

**IN THE COURT OF ACMM -EAST KKD DELHI**

**FIR no. 178/2017**

**PS EOW**

**State vs. Anil Mittal**

**Application for surrender u/s 267 Cr.P.C has been taken up through VC . The application is received back to this court vide order of Ld. CMM, East, dated 08.09.2020.**

**09.09.2020**

Present: Sh. Ramesh Bajiya, ld. APP for the State.

Sh. Aditya Jain, ld. counsel for the applicant/accused Anil Mittal.

Jail Superintendent, Central Jail no. 11, Mandoli Jail, Delhi.

All the parties have joined the proceedings through VC.

One reply has been received from the Jail Superintendent.

In the reply, it has been stated, inter alia, that no email as stated by the applicant in the application was received on 13.07.2020 from the Ld. Counsel for the applicant.

Ld. counsel for applicant submits that E-mail had been sent by Ms. Surbhi Mittal, the daughter of the accused, from her E-mail ID.

At this stage, Ld. counsel seeks some time to resend the said E-mail on the E-mail ID of Central Jail no. 11, so that previous mail can be traced.

: 2 :

Time granted.

Proceedings be resumed after 10 minutes.

**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/09.09.2020**

After 10 minutes

Present : As before.

At this stage, Jail Superintendent concerned has submitted that after receiving the fresh E-mail, he has also traced the previous E-mail received from Ms. Surbhi Mittal.

Jail Superintendent seeks time to file fresh reply after tracing the said E-mail.

At request, list the above said application for further reply and arguments on the application on 11.09.2020 at 2.00 pm.

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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/09.09.2020**

**IN THE COURT OF ACMM -EAST KKD DELHI**

**State vs. Nitin  
FIR No. 393/2020  
PS New Ashok Nagar**

**09.09.2020**

**Through Video conferencing**

**Application for releasing vehicle bearing Registration No. DL-7S-BZ-5751 on superdari. Application is received on the E-mail ID of the Court.**

Present: Ld. APP for the State through VC.

Sh. Chander Prakash Sharma, Id.counsel for the applicant.

HC R.B. Tomar, from PS New Ashok Nagar.

Reply received from the IO.

IO has stated that vehicle was seized on 08.09.2020 and mechanical inspection of the vehicle is yet to be conducted. Further Insurance and RC of the vehicle is yet to be verified. Hence, it is prayed that vehicle may not be released to the applicant.

IO is directed to get the mechanical inspection of the vehicle conducted within 5 days from today. He is also directed to verify the documents of the vehicle within 5 days from today and to file a fresh report on the next date of hearing.

List this application for further consideration on 17.09.2020.

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**(DINESH KUMAR)  
ACMM (EAST)/KKD/09.09.2020**

**IN THE COURT OF ACMM -EAST KKD DELHI**

**State vs. Jai Prakash Singh**  
**FIR No. 0059/2020**  
**PS New Ashok Nagar**

**09.09.2020**

**Through Video conferencing.**

**Application for releasing of Weapon NPB Rifle bearing no. AB04/4278 along with 10 live cartridges 8 mm and original license of weapon no. 5439 moved on behalf of the applicant/accused Sh. Bijender Singh. Application is received on the E-mail ID of the Court.**

Present: Ld. APP for the State through VC.

Sh. Sujeet Samrat, Id. counsel for the applicant

HC R.B. Tomar, from PS New Ashok Nagar.

All the parties have joined the proceedings through VC.

Reply received from the IO.

Submission heard. Reply perused.

It is mentioned in the application that number of weapon has wrongly been mentioned in the FIR as AB04/4378. However, correct number of the weapon is AB04/4278.

In the reply received from the IO, the IO has also mentioned the correct number of the weapon. Thus, it is noticed that correct number of the weapon is AB04/4278, but it has wrongly been mentioned in the FIR as AB04/4378.

IO has no objection, if the weapon, cartridges and license is released to the applicant on superdari. License of the weapon has also been verified.

