

IN THE COURT OF ACMM-EAST KKD DELHI

CC NO.1070/2020

FIR No: 209/2019

PS Preet Vihar

State Vs Gajender Singh Tomar

07.08.2020

Through video conferencing

File taken up today on an application moved on behalf of accused u/s 207 Cr.P.C.

Present: Sh. Ramesh Bajiya Ld. APP for the State.

Sh. Rachit Kumar, Id counsel for applicant.

An application has been moved for supplying the copy of chargesheet.

Perusal of the record would show that cognizance has not been taken as yet. Therefore, the copies are not supplied.

The matter is preponed for hearing.

Matter be listed for consideration of cognizance on 19.08.2020. Notice be issued to the IO to join the proceedings through VC on NDOH.

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ACMM(EAST)/KKD/07.08.2020

IN THE COURT OF ACMM-EAST KKD DELHI

State vs. Vishnu

FIR No: 141/2020

PS Preet Vihar

07.08.2020

Application for release of Gas Cylinder

Through video conferencing

Present: None.

On 06.08.2020 also none had joined the proceedings on behalf of applicant. It appears that applicant is not interested in pursuing the application. The application is therefore dismissed in default of non prosecution.

Proceedings be sent to the record room.

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IN THE COURT OF ACMM-EAST KKD DELHI

FIR No: 276/2018
PS New Ashok Nagar
State Vs Suraj
07.08.2020

Through video conferencing

Application seeking bail of accused u/s 437 Cr.P.C.

Present: Sh. S.K. Singh, Id. Counsel for applicant/accused
through VC.

Reply received from the IO.

Naib Court HC RB Tomar has joined through VC on
behalf of the IO.

It is informed by Naib court PS New Ashok Nagar
that accused Suraj mentioned in the application is not in custody in
the FIR number mentioned in the application.

The application is therefore not maintainable. It is
dismissed and disposed of accordingly. Proceedings be sent to the
record room.

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IN THE COURT OF ACMM-EAST KKD DELHI

State vs. Sanjay Kumar Choudhary
FIR no. 47/2018
PS E.O.W
07.08.2020

**Application for direction/communication of Court orders
to the Jail Superintendent, Mandoli Jail (CJ-13).**

Present: Ld. APP for the State through VC.

Applicant Pawan Dubey has joined through VC.

Arguments on application have already been heard.

In the present application, applicant Pawan Dubey has prayed that certain orders passed by the Courts be communicated to the jail superintendent where accused Sanjay Chaudhary is in JC in the present case. It is stated that accused Sanjay Kumar Chaudhary is currently lodged in Central Jail no.13, Mandoli.

It has been argued on behalf of the applicant that accused had misused his interim bail by playing fraud upon the Courts of Ld. Duty MMs East Distt. The accused was granted interim bail by Ld. Duty MM, East, on 23.04.2020. However his interim bail was cancelled on 01.06.2020 by Ld. Duty MM after passing a detailed order, and he was directed to surrender before the Court on 02.06.2020. However he did not surrender as directed by the Court. Accordingly warrants were directed to be issued against him and thereafter even proceedings u/s 82 Cr.P.C were also initiated against the accused. The accused had surrendered only on

22.06.2020 after spending about 20 days outside the Court after his bail was cancelled by the Court. Various false submissions were made by the Ld. Counsel who had appeared on behalf of the accused on different dates before LD. Duty MMs. Hence, it has been prayed, this conduct of the accused be informed to the jail superintendent concerned to mention the same in the nominal roll of the accused. The applicant has relied upon rule no. 323 of Delhi Prison Rules, 2018.

I have heard the submissions and perused the records.

Rule 323 of the Delhi Prison Rules, 2018, reads as under:

“323- The Prison Department should endeavor to set up an information system that will make the information of each prisoners including the nominal roll and history ticket, available from Prison to the Home Department, while also providing the SHO of all police stations a method of updating the address verification and antecedents report of every prisoner on the same systems to be available to the home department of the Government.”

Thus, As per jail manual, a nominal roll of every prisoner is to be prepared in the jail. Appendix 15 of the Rules contains a proforma of the Nominal Roll of a prisoner. Point no. 18 of the proforma reads as under:

“18. REPORT OF MISCONDUCT DURING INTERIM BAIL/PAROLE/FURLOUGH (IF ANY)”

Thus, the prison authorities are also required to mention the misconduct of a prisoner during his release, *inter alia*, on interim bail.

I have gone through the order dated 31.05.2020 passed by Ms. Preeti Aggarwal, Ld. Duty MM East, orders dated 01.06.2020 and 02.06.2020 passed by Ms. Harshita Mishra, Ld. Duty MM East, order dated 09.06.2020 passed by Ms. Aakanksha Vyas, Ld. Duty MM East. All these orders are able to show that conduct of the accused was not proper after his bail was cancelled by the Court vide order dated 01.06.2020. As per Delhi Prison Rules discussed hereinabove, this conduct of the accused must be reported to the jail superintendent concerned. Hence the present application is allowed.

The copies of the orders passed by Ld. Duty MMs, as mentioned herein-above, alongwith copy of the present order be sent to the jail superintendent concerned for the purpose of informing the conduct of the accused after his interim bail was cancelled by the Court on 01.06.2020.

The copy of this order be also sent to the applicant on his email ID. The applicant is also at liberty to submit copies of the abovesaid orders to the jail superintendent concerned. Application is disposed of accordingly.

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ACMM (EAST)/KKD/07.08.2020

IN THE COURT OF ACMM-EAST KKD DELHI

FIR No: 0311/2020

PS New Ashok Nagar

State Vs Chintu

07.08.2020

An application for release of mobile phone on superdari.

Through video conferencing.

Present: Sh. Manohar Nagar, Id. Counsel for applicant.

Reply is not received from the IO. Oral Request received through HC R.B. Tomar.

IO to file reply on 10.08.2020.

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ACMM (EAST)/KKD/07.08.2020

IN THE COURT OF ACMM-EAST KKD DELHI

FIR No: 0311/2020
PS New Ashok Nagar
State Vs Anurag
07.08.2020

**An application for release of mobile phone on
superdari.**

Through video conferencing.

Present: Sh. Manohar Nagar, Id. Counsel for applicant.

Reply is not received from the IO. Oral Request
received through HC R.B. Tomar.

IO to file reply on 10.08.2020.

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ACMM (EAST)/KKD/07.08.2020

IN THE COURT OF ACMM-EAST KKD DELHI

FIR No: 0311/2020

PS New Ashok Nagar

State Vs Manish

07.08.2020

An application for release of mobile phone on superdari.

Through video conferencing.

Present: Sh. Manohar Nagar, Id. Counsel for applicant.

Reply is not received from the IO. Oral Request received through HC R.B. Tomar.

IO to file reply on 10.08.2020.

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ACMM (EAST)/KKD/07.08.2020

IIN THE COURT OF ACMM-EAST KKD DELHI

FIR No: 0311/2020

PS New Ashok Nagar

State Vs Sushil

07.08.2020

An application for release of mobile phone on superdari.

Through video conferencing.

Present: Sh. Manohar Nagar, Id. Counsel for applicant.

Reply is not received from the IO. Oral Request received through HC R.B. Tomar.

IO to file reply on 10.08.2020.

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ACMM (EAST)/KKD/07.08.2020