

FIR No. 427/2021
PS Sarai Rohilla
U/S 356/379/34 IPC IPC
State Vs. Umesh @ Ujwal S/o Pyare Lal

(Through Video Conferencing)

06.08.2021

2nd bail application under section 437 Cr.P.C for grant of bail on behalf of accused
Umesh @ Ujwal S/o Pyare Lal

Present: Ld. APP for the State
Sh. Rajesh Kumar Tiwari, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 21.07.2021 and has been falsely implicated in the present case.

I have heard ld counsel for accused and perused the reply.

Offence is serious in nature. Furthermore, investigation is at preliminary stage and accused has also been identified in CCTV Footage. At this stage, possibility of abuse of liberty granted by bail cannot be discounted. Furthermore, recovery is yet to be made. This court has already dismissed the first bail application of accused on 24.07.2021. No fresh ground for bail is made out. Application is accordingly dismissed.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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(Charu Asiwali)

MM-04/Central:

Delhi/06.08.2021

FIR No. 434/2021

PS Sarai Rohilla

U/S 3/4/5/6 PC & PNDT Act & 120B IPC

State Vs. Ankur Sharma S/o Sh. Vinod Kumar Sharma

(Through Video Conferencing)

06.08.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Ankur Sharma S/o Sh. Vinod Kumar Sharma

Present: Ld. APP for the State

Sh. Sudarshan Singh, Ld. Counsel for accused.

IO SI Vikas Tomar in person.

Counsel for accused has submitted that accused is in JC since 21.07.2021 and has been falsely implicated in the present case at the instance of management of Dhruv Diagnostic Centre, A-229/1, Main market, Shastri Nagar, Delhi on the basis of concocted story.

I have heard ld counsel for accused, and perused the reply.

Ld. APP for the state has strongly opposed the bail application on the ground that offence is serious and implication of such offences have deep impact on the society.

While elaborating on the facts of the case, it is then envisaged that, "The facts in brief are that the police received a secret information about the illegal activities being carried out under the Act. A team of doctors was associated for raiding the location. A decoy customer namely Lata @ Reena was deployed to act as a decoy patient and also another person namely Imran S/o Babu was also included in the team to act as decoy, for determining sex of foetus. Payment was made through noted currency serial number. Call was made to the present applicant and it was only at his

direction that the decoy customer went to meet co-accused Naveen Singh. Thereafter, co-accused Naveen Singh took the decoy customer Lata @ Reena on bike to Dhruv Diagnostic Center, Shastri Nagar for sex determination test. After some time, accused alongwith decoy lady reached to Dhruv Diagnostic Center, Shastri Nagar. After reaching Dhruv Diagnostic Center, Shastri Nagar Naveen then spoke to another middlemen Sikander who then directed accused Naveen to get the USG of the decoy lady namely Lata @ Reena. The decoy customer then got the USG done to check the sex of foetus. After the test Sikander confirmed to Naveen over phone that the patient Lata @ Reena has 'male child'. In the raid, accused Naveen Singh was caught red handed with the currency used in execution of the illegal sex determination test and also Rs. 15,500/- was recovered from the co-accused. Later-on being called by co-accused Naveen Singh, Ankur Sharma also appeared at the Diagnostic Centre and from there he was also arrested alongwith an amount of Rs. 10,500/- which was part of the currency notes of Rs. 30,000/-.

After perusal the reply, this court is of the opinion that, determination of sex of the foetus is a malaise which is affecting the society day in and day out. Despite the specific legislation the menace of sex-based destruction of foetus continues to plague the society, as the lifesaving technology is being used indiscriminately to take away precious lives, that are yet to breathe in this world. Offence is heinous in nature. IO has reported that the applicant is the main perpetrator, at whose instance the entire transaction took place. Furthermore, investigation is at preliminary stage and accused has also caught red handed with the currency used in execution of the illegal sex determination test and also Rs. 10,500/- was recovered from the accused. Co-accused Sikander is also yet to be apprehended, investigation with respect to larger nexus of people with respect to the present offence is still ongoing. At this stage, possibility of abuse of liberty granted by bail cannot be discounted.

Furthermore, part recovery of currency is yet to be made. No ground for bail is made out. Application is accordingly dismissed.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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MM-04/Central:
Delhi/06.08.2021

FIR No. 237/2019
PS : Sarai Rohilla
U/s 279/304A IPC

06.08.2021

(Through Video Conferencing)

An application has been moved on behalf of applicant for release of bicycle

Present: Ld. APP for the State.

Sh. Manish Malik, Ld. Counsel for applicant.

Submissions heard.

It is submitted by counsel for applicant that applicant Jaspal Singh is the rightful owner of the bicycle seized by police official of PS Sarai Rohilla. Scanned copy of DL filed by counsel for applicant.

As per reply of IO, he has no objection to the release bicycle to the applicant who is the rightful owner of the bicycle.