In these circumstance and in view of the judgement of Hon'ble High Court of Delhi in the case of **Manjeet Singh Vs. State Crl. M.C. 4485/2013 and Crl. M.A. No. 16055/2013**, the above said weapon, cartridge and license be released to the applicant on superdari. The superdar shall produce the same in court during trial if required

**State vs. Jai Prakash Singh, FIR No. 0059/2020, PS New Ashok Nagar.**

The SHO/IO is further directed to ascertain and satisfy himself about the ownership of the weapon in question and also to take the photographs of the case property alongwith the negatives duly authenticated and certified and a detailed punchanama be also prepared of the property before such release. It is also directed that the investigating officer shall keep on record the permanent address of the applicant, his/her identity proof, his/her address proof as well as his/her phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he/she will intimate to the court and address which he/she may change during the course of time.

Photographs shall be placed on record alongwith the Negative/CD. If the photographs are taken from digital camera, there is no need to place negatives on record.

Applicant shall be at liberty to dispose of the case property.

Application is disposed of accordingly.

Copy be sent to the applicant on his E-mail and order be uploaded on the server.

Applicant is directed to file the original application along with documents in the court within 2 days from today.

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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/09.09.2020**

**IN THE COURT OF A.C.M.M. -EAST KKD DELHI**

**State vs. Untrace  
FIR No: 006964/2020  
PS New Ashok Nagar**

**09.09.2020**

**Through video conferencing**

**Application for issuance of untrace report of vehicle having registration no. DL-2C-AV-7948. Application is received on the E-mail ID of the Court.**

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

None for the applicant.

HC R.B. Tomar from PS New Ashok Nagar.

As per the report received from HC RB Tomar, untraced report in the above mentioned FIR has already been accepted by the court.

In these circumstances, the application is not maintainable and is disposed of as dismissed.

Proceedings be sent to the Record Room.

**DINESH**  
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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/09.09.2020**

**IN THE COURT OF A.C.M.M. -EAST KKD DELHI**

**State vs. Umesh etc.  
FIR No: 202/2017  
PS New Ashok Nagar**

**09.09.2020**

**Through video conferencing**

**Case File is taken up today through VC on an application for cancellation of NBWs moved on behalf of accused Umesh and Sunil. Application is received on the E-mail ID of the Court.**

Present: Sh. Ramesh Bajjiya Ld. APP for the State.  
Sh. Harish Kumar Sharma, Id counsel for applicant  
namely Umesh and Sunil.

Submissions heard.

In the present case, NBWs against the applicants were issued before the functioning of the courts in Delhi was suspended due to Covid-19 Pandemic.

Considering the submissions mentioned in the application, NBWs are canceled. Previous sureties are restored.

File be put up on the date fixed i.e. 01.12.2020.

Copy be sent to the applicant on his E-mail and order be uploaded on the server.

Applicant is directed to file the original application along with documents in the court within 2 days from today.

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**ACMM (EAST)/KKD/09.09.2020**

**IN THE COURT OF A.C.M.M. -EAST KKD DELHI**

**CC NO.1070/2020**

**FIR No: 209/2019**

**PS Preet Vihar**

**State Vs Gajender Singh Tomar**

**09.09.2020**

**Through video conferencing**

**Case File taken up today on an application moved on behalf of accused u/s 207 Cr.P.C. for supply of the copy of charge sheet.**

**Application is received on the E-mail ID of the Court**

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

Sh. Rachit Kumar, Id counsel for applicant.

HC Manoj from PS Preet Vihar.

HC Manoj submits that IO had contacted the complainant and asked him to join the proceedings through VC. However, the complainant told him that he was out of station in his village in UP and he was unable to join the proceedings.

IO is directed to inform the complainant that matter is at the stage of consideration on cognizance and is listed for 19.09.2020 through physical hearing and complainant can join the proceedings on the date fixed through physical hearing.

List this application along with the case on the date fixed on 19.09.2020.

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**(DINESH KUMAR)**  
**ACMM (EAST)/KKD/09.09.2020**