

25.08.2020

Present: None for the State.
Mr. Sudhir Kumar, Ld. Counsel for applicant/Accused Chetan S/o
Jitender R/o House No.5/448/1, Mohalla Mahram, Shahdara, North-
East, Delhi.

**This is an application u/s 437 CrPC for grant of bail of accused
Chetan.**

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, he is in JC since 30.07.2020, he has clean antecedents, with respect to previous involvement report it has been submitted that the police officials of Vivek Vihar Police Station have falsely implicated accused in recent FIR and arrested him in the present FIR and that he be released on bail.

On the other hand, IO ASI Satish Kumar in his reply has objected to the release of accused and previous involvement report has been annexed.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case, **accused Chetan is admitted to bail on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of jail Superintendent concerned/Ld. Duty MM.**

Accordingly, bail application is disposed of.

Bail bond/surety bond furnished, same be verified from concerned IO.

Copy of this order be given dasti.


(Aakanksha)

Duty MM/West/Delhi/25.08.2020

FIR No.13247/20
U/s 379/411/34 IPC
PS Patel Nagar
State Vs. Sanjay

25.08.2020

Present: None.

Report has been received from Dy. Superintendent, Central Jail No.1, Tihar in the above case stating that the address of the accused Sanjay S/o Sh. Shyam is not verified and reply of HC Amreek Singh has been annexed with stating that accused does not reside and the address furnished by him in the bail application.

Perused.

It transpires that vide order dated 19.08.2020, this Court has directed release of accused Sanjay in the above case for a period of 45 days on interim bail only after verification of his address from PS concerned. Since as per the report of concerned PS and Dy. Superintendent, Central Jail No.1, Tihar, the address of accused is not verified, the order dated 19.08.2020 is itself clear that accused shall not be released if the address is not verified. Hence, accused be not released unless his address is verified as per order dated 19.08.2020.

Let a copy of this order be sent to Jail Superintendent, Tihar for information and necessary action.


(Aakanksha)

Duty MM/West/Delhi/25.08.2020

FIR No.01327/2020
u/s 379/411 IPC
PS Punjabi Bagh
State vs. Praveen

25.08.2020 (through VC) ✓

Present: None for the State.
Ms. Liza Gulati on behalf of registered owner/Komal Gulati in person.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Komal Gulati.

No objection to the release of vehicle bearing registration no. **DL 10SX 9788 (Activa)** is tendered on behalf of the IO/HC Avdresh Singh.

Application perused.

Instead of releasing the above mentioned vehicle and three mobile phones on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

P.T.O.

FIR No.385/2020
u/s 33/58 Delhi Excise Act
PS Mundka
State Vs. Ashok Kumar

25.08.2020

Present: None for the State.
Mr. Pranay Abhishek, Ld. Counsel for applicant/accused Ashok Kumar.

This is an application for releasing of personal search on behalf of applicant/accused Ashok Kumar.

Reply has been received from IO HC Sunil Kumar, according to which they have no objection if personal search items are released to the owner.

Heard. Perused.

Considering the facts and circumstances of the case, personal search items be released to the applicant as per personal search memo after due verification of identity and against proper receipt.

Copy of this order be given dasti.

Aakanksha
25/8/2020
(Aakanksha)

Duty MM/West/Delhi/25.08.2020

FIR No.387/2020
u/s 356/379/411 IPC
PS Tilak Nagar

State Vs. Harpreet @ Hunny @ London

25.08.2020

Present: None for the State.
Mr. K. K. Singh, Ld. LAC for the applicant/accused Harpreet @
Hunny @ London S/o Harvinder R/o House No.B-145, Vishnu
Garden, Khyala, New Delhi.

This is an application u/s 437 CrPC r/w Section 167 (2) CrPC for grant of bail/default bail to accused Harpreet @ Hunny @ London.

Ld. Counsel for the applicant/accused has submitted that accused is in JC since 03.06.2020, he belongs to a poor strata of family, charge sheet has not been filed despite lapse of 82 days, he has been falsely implicated in the present case, no recovery has been effected from him, he has not been previously convicted in any case, and that he be granted bail/default bail.

