

FIR No.30253/2020
u/s 379/411/34 IPC
PS Punjabi Bagh
S/v **Abdul Wahid**

07.01.2021

Present: Ld. APP for the State.

Sh. Iqbal Khan, Id. Counsel for accused Abdul Wahid.

An application u/s 437 Cr.P.C. for grant of interim bail moved on behalf of accused Abdul Wahid s/o Abdullah.

It is submitted by Id. Counsel for the accused that accused is praying for grant of interim bail on humanitarian ground as his wife had fallen at home and received injuries in her spine due to which she is unable to move. It is also submitted that no one is at home to look after the wife of accused and it is requested that accused may be granted interim bail for six weeks. It is also submitted that co-accused has been granted regular bail by the Hon'ble Court. Medical documents of the wife of accused has also been annexed with the application.

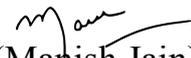
The bail application is strongly objected to by Ld. APP for the State stating that matter is at initial stage and accused may tamper with the evidence if released on bail.

Heard submissions from both sides.

After perusal of the medical documents and after considering the previous involvement of the accused and on the humanitarian ground, I am of the opinion that accused Abdul Wahid be **admitted to interim bail for two weeks subject to furnishing bail bond in a sum of Rs. 10,000/- with one surety in the like amount with the following conditions that:**

- (i) That he shall not threaten any witness or tamper the evidence;
- (ii) That he shall not repeat the commission of any similar offence in future;
- (iii) That applicant will surrender before the court after completion of interim bail.

Application disposed of accordingly.


(Manish Jain)

MM-01(West)/THC:Delhi

07.01.2021

FIR No.969/2020
u/s 380/34 IPC
PS Punjabi Bagh
State vs. Vicky Kumar

07.01.2021

Present: Ld. APP for the State.

Ld. Counsel for accused / applicant Vicky Kumar.

Ld. Counsel for accused/applicant moved an application for grant of bail on behalf of accused Vicky.

Arguments heard on bail application.

It is submitted by Ld. Counsel for the applicant that accused has nothing to do with the present case and has been falsely implicated. It is further stated that nothing has been recovered from the possession of the accused and the alleged recovery has also been effected. It is also submitted that accused is a young boy and recently attained the age of 18. It is also submitted that accused is in JC since 23.12.2020. It is further submitted that accused has no previous involvement and ready to abide by the terms of the bail.

Reply of IO has been perused.

It is submitted by IO in his reply that part recovery of stolen articles have already been effected. However, recovery of certain items is yet to be done and accordingly accused shall not be released on bail.

It is noted that accused is in JC since 23.12.2020 and was even granted one day PC and since then he is in judicial custody.

Considering the above said submissions and the age of accused and the fact that he is not previously involved in any other case, I am of the considered opinion that no purpose shall be served by keeping the accused behind the bars. Accordingly, accused / applicant Vicky is admitted to bail on furnishing bail bond in the sum of Rs.10,000/- 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:07.01.2021

FIR No.0006/2021
U/s. 381/411/34 IPC
PS Punjabi Bagh

07.01.2021

This is an application for releasing of articles on superdari moved by applicant Sh. Sunil Kumar Garg.

Present:- Ld. APP for the State.

Sh. Amit Bajaj, Id. Counsel for applicant.

Reply of IO filed alongwith the seizure memo of recovery articles and cash of Rs.12,200/-. Same is taken on record.

It is submitted by the Id. Counsel for the applicant that applicant is the rightful owner of the aforesaid cash and grocery articles and **he shall indemnify if some other person is found to be rightful claimant of the aforesaid cash amount and articles.**

Instead of releasing the cash and grocery articles on superdari, I am of the considered view that the same 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,

"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.

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. Whenever 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.

