

FIR No.69/18
PS Punjabi Bagh

25.01.2021

Present: Ld. APP for the State.

Accused alongwith new surety and Id. Counsel.

File taken up on an application for change of surety moved on behalf of accused Rahul.

It is submitted by accused that he wishes to furnish fresh surety in place of old surety. Heard. Allowed. Accused is directed to furnish fresh bail bond with new surety.

Bail bond furnished and accepted. The old surety namely Sh.Ajay Kumar for accused Rahul is discharged. His original documents be released to him as per rules.

Application disposed of accordingly.

(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

FIR No.1016/20
u/s 379 IPC
PS Nihal Vihar

23.01.2021

This is an application for bail moved on behalf of accused Vishnu @ Babu.

Present: Ld. APP for the State.

Ld. Counsel for the accused / applicant.

Heard. Perused.

At this stage, it is submitted by ld. Counsel that she has inadvertently moved the aforesaid application in the present court while the same pertains to PS Nihal Vihar. It is also submitted by her that she wishes to withdraw the present application and also moved an application in this regard.

Heard. In view of submissions made, the application in hand is disposed of as withdrawn.

Copy of order be given dasti.

(Manish Jain)

MM-01(West)/THC:Delhi

23.01.2021

FIR No.WD-PB-000141/2020
PS Punjabi Bagh

25.01.2021

Present: Ld. APP for the State.

None for applicant.

This is an application for release of mobile phone on superdari.

For the last several dates, none has appeared on behalf of the applicant. Even today, none has appeared on behalf of applicant despite calls. In these circumstances, the application in hand is dismissed in default.

(Manish Jain)

MM-01(West)/THC:Delhi

25.01.2021

FIR No.1276/2020
PS Punjabi Bagh

25.01.2021

Present: Ld. APP for the State.
None for applicant.

This is an application for release of jamatalashi articles.

For the last several dates, none has appeared on behalf of the applicant. Even today, none has appeared on behalf of applicant despite calls. In these circumstances, the application in hand is dismissed in default.

(Manish Jain)

MM-01(West)/HC:Dellhi

25.01.2021

FIR No: 495/17
u/s 384/389/120/34 IPC
PS: Punjabi Bagh
State vs Harish Tiwari

25.01.2021

Present: Ld. APP for the State.
Sh. Pranay Abhishek, Id. Counsel for accused Harish Tiwari.
An application u/s 437 Cr.P.C. is filed by Id. Counsel seeking extension of interim bail to the accused / applicant Harish Tiwari.

Heard. Perused.

As per the orders of Hon'ble High Court in WP(C) No.3080/2020, interim bail granted to 3499 UTPs is extended for another period of 30 days from the date of their respective expiry of the interim bail.

In view of the directions of the Hon'ble High Court of Delhi, the interim bail of the accused / applicant Harish Tiwari is extended for 30 days i.e. 26.02.2021.

Application disposed of accordingly.

Copy of order be given dasti to Id. Counsel.

(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

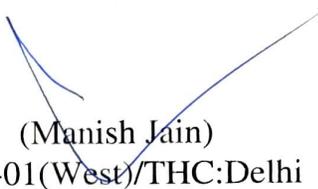
FIR No.532/2019
PS Punjabi Bagh

25.01.2021

Present: Ld. APP for the State.
None for applicant.

This is an application for release of driving license and RC of vehicle no. GJ16 BB 7447.

For the last several dates, none has appeared on behalf of the applicant. Even today, none has appeared on behalf of applicant despite calls. In these circumstances, the application in hand is dismissed in default.


(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

FIR No. 0066/2021

PS Punjabi Bagh

25.01.2021

This is an application seeking release of vehicle bearing registration no. DL-2CBB-8354 on superdari.

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

IO has filed his reply wherein he has posed no objection to the release of vehicle.

Accordingly, in view of the submissions made, let vehicle bearing registration no. DL-2CBB-8354 be released to the rightful owner / applicant after due compliance of the guidelines laid by the Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat**", **AIR 2003 SC 638**, and Hon'ble Delhi High Court in case titled as "**Manjit Singh Vs. State**" in **Crl. M.C. No. 4485/2013 dated 10.09.2014** on furnishing indemnity bond in sum of the value of the vehicle in the last insurance policy to the satisfaction of the concerned IO / SHO.

Panchnama, security bond and photographs shall be filed in the court along with charge sheet.

Application is accordingly disposed of.

Copy of this order be given *dasti* to applicant.

(Manish Jain)

MM-01(West)/THC:Delhi

25.01.2021

FIR No.952/2020
u/s 25 Arms Act
PS Punjabi Bagh
S/v Vishnu @ Babu

25.01.2021

Present: Ld. APP for the State.
Ms. Anju Lata, Ld. counsel for accused / applicant Vishnu @
Babu.

An application for grant of bail is moved on behalf of accused
Vishnu @ Babu.

Arguments heard on bail application.

It is submitted by ld. counsel for the accused / applicant that
accused has nothing to do with the present case and has been falsely
implicated. It is further submitted that accused is in JC since 04.12.2020 in
the present case. It is stated that nothing has been recovered from the
accused. It is further submitted that accused is a sole bread earner in his
family and the applicant is ready to abide by the terms of the bail.

Reply of IO has been perused.

Bail application is opposed by Ld. APP for the State stating that
accused may abscond or tamper with the evidence if released on bail.

Considering the abovesaid submissions and the fact that
recovery has been effected, accused / applicant Vishnu @ Babu is no more
required for any custodial interrogation. Hence, accused is admitted to bail on
furnishing bail bond in the sum of Rs.5,000/- with one surety of like amount
subject to following conditions:-

1. That he shall not tamper or intimidate the witnesses.
 2. That he shall appear on each and every date of hearing if he be
summoned as an accused.
 3. That he shall furnish his address as and when he changes the same.
- Application is accordingly disposed off.