On the other hand, IO ASI Surender Singh in his report, has submitted that accused has been released via order dated 08.07.2020 passed by Ld. Duty MM Sh. Kishore Kumar.

Heard. Perused.

Since accused has already been released via order dated 08.07.2020 passed by Ld. Duty MM Sh. Kishore Kumar, the present application is disposed of as infructuous. However, at the request of Ld. Counsel for the accused, **let the intimation be sent to Jail Superintendent, Tihar Jail.**

Hence, bail application is dismissed as infructuous.

Application stands disposed of accordingly.

Copy of this order be given dasti.

(Aakanksha)

Duty MM/West/Delhi/25.08.2020



**FIR No.141/2020
u/s 356/379/411 IPC
PS Tilak Nagar**

State Vs. Harpreet @ Hunny @ London

25.08.2020

Present: None for the State.
Mr. K. K. Singh, Ld. LAC for the applicant/accused Harpreet @
Hunny @ London S/o Harvinder R/o House No.B-145, Vishnu
Garden, Khyala, New Delhi.

**This is an application u/s 437 CrPC r/w Section 167 (2) CrPC for
grant of bail/default bail to accused Harpreet @ Hunny @ London.**

Ld. Counsel for the applicant/accused has submitted that accused is in
JC since 03.06.2020, he belongs to a poor strata of family, charge sheet has not
been filed despite lapse of 82 days, he has been falsely implicated in the present
case, no recovery has been effected from him, he has not been previously
convicted in any case, and that he be granted bail/default bail.

On the other hand, IO ASI Sambhu Dyal in his report, has submitted
that accused has been released via order dated 08.07.2020 passed by Ld. Duty
MM Sh. Kishore Kumar.

Heard. Perused.

Since accused has already been released via order dated 08.07.2020
passed by Ld. Duty MM Sh. Kishore Kumar, the present application is disposed
of as infructuous. However, at the request of Ld. Counsel for the accused, **let the
intimation be sent to Jail Superintendent, Tihar Jail.**

Hence, bail application is dismissed as infructuous.

Application stands disposed of accordingly.

Copy of this order be given dasti.

(Aakanksha)

Duty MM/West/Delhi/25.08.2020

25.08.2020

Present:

None for the State.

Mr. K. K. Singh, Ld. LAC for the applicant/accused Harpreet @ Hunny @ London S/o Harvinder R/o House No.B-145, Vishnu Garden, Khyala, New Delhi.

This is an application u/s 437 CrPC r/w Section 167 (2) CrPC for grant of bail/default bail to accused Harpreet @ Hunny @ London.

Ld. Counsel for the applicant/accused has submitted that accused is in JC since 03.06.2020, he belongs to a poor strata of family, charge sheet has not been filed despite lapse of 82 days, he has been falsely implicated in the present case, no recovery has been effected from him, he has not been previously convicted in any case, and that he be granted bail/default bail.

On the other hand, IO ASI Arni Lal in his report, has submitted that accused has been released via order dated 15.06.2020.

Heard. Perused.

Since accused has already been released via order dated 15.06.2020, the present application is disposed of as infructuous. However, at the request of Ld. Counsel for the accused, **let the intimation be sent to Jail Superintendent, Tihar Jail.**

Hence, bail application is dismissed as infructuous.

Application stands disposed of accordingly.

Copy of this order be given dasti.

(Aakanksha)

Duty MM/West/Delhi/25.08.2020

25.08.2020

State Vs. Harpreet @ Hunny @ London

Present: None for the State.

Mr. K. K. Singh, Ld. LAC for the applicant/accused Harpreet @
Hunny @ London S/o Harvinder R/o House No.B-145, Vishnu
Garden, Khyala, New Delhi.

**This is an application u/s 437 CrPC r/w Section 167 (2) CrPC for
grant of bail/default bail to accused Harpreet @ Hunny @ London.**

Ld. Counsel for the applicant/accused has submitted that accused is in
JC since 03.06.2020, he belongs to a poor strata of family, charge sheet has not
been filed despite lapse of 82 days, he has been falsely implicated in the present
case, no recovery has been effected from him, he has not been previously
convicted in any case, and that he be granted bail/default bail.