No useful purpose shall be served by retaining the bicycle which was seized by police official of PS Sarai Rohilla in police station. Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014, the bicycle which was seized by police official of PS Sarai Rohilla (as per reply filed by IO) be released to **registered owner/rightful owner**. The IO/SHO is further directed to take photographs of bicycle from all angles and get the said photographs signed by the applicant/**registered owner**. The photographs along with CD shall be filed with the final report.

The application is disposed of accordingly. Copy of order be provided to applicant/counsel.

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MM-04/Central/THC
06.08.2021

E.FIR No. 000628/2020
PS Sarai Rohilla
U/S 411 IPC
State Vs. Nitin Kumar S/o Kailash Nath

(Through Video Conferencing)

06.08.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Nitin Kumar S/o Kailash Nath

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

Ld. Counsel for accused has submitted that accused is in JC since 02.06.2021 and has been falsely implicated in the present case.

However, during the course of arguments, Ld. Counsel has prayed, that he may be allowed to withdraw the present application.

Heard.

In light of the prayer made, application is allowed to be withdrawn.

Application is disposed of accordingly.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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(Charu Asiwali)
MM-04/Central:
Delhi/06.08.2021

FIR No. 413/2021
PS : Sarai Rohilla
U/s 420/411/34 IPC
State Vs. Gurdeep Singh S/o Kimat Singh

06.08.2021

Bail application U/s 437 Cr.P.C on behalf of accused Gurdeep Singh S/o Kimat Singh

Present: Ld. APP for the State
Sh. Anil Kumar Mishra, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 26.07.2021 and has been falsely implicated in the present case.

I have heard counsel for accused, Ld. APP for the State and perused the reply.

Ld. APP for the State has opposed the bail application.

Accused has been running in JC since 26.07.2021. Recovery has already been affected from the accused. Accused has no previous involvements in any case as per reply filed by IO. Accused Gurdeep Singh S/o Kimat Singh is no longer even required for custodial interrogation. I see no reasons to keep the accused confined any longer. Accordingly, accused Gurdeep Singh S/o Kimat Singh be released on bail on furnishing bail bond for a sum of Rs. 20,000/- with one surety of like amount. Accused Gurdeep Singh S/o Kimat Singh be released from JC if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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MM-04/Central:
Delhi/06.08.2021

FIR No. 413/2021
PS : Sarai Rohilla
U/s 420/411/34 IPC
State Vs. Gurmeet Singh S/o Karnail Singh

06.08.2021

Bail application U/s 437 Cr.P.C on behalf of accused Gurmeet Singh S/o Karnail Singh

Present: Ld. APP for the State
Sh. Anil Kumar Mishra, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 26.07.2021 and has been falsely implicated in the present case.

I have heard counsel for accused, Ld. APP for the State and perused the reply.

Ld. APP for the State has opposed the bail application.

Accused has been running in JC since 26.07.2021. Recovery has already been affected from the accused. Accused has no previous involvements in any case as per reply filed by IO. Accused Gurmeet Singh S/o Karnail Singh is no longer even required for custodial interrogation. I see no reasons to keep the accused confined any longer. Accordingly, accused Gurmeet Singh S/o Karnail Singh be released on bail on furnishing bail bond for a sum of Rs. 20,000/- with one surety of like amount. Accused Gurmeet Singh S/o Karnail Singh be released from JC if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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MM-04/Central:
Delhi/06.08.2021

FIR No. 413/2021
PS : Sarai Rohilla
U/s 420/411/34 IPC
State Vs. Kripal Singh S/o Mohan Singh

06.08.2021

Bail application U/s 437 Cr.P.C on behalf of accused Kripal Singh S/o Mohan Singh

Present: Ld. APP for the State
Sh. Anil Kumar Mishra, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 26.07.2021 and has been falsely implicated in the present case.

I have heard counsel for accused, Ld. APP for the State and perused the reply.

Ld. APP for the State has opposed the bail application.

Accused has been running in JC since 26.07.2021. Recovery has already been affected from the accused. Accused has no previous involvements in any case as per reply filed by IO. Accused Kripal Singh S/o Mohan Singh is no longer even required for custodial interrogation. I see no reasons to keep the accused confined any longer. Accordingly, accused Kripal Singh S/o Mohan Singh be released on bail on furnishing bail bond for a sum of Rs. 20,000/- with one surety of like amount. Accused Kripal Singh S/o Mohan Singh be released from JC if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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(Charu Asiwali)
MM-04/Central:
Delhi/06.08.2021

E.FIR no. 000480/2021

PS : Sarai Rohilla

U/s 411 IPC

06.08.2021

An application has been moved on behalf of applicant for release of mobile phone make OPPO A3s on superdari.

Present: Ld. APP for the State.

Sh. Anil Kumar Jain, Ld. Counsel for applicant.