(Manish Jain)

MM-01(West)/THC:Delhi:25.01.2021

FIR No.1114/20
u/s 379 IPC
PS Punjabi Bagh

25.01.2021

This is an application for bail moved on behalf of accused Vishnu @ Babu.

Present: Ld. APP for the State.

Ld. Counsel for the accused / applicant.

Perused the reply filed by IO.

At this stage, it is submitted by ld. Counsel that he wishes to withdraw the present application. His statement on the application is recorded separately.

Heard. In view of submissions made, the present application is disposed of as dismissed.

Copy of order be given dasti.

(Manish Jain)

MM-01(West)/THC:Delhi

25.01.2021

FIR No.1135/2020
u/s 379 IPC
PS Punjabi Bagh
S/V Vishnu @ Babu

25.01.2021

Present: Ld. APP for the State.
Ms. Anju Lata, Ld. counsel for accused / applicant Vishnu @
Babu.

An application for grant of bail u/s 437 Cr.P.C. is moved on
behalf of accused Vishnu @ Babu.

Reply of IO filed.

Heard. Perused the reply of IO.

As per the reply of IO, the accused has not been arrested in the
present case.

In view of the aforesaid, the present application stands
infructuous.

Copy of order be given dasti.

(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

FIR No.841/2020
u/s 379 IPC
PS Punjabi Bagh
S/V Vishnu @ Babu

25.01.2021

Present: Ld. APP for the State.
Ms. Anju Lata, Ld. counsel for accused / applicant Vishnu @
Babu.

An application for grant of bail u/s 437 Cr.P.C. is moved on
behalf of accused Vishnu @ Babu.

Reply of IO filed.

Heard. Perused the reply of IO.

As per the reply of IO, accused has already been granted bail in
the present case vide order dated 09.12.2020 passed by Ld. Jail Duty MM
Ms. Akriti Mahendru.

In view of the submissions made, the present application stands
infructuous.

Copy of order be given dasti.

(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

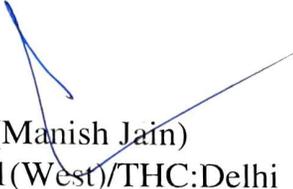
FIR No.10/2021
u/s 279/337/304A IPC
PS Punjabi Bagh

25.01.2021

An application to call the ATR moved on behalf of applicant Ashok.

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

Let status report be called from IO for 02.02.2021.


(Manish Jain)
MM-01(West)/THC:Delhi
25.01.2021

FIR No.10/2021
U/s. 279/337/304A JPC
PS Punjabi Bagh

25.01.2021

This is an application for releasing vehicle No. DL-8S CM 0668 on superdari moved by the applicant Ashok Kumar.

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

It is submitted by Ld. Counsel for the applicant that the aforesaid vehicle is a victim's vehicle. It is further stated that the aforesaid vehicle is registered in the name of deceased Kunal Sadana who was the son of the applicant. IO reply perused. Taken on record. IO has no objection in releasing the aforesaid vehicle.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat**", AIR 2003 SC 638, wherein it has been held,

"68. 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.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as "**Manjit Singh Vs. State**" in. Cri. M.C. No. 4485/2013 dated **10.09.2014**.

Considering the facts and circumstances and law laid down in the above said case laws, let the vehicle in question bearing registration number ***DL-8S CM 0668*** be released to the applicant on furnishing **security bond as per valuation report of the vehicle**. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court. **IO is also directed to verify the factum that the applicant is the son of the deceased before releasing the aforesaid vehicle. Photographs of the vehicle be taken by the SHO /IO concerned as mentioned above and shall file the same along with negatives/CD along with challan in the court. Cost of the photographs shall be borne by the applicant. The panchnama be also prepared (as mentioned above) before releasing the vehicle.** Copy of this order be given *dasti* to applicant. Panchnama, security bond and photographs shall be filed in the court along with charge sheet.

(Manish Jain)

MM-01/West/THC/Delhi:25.01.2021

FIR No.0842/2020
u/s 356/379/411/34 IPC
PS Punjabi Bagh

25.01.2021

This is an application seeking release of gold chain on superdari moved by applicant Laxmi.

Present: Ld. APP for the State.

Applicant in person.

It is submitted by the applicant that she is the rightful owner of the gold chain and same may be released to her on superdari.

IO has filed his reply wherein he has posed no objection to the release of gold chain.

Accordingly, in view of the submissions made, let aforesaid gold chain be released to the rightful owner / applicant after due compliance of the guidelines laid by the Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat**", AIR 2003 SC 638, and Hon'ble Delhi High Court in case titled as "**Manjit Singh Vs. State**" in **Crl. M.C. No. 4485/2013 dated 10.09.2014** on furnishing indemnity bond in sum of the value of the aforesaid gold chain to the satisfaction of the concerned IO / SHO.

Panchnama, security bond and photographs shall be filed in the court along with charge sheet.

Application is accordingly disposed of.

Copy of this order be given *dasti* to applicant.

(Manish Jain)

MM-01(West)/THC:Delhi

25.01.2021

Neeta Gulati vs. Dimple Dawra etc.
Case no.
PS Punjabi Bagh

25.01.2021

File taken up today on an application for preponement moved on behalf of complainant.

Present: Ld. Counsel for the complainant.

Heard. Perused the file.

In view of submissions made, application is allowed.

Now to come up for CE on 30.01.2021.

The earlier date i.e. 15.04.21 is hereby cancelled.

(Manish Jain)

MM-01(West)/THC:Delhi

25.01.2021