

FIR No. 78/2020
P.S. North Rohini
U/S 308/323/427/506/147/148/149 IPC
State v. Madan Lal

Vide this order, I deposed of the application moved by accused namely Madan Lal for release the *Jama talasi* articles.

Present : Applicant/accused in person.

It is submitted by the accused that the mobile phone was seized during personal search memo which is required by the applicant for his personal use especially in the present emergency circumstances.

Heard. Police report perused.

As per police report, it was submitted that there is no objection regarding releasing of personal search articles to its rightful owner.

IO / SHO, P.S. North Rohini is directed to release the Jama Talasi articles to the accused as per his personal search memo.

Copy of order is given dasti to the applicant, as requested.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

FIR No. 127/20
U/s 33/58 Delhi Excise Act
PS: Kanjhawala
State Vs Sunil & Sandeep Malik
15.04.2020

This is the bail application moved on behalf of the accused persons namely Sandeep Malik and Sunil.

Present : Ld. APP for the State.
Sh. B.K.Singh, Ld. Counsel for the accused persons.

Ld. counsel for accused persons submits that the accused persons are in judicial custody since 08.04.2020 and they have been falsely implicated in the present case and recovery of the case property has already been effected and there would be no purpose served to keep the accused in custody during further investigation.

Ld. APP for the State submits that the investigation is at the initial stage and there is prima facie evidence available against the accused persons.

Heard and perused.

Reply filed on behalf of IO is perused.

In the present facts and circumstances and considering the fact that the recovery has already been effected from the accused persons and that the accused are in judicial custody since 08.04.2020, no fruitful purpose will be served by keeping the accused persons behind the bars. Accordingly, the bail application is allowed and accused persons be released on bail on furnishing personal bonds and surety bonds in the sum of Rs. 10,000/- each to the satisfaction of Jail Superintendent concerned and subject to the following conditions that :-

1. Accused persons shall not indulge in any similar offence during pendency of the case.
2. Accused persons shall not tamper with the evidence.
3. Accused persons shall appear before the Court/IO regularly as and when directed to do so.
4. The accused persons shall provide to concerned IO/SHO their mobile phones numbers and address and in the event of change in the same, shall bring it to the notice to the IO/SHO

Application is disposed off accordingly.

Copy of order be given dasti to Ld. Counsel for the accused persons, as requested.

Copy of this order be sent to concerned Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

CC No. 11881/2017

U/s 138 NI Act

PS: Kanjhawala

Savitri Hospital Charitable Trust v. Medifieled Equipment & Anr.

15.04.2020

Present : Sh. Ram Singh, Ld. Counsel for the accused Gaurav Mittu.

It is submitted by Ld. Counsel for the accused that Dy. Superintendent, Tihar Jail asked him to clarify that in which CC number the order for stay of NBWs was passed by this court. Endorsement in this regard has also been submitted by Dy. Superintendent, Tihar Jail on the back side of Dasti copy of order dated 14.04.2020.

It is further submitted by Ld. Counsel for the accused that CC No. 634/1/17 was old complain case number and CC No. 11881/17 is the new one. Order dated 25.01.2019 of the said case has been filed in support of his submission.

Submissions heard. Record is perused.

As per record, the order dated 14.04.2020 for stay of NBWs issued against the accused Gaurav Mittu was passed in CC No.11881/2017(old CC No. 634/1/17), U/s 138 NI Act, PS: Kanjhawala, titled as "Savitri Hospital Charitable Trust v. Medifieled Equipment & Anr."

Copy of order be given dasti to Ld. Counsel for the accused, as requested.

Copy of this order alongwith copy of order dated 25.01.2019 be sent to concerned Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

FIR No. 139/20
U/s 379/356/411/34 IPC
PS: Prem Nagar
State Vs Dushyant @ Deepu & Anr.

15.04.2020

This is the application u/s. 437 of Cr.P.C. moved on behalf of the accused persons Rakesh and Dushyant.

Present : Ld. APP for the State.
Ld. Counsel for the accused persons.

Reply has been filed by IO.

As per reply, at the time of medical check up, the accused Dushyant @ Deepu was found COVID-19 suspect who was referred to LNJP hospital where he was admitted in COVID-19 suspected ward and another accused Rakesh @ Chinku was locked up in Jail No.2.

The accused Rakesh @ Chinku was arrested alongwith co-accused Dushyant and no medical report has been furnished with regard to the accused Rakesh @ Chinku alongwith the reply. It is pertinent to mention that since accused Rakesh was arrested alongwith accused Dushyant and in view of the fact that the accused Dushyant is currently under quarantine on the suspicion of corona virus, it will be extremely risky for the accused Rakesh as well as others to consider the bail application without any report from the doctor as to whether the accused Rakesh is also suspected of Corona or not.

In view of the present facts and circumstances and no medical report of the accused Rakesh @ Chinku, the present application is disposed of as dismissed.

