

State vs. Suraj

FIR No.64/20
PS: PIA
U/sec. 411 IPC

09.08.2021

Today I am also working as Duty MM.

Court is convened through V/C (CISCO WEBEX)

Present: Learned APP for the State

Accused produced from J/C through V/C

Complainant in person

IO through V/C

Ms. Leena Sharma, learned LAC through V/C

Heard. File perused. I take cognizance of offence. Let copy of challan be supplied.

At joint request, matter is referred for pre lok adalat hearing.

Parties are directed to appear at 04:00 p.m.

Accused be also produced through V/C at 04:00 p.m.

It is stated by the learned LAC that his application seeking release of accused on personal bond is pending consideration.

Heard.

Application perused. Despite directions, jail superintendent concerned has not filed the report. Therefore, let explanation be called from the jail superintendent concerned.

In the present case, the accused was granted bail on 02.12.2020 by this Court



and yet he is languishing in Jail. Therefore, in the interest of justice and to ensure that the bail order does not become redundant, the present application is allowed. Accused be released on furnishing of personal bond in the sum of Rs.5000/- mentioning his current address and permanent address to the jail superintendent concerned. Personal bond be transmitted to the Court at the earliest.

Accordingly, application disposed off. Order be uploaded on the Delhi District Court Website today itself. Copy of this order be sent to jail superintendent concerned for information to the accused.

Copy of this order be given dasti to the Ld. LAC for the accused.


(Babita Puniya)

Judge, pre-lok Adalat sitting

East District, KKD Courts, Delhi/09.08.2021

State vs. Mohd. Miya
e.FIR No. 11396/21
PS PIA
U/s 379/411 IPC

09.08.2021

Vide this order, I shall decide the application filed under section 437 Cr.P.C., seeking regular bail of accused Mohd. Miya.

Present:- Ld. APP for the State through VC.

Sh. Harshvardhan, Id.counsel for the accused through VC.

Court is convened through VC (CISCO WEBEX)

Bail application is vehemently opposed by the learned APP for the State. He stated that accused has the criminal proclivity and has every potential of tampering with the evidence and thus contended that he does not deserves to be enlarged on bail. He also drew the attention of this Court towards previous conviction/involvement report filed along with the reply, which is stated to be from the State Crime Records Bureau's (SCRB) records, Delhi which discloses that the accused's is involvement in more than 13 criminal cases. He, therefore, prayed that the application may be dismissed as he does not deserve concession of regular bail and if, bail is granted to him at this stage he may indulge in similar activities.

Per contra, it was submitted on behalf of the accused that he is running in J/C since 20.04.2021 and is no more required for custodial interrogation. He therefore, prayed that accused may be enlarged on bail pending investigation.

I have heard the parties and have perused the reply.

Having heard the parties and on perusal of the reply, I find that the antecedents of applicant/accused Mohd. Miya are such which disentitle him to the concession of regular bail at this stage.

Accordingly, this bail application is dismissed.

Copy dasti.

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

(Babita Puniya)
MM, (East) KKD
Court/Delhi/09.08.2021

State vs. Narayan Swamy
FIR No. 361/21
PS Krishna Nagar
U/s 379/411 IPC

09.08.2021

This is an application seeking regular bail on behalf of the accused.

Present:- Ld. APP for the State through VC.

Ld. Counsel for the accused through VC.

Application perused. Reply of IO also perused.

As per reply of IO, the accused has already been granted bail by this Court vide order dated 02.08.2021. Hence, the present application is dismissed as infructuous.

Copy of this order be given dasti to the ld.counsel. Order be uploaded to the Delhi District Courts Website today itself.


(Babita Puniya)
MM-05, (East) KKD
Court/Delhi/09.08.2021

State vs. Dheeraj
FIR No. 103/21
PS PIA
U/s 33/58 Excise Act r/w Section 34 IPC

09.08.2021

This is an application for release of vehicle on superdari.

Present:- Ld. APP for the State through VC.

Ld. Counsel for the applicant through VC.

Application perused. Reply of IO also perused.

At this stage, Id. counsel for the applicant wants to withdraw the present application. Hence, the present application is dismissed as withdrawn.

Copy dasti.

Order be uploaded to the Delhi District Courts Website today itself.

(Habita Puniya)
MM-05, (East) KKD
Court/Delhi/09.08.2021

State vs. Unknown
e.FIR No. 010239/21
PS Krishna Nagar
U/s 379 IPC
09.08.2021

Present:- Ld. APP for the State through VC.
None for applicant present through VC.

The present application for release of vehicle bearing No. **DL-7SBQ-6015 (Motorcycle)** on Superdari has been filed by the applicant.

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

In view of the no objection of IO, oral arguments of Ld. Counsel for applicant are dispensed with.

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 (after verification of ownership)** 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 (after verification of ownership).
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.

(Babita Puniya)
MM-05, (East) KKD
Court/Delhi/09.08.2021

FIR No. 113/20
PS Krishna Nagar
State vs. Ansh Bhandari

09.08.2021

File taken up today on an application seeking release/discharge of surety.

Present:- Ld. APP for the State through VC.

Applicant with Id.counsel.

File perused. Application perused.

Heard.

New/ fresh bail bond is already on record, therefore, previous surety stands discharged. His documents, if any, be released to the applicant/ previous surety of accused.

Put up on date already fixed i.e .25.09.21.

Copy dasti.



(Babita Puniya)
MM-05, (East) KKD Court
/Delhi/09.08.2021

FIR No. 186/17
PS Ghazipur
State vs. Himanshu @ Hunny

09.08.2021

Present:- Ld. APP for the State through VC.

Accused and surety with Id.counsel.

This is an application seeking cancellation of NBW on behalf of the accused.

Heard.

In the interest of justice, NBWs stands cancelled with strict warning to the accused to remain careful in future.

Record perused. Perusal of file reveals that bail bond was accepted till 24.05.2021 subject to verification of the address of surety.

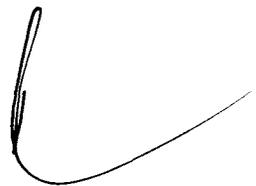
Bail bond verification report is already on record. However, perusal of the notification report reveals that surety resides at UP. At this stage, Id.counsel seeks short adjournment to arrange local surety (in terms of order dated 25.01.2021).

Heard.

In the interest of justice, time granted.

Be put up on 17.08.2021.

Interim order to continue till NDOH.



(Babita Puniya)
Duty MM, (East) KKD Court
/Delhi/09.08.2021