On the other hand, IO ASI Bhom Singh in his report, has submitted
that accused has been released via order dated 08.07.2020 passed by Ld. Duty
MM concerned.

Heard. Perused.

Since accused has already been released via order dated 08.07.2020
passed by Ld. Duty MM concerned, the present application is disposed of as
infructuous. However, at the request of Ld. Counsel for the accused, **let the
intimation be sent to Jail Superintendent, Tihar Jail.**

Hence, bail application is dismissed as infructuous.

Application stands disposed of accordingly.

Copy of this order be given dasti.


(Aakanksha)

Duty MM/West/Delhi/25.08.2020

25.08.2020

FIR No.388/2020
u/s 356/379/411 IPC
PS Tilak Nagar
State Vs. Harpreet @ Hunny @ London

Present:

None for the State,
Mr. K. K. Singh, Ld. LAC for the applicant/accused Harpreet @
Hunny @ London S/o Harvinder R/o House No.B-145, Vishnu
Garden, Khyala, New Delhi.

This is an application u/s 437 CrPC r/w Section 167 (2) CrPC for grant of bail/default bail to accused Harpreet @ Hunny @ London.

Ld. Counsel for the applicant/accused has submitted that accused is in JC since 03.06.2020, he belongs to a poor strata of family, charge sheet has not been filed despite lapse of 82 days, he has been falsely implicated in the present case, no recovery has been effected from him, he has not been previously convicted in any case, and that he be granted bail/default bail.

On the other hand, IO ASI Bhom Singh in his report, has submitted that accused has been released via order dated 08.07.2020 passed by Ld. Duty MM concerned.

Heard. Perused.

Since accused has already been released via order dated 08.07.2020 passed by Ld. Duty MM concerned, the present application is disposed of as infructuous. However, at the request of Ld. Counsel for the accused, let the intimation be sent to Jail Superintendent, Tihar Jail.

Hence, bail application is dismissed as infructuous.

Application stands disposed of accordingly.

Copy of this order be given dasti.



(Aakanksha)

(14)

FIR No.463/2020
u/s 25/54/59 Arms Act
PS Moti Nagar
State Vs. Rahul @ Rohit

25.08.2020

Present: None for the State.
Mr. K. K. Singh, Ld. Counsel for the applicant/accused Rahul @
Rohit S/o Ramesh R/o W2-460, Madipur Village, Delhi.

**This is an application u/s 437 CrPC for grant of bail of accused
Rahul @ Rohit.**
Ld. Counsel for the applicant/accused has submitted that accused has
been falsely implicated in the present case, he is in JC since 27.06.2020, matter is
not covered with directions given by HPC, and that he be released on bail.

On the other hand, IO HC Om Prakash in his report, has objected to
the release of accused and has annexed previous criminal records of the accused.

Heard. Perused.
Keeping in view the overall facts & circumstances of the case as well
nature of the offence and the fact of previous criminal involvement of accused in
four other similar offences, this Court does not deem it fit to grant bail to the
accused. **Hence, the bail application is dismissed.**

Application stands disposed of accordingly.
Copy of this order be given dasii.

Aakashsha
(Aakashsha)
Duty MM/West/Delhi/25.08.2020

C. Anand
25/8/20
25/8/20

(180)

FIR No.700/2020
u/s 279 IPC
PS Punjabi Bagh
State vs. Unknown

25.08.2020

Present: None for the State.
Mr. Sushil Kumar, husband of applicant/registered owner/ Manish in person.

This is an application for release of vehicle on superdari filed on behalf of applicant/registered owner/ Manish

No objection to the release of vehicle bearing registration no. **HR 46C**

6859 (Truck) is tendered on behalf of the IO/SI Sumit Dhankar.

Application perused.

Instead of releasing the above mentioned vehicle and three mobile phones on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles; taking photographs of such articles and a security bond.