Arguments heard.

It is submitted by counsel for applicant that applicant Renu Bhardwaj is the rightful owner of the mobile phone make OPPO A3s. Photocopy of Aadhaar card and invoice filed by the applicant.

As per report of IO, he has no objection to release of the mobile phone to applicant/ rightful owner on superdari.

Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014 the mobile phone make make OPPO A3s (**as per reply filed by IO**) be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs of mobile phone showing its IMEI number/serial number/make etc and get the said photographs signed by the applicant on their rear. The photographs along with CD shall be filed by IO alongwith final report. IO is further directed to take address proof of the applicant before releasing the mobile phone.

The application is disposed of accordingly. Copy of order be provided to the applicant on whatsapp/email.

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MM-04 (Central)
Delhi/06.08.2021

FIR no. 395/2021
PS : Sarai Rohilla
U/s 356/379/411 IPC

06.08.2021

An application has been moved on behalf of applicant for release of mobile phone make Redmi 5 Colour Black on superdari.

Present: Ld. APP for the State.
Sh. Amit Sharma, Ld. Counsel for applicant.

Arguments heard.

It is submitted by counsel for applicant that applicant Kapil Rustagi is the rightful owner of the mobile phone make Redmi 5 Colour Black. Photocopy of Aadhaar card and invoice filed by the applicant.

As per report of IO, he has no objection to release of the mobile phone to applicant/ rightful owner on superdari.

Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014 the mobile phone (**as per reply filed by IO**) be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs of mobile phone showing its IMEI number/serial number/make etc and get the said photographs signed by the applicant on their rear. The photographs along with CD shall be filed by IO alongwith final report. IO is further directed to take address proof of the applicant before releasing the mobile phone.

The application is disposed of accordingly. Copy of order be provided to the applicant on whatsapp/email.

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MM-04 (Central)
Delhi/06.08.2021

FIR no. 406/2020
PS : Sarai Rohilla
U/s 380/411 IPC

06.08.2021

An application has been moved on behalf of applicant for release of mobile phone make Redmi V-3 Colour Blue on superdari.

Present: Ld. APP for the State.
Sh. A. Anand, Ld. Counsel for applicant.

Arguments heard.

It is submitted by counsel for applicant that applicant Umesh Kumar is the rightful owner of the mobile phone make Redmi V-3 Colour Blue. Scanned copy of Aadhaar card filed by counsel for applicant.

As per report of IO, he has no objection to release of the mobile phone to applicant/ rightful owner on superdari.

Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014 the mobile phone (**as per reply filed by IO**) be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs of mobile phone showing its IMEI number/serial number/make etc and get the said photographs signed by the applicant on their rear. The photographs along with CD shall be filed by IO alongwith final report. IO is further directed to take address proof of the applicant before releasing the mobile phone.

The application is disposed of accordingly. Copy of order be provided to the applicant on whatsapp/email.

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MM-04 (Central)
Delhi/06.08.2021

FIR No. 10/2021
PS : HNRS
U/s 25/454/59 Arms Act
State Vs. Sumrat @ Bahadur S/o Sh. Dulal Varmen

06.08.2021

(Through Video Conferencing)

Present: Ld. APP for the State
Surety Gauri alongwith Ms. Suman Kumari, Id. Counsel for accused.

Bail bonds in the sum of Rs. 10,000/- on behalf of accused Sumrat @ Bahadur S/o Sh. Dulal Varmen have been furnished. Verification report perused. Surety is the mother of accused. Let Kisan Vikas Patra be endorsed and returned.

Considering the above submissions, Bail bonds stands accepted.

Ahlmad is directed to send a copy of this order to the Kisan Vikas Patra issuing branch with accurate details of the Kisan Vikas Patra. Furthermore, concerned Branch Manager/official is directed not to release such Kisan Vikas Patra, until otherwise, directed by this court.

This order itself be treated as release warrants for the accused. Let this order be communicated to the Jail Superintendent concerned by all modes, including electronically.

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MM-04/Central:
Delhi/06.08.2021

E.FIR No. 011661/2021
PS Sarai Rohilla
U/S 379/411 IPC
State Vs. Vicky S/o Sh. Moti Ram

(Through Video Conferencing)

06.08.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Vicky S/o Sh. Moti Ram

Present: Ld. APP for the State
Sh. Parvez Ahmad, Ld. Counsel for accused.

Counsel for accused has submitted that accused is in JC since 22.06.2021 and has been falsely implicated in the present case.

I have heard ld counsel for accused and perused the reply.

IO has reported that accused has been running in JC since 30.06.2021. Offence as reported is one of snatching, which is serious in nature. Perusal of previous involvement report shows that shows that accused is a habitual offender with more than 20 cases of similar nature. Furthermore, investigation is at preliminary stage. Accordingly, no ground for bail is made out. Application is accordingly dismissed.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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