Copy of order be given dasti to Ld. Counsel for the accused persons, as requested.

Copy of this order be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

FIR No. 216/2020
U/s 33/58 Delhi Excise Act
PS: Shalimar Bagh
State Vs Sukhvinder Singh

15.04.2020

This is the application u/s. 437 of Cr.P.C.(inadvertently mentioned as 439 of Cr.P.C. in the present application) moved on behalf of the accused Sukhvinder Singh.

Present : Ld. APP for the State.
Ld. Counsel for the accused.

Ld. counsel for accused submits that the accused is in judicial custody since 12.04.2020 and he has been falsely implicated in the present case and recovery of the case property has already been effected and there would be no purpose served to keep the accused in custody during further investigation.

Ld. APP for the State submits that the investigation is at the initial stage and there is prima facie evidence available against the accused.

Heard and perused.

Reply filed on behalf of IO is perused.

In the present facts and circumstances and considering the fact that the recovery has already been effected from the accused and that the accused is in judicial custody since 12.04.2020, no fruitful purpose will be served by keeping the accused behind the bars. Accordingly, the bail application is allowed and accused be released on bail on furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of Jail Superintendent concerned and subject to the following conditions that :-

1. Accused shall not indulge in any similar offence during pendency of the case.
2. Accused shall not tamper with the evidence.
3. Accused shall appear before the Court/IO regularly as and when directed to do so.

Application is disposed off accordingly.

Copy of order be given dasti to Ld. Counsel for the accused, as requested.

Copy of this order be sent to concerned Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

FIR No. 62/2020
U/s 392/411/34 IPC
PS: Bharat Nagar
State Vs Jaspal Singh

15.04.2020

This is the application u/s. 437 of Cr.P.C. moved on behalf of the accused Jaspal Singh.

Present : Ld. APP for the State.
Sh. B.K. Singh, Ld. Counsel for the accused.

It is submitted by Ld. Counsel for the accused that inadvertently he mentioned the wrong sections i.e. 356/379/411 IPC instead of sections 392/411/34 IPC.

Ld. counsel for accused submits that the accused has been falsely implicated in the present case and recovery of the case property has already been effected and there would be no purpose served to keep the accused in custody during further investigation.

Ld. APP for the State submits that the investigation is at the initial stage and there is prima facie evidence available against the accused.

Heard and perused.

Reply filed on behalf of IO is perused.

In the present facts and circumstances and considering the fact that the recovery has already been effected from the accused, no fruitful purpose will be served by keeping the accused behind the bars. Accordingly, the bail application is allowed and accused be released on bail on furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of Jail Superintendent concerned and subject to the following conditions that :-

1. Accused shall not indulge in any similar offence during pendency of the case.
2. Accused shall not tamper with the evidence.
3. Accused shall appear before the Court/IO regularly as and when directed to do so.

Application is disposed off accordingly.

Copy of order be given dasti to Ld. Counsel for the accused, as requested.

Copy of this order be sent to concerned Jail Superintendent as well as one copy be sent to the concerned court for information and necessary action.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

Challan No. 153954 dated 06.04.2020
U/s 207 MV Act
PS: Maurya Enclave
State Vs Ajay Gupta

15.04.2020

This is the application for release of vehicle bearing no. DL8SBD-2954 moved on behalf of the applicant Ajay Gupta.

Present : Ld. APP for the State.
Ld. Counsel for the applicant.

Submissions heard on the application.

There is no emergency reason mentioned in the application for release of vehicle on superdari as the Duty MM are directed to take up only the emergency matters in light of exigency caused by recent outbreak of Covid-19.

In view of the same, the present application is disposed of as dismissed.

Copy of order be given dasti to Ld. Counsel for the applicant, as requested.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020

Challan No. 22165/2020 dated 05.04.2020
U/s 207 MV Act
PS: Maurya Enclave
State Vs Ankush Sachdeva

15.04.2020

This is the application for release of vehicle bearing no. DL1CQ-5122 moved on behalf of the applicant Ankush Sachdeva.

Present : Ld. APP for the State.
Ld. Counsel for the applicant.

Submissions heard on the application.

It is submitted by Ld. Counsel for the applicant that the applicant/accused had to go to purchase medicine for his daughter and due to emergency at that time, he could not produce the documents to the IO.

The applicant has neither provided any details as to what medical emergency was there nor has provided any proof of the same.

Further, as per general knowledge, the chemists shops are generally available in the walking distance from the houses, however, no satisfactory reason has been advanced as to why the car was taken by the applicant when he had to purchase only medicines.

In view of the above and in light of exigency caused by recent outbreak of Covid-19, the present application is disposed of as dismissed.

Copy of order be given dasti to Ld. Counsel for the applicant, as requested.

(SURPREET KAUR)
DUTY MM/NW/ROHINI/DELHI
15.04.2020