P.T.O.

Copy received
25/8/20



60. *The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.*

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence."*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no **HR 46C 6859 (Truck)** be released to the applicant/registered owner on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no **HR 46C 6859 (Truck)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of this order be given dasti.


(Aakanksha)

MM (Mahila Court-05), West,
THC, Delhi/ 25.08.2020

19

FIR No.371/2020
u/s 341/323/34 IPC
PS Patel Nagar
State vs. Anil

25.08.2020

Present: None for the State.
Mr. Vishal Sharma, Ld. Counsel for applicant/accused Anil S/o Late Sh.
Sant Ram.

This is an application u/s 437 CrPC for bail on behalf of
applicant/accused Anil.

Ld. Counsel for applicant/accused seeks to withdraw the present
application.

Heard. Allowed.

At request, present application is dismissed as withdrawn.



(Aakanksha)
MM (Mahila Court-05), West,
THC, Delhi/ 25.08.2020

PS

FIR No.014701/2020
PS Ranhola
State Vs. Amit Kumar @ Aman
u/s 379 IPC

25.08.2020 (through VC)

Present: None for the State.
Mr. Amit Gaba, Ld. Counsel for applicant/accused Amit Kumar
@ Aman S/o Chhote Lal R/o O-80, Krishna Vihar, Sultan Puri,
Delhi.

**This is an application u/s 437 CrPC for grant of bail of accused
Amit Kumar @ Aman.**

Ld. Counsel for the applicant/accused has submitted that accused has
been falsely implicated in the present case on the basis of disclosure statement, he
is in JC since 18.07.2020, and that he be released on bail.

On the other hand, IO HC Krishan Kumar Yadav in his report, has
objected to the release of accused on the ground that scooty has been recovered
from his possession.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case,
accused **Amit Kumar @ Aman is admitted to 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/Ld. Duty MM.**

Accordingly, bail application is disposed of.

Bail bond/surety bond not furnished.

Copy of this order be sent to Ld. Counsel for the accused on his

email (amitgaba9973007@gmail.com)/whatsapp (9910210786).

Aakanksha
25/8/20
(Aakanksha)

Duty MM/West/Delhi/25.08.2020

25.08.2020

Present: None for the State.
Mr. Lalit Kumar, Ld. Counsel for applicant/Accused Sachin @
Farra S/o Mohan Lal R/o F-705, J. J. Colony, Raghuvir Nagar,
New Delhi.

This is an application u/s 437 CrPC for grant of bail of accused

Sachin @ Farra.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, he is in JC since 01.07.2020, he has no involvement in any other civil or criminal case, that on 30.06.2020 at about 7:00 pm when he went for some work in Tilak Nagar, Police officials stopped him and a false case was registered, and that he be released on bail.

On the other hand, IO HC Gaurav in his reply has objected to the release of accused and previous involvement report has been annexed.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case, accused **Sachin @ Farra is admitted to bail on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of jail Superintendent concerned/Ld. Duty MM.**

Accordingly, bail application is disposed of.

Bail bond/surety bond not furnished.

Copy of this order be given dasti.


(Aakanksha)

Duty MM/West/Delhi/25.08.2020

Lalit K
Received Auth order
25/8/20

FIR No.231/2020 dated 17.03.202
u/s 379/411 IPC
PS Moti Nagar
State Vs. Jai Prakash @ Swami

25.08.2020

Present: None for the State.

HC Om Prakash on behalf of IO HC Teji Pal in person.

HC Om Prakash has submitted that complainant Ram Siromani Shukla has refused to join the TIP proceedings as he is unable to identify and he is not keeping well and does not want to appear before the Court.

IO HC Teji Pal has recorded the statement of complainant to this effect and seeks to cancel the TIP proceedings of the case property.

Heard. Perused.

Since statement of the complainant to the effect that he has denied to identify the case property, has been annexed with CD, the **application is allowed and TIP is cancelled.**

Copy of this order be given dasiti.


(Aakanksha)

Duty MM/West/Delhi/25.08.2020