485/13 dated 10.09.2014", the said vehicle in question is released to the rightful owner subject to following conditions:-

1. IO is directed to release the vehicle to the rightful owner after preparing a



- detailed panchnama, taking photographs of the vehicle and valuation report.
2. The photographs of the vehicle should be attested and counter signed by the complainant, accused as well as by the person to whom the custody is handed over.
 3. Owner is directed to furnish indemnity bond as per valuation of vehicle bearing no. UP-13BA-8724 (Hero Splender Bike) before IO/SHO concerned.
 4. The investigation officer shall keep on record the permanent address and phone number of the rightful owner, his identity proof and address proof and shall release the vehicle after verifying the ownership of the applicant and insurance of the vehicle.
 5. Owner of the vehicle is further directed to intimate the Court and also to concerned IO, in case he is willing to dispose of the vehicle.
 6. In case of applicant changing his address, he shall inform the IO regarding the same vide a written intimation.
 7. IO is directed to file panchnama and photographs of the vehicle in question alongwith negatives/CD and valuation report with the final report.

Copy of this order be sent to Id. Counsel for applicant through electronic mode.

(RENU CHAUDHARY)
MM-04/East/KKD/Delhi/06.10.2020