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 Crl. **M.C. No. 4485/2013 dated 10.09.2014.**

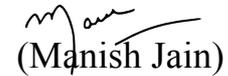
Considering the facts and circumstances and law laid down in the above said case laws, let the aforesaid recovered cash and grocery articles in the present case be released to the applicant on furnishing **security bond as per valuation report of the cash and grocery articles.** IO is directed to get the valuation done of the aforesaid grocery articles prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court. IO is directed to take colour photographs of each currency note and grocery articles



prior to its release. **IO to release the abovesaid cash and grocery articles after due verification of identity as well as ownership of the applicant. Applicant is also directed to furnish an indemnity bond before IO. Photographs of the cash and grocery articles taken by the SHO /IO concerned as mentioned above along with negatives/CD shall be filed with the 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 cash.**

Copy of this order be given *dasti* to applicant. Application disposed of accordingly.

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


(Manish Jain)

MM/West/THC/Delhi:07.01.2021

FIR No.842/2020
u/s 356/379/411/34 IPC
PS Punjabi Bagh
State vs. Sunny

07.01.2021

Present: Ld. APP for the State.
Sh. Mohd. Arif, Ld. Remand Advocate for accused / applicant
Sunny.

Ld. Counsel for accused/applicant has moved the 2nd application for grant of bail on behalf of accused Sunny.

Arguments heard on bail application.

It is submitted by Ld. Counsel for the applicant that accused has nothing to do with the present case and has been falsely implicated. It is further stated that nothing has been recovered from the possession of the accused and the alleged recovery has also been effected. It is also submitted that charge sheet has been filed and accused is in JC since 28.10.2020 and therefore accused is no more required for custodial interrogation. It is further submitted that the applicant is ready to abide by the terms of the bail.

Reply of IO has been perused.

Bail application is opposed by the Ld. APP for the state stating that recovery was effected from the accused. It is also submitted that accused is a habitual offender and previously involved in various cases. It is also submitted that accused may commit the same offence if released on bail.

Considering the above said submissions and the previous involvement of accused, I am of the considered opinion, at this stage, the accused shall not be granted bail. Accordingly, the bail application of accused Sunny is hereby disposed of as dismissed.

Copy of order be given dasti to the Ld. Remand Advocate for accused.


(Manish Jain)

MM-01(West)/THC:Delhi
07.01.2021

FIR No.494/2020
u/s 379/411 IPC
PS Punjabi Bagh
State vs. Vikash @ Vicky

07.01.2021

Present: Ld. APP for the State.

Sh. Rahul Madan, Ld. Remand Advocate for accused / applicant
Vikash @ Vicky.

Ld. Counsel for accused/applicant moved an application for grant of bail on behalf of accused Vikash @ Vicky.

Arguments heard on bail application.

It is submitted by Ld. Counsel for the applicant that accused has nothing to do with the present case and has been falsely implicated. It is further stated that nothing has been recovered from the possession of the accused and the alleged recovery has also been effected. It is also submitted that charge sheet has been filed and accused is in JC since 10.08.2020 and therefore accused is no more required for custodial interrogation. It is further submitted that the applicant is ready to abide by the terms of the bail.

Reply of IO has been perused.

Bail application is opposed by the Ld. APP for the state stating that recovery was effected from the accused. It is also submitted that accused is a habitual offender and previously involved in several cases. It is also submitted that accused may commit the same offence if released on bail.

Considering the above said submissions and the fact that charge sheet has already been filed, accused / applicant Vikash @ Vicky is no more required for any custodial interrogation. Hence, accused is admitted to bail on furnishing bail bond in the sum of Rs.10,000/- 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
07.01.2021

FIR No.902/2020
u/s 379/356/34 IPC
PS Punjabi Bagh
S/V Sonu s/o Shankar

07.01.2021

Present: Ld. APP for the State.

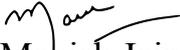
Sh. Rahul Madan, Ld. Remand Advocate for accused / applicant
Sonu s/o Shankar.

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

Reply of IO filed.

Heard. Perused the reply of IO. As per the reply of IO, accused
has already been discharged in the present case.

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


(Mahish Jain)

MM-01(West)/THC:Delhi

07.01.2021

FIR No.29957/2020
u/s 379/411 IPC
PS Punjabi Bagh
S/V Sonu Singh

07.01.2021

Present: Ld. APP for the State.

Sh. Rahul Madan, Ld. Remand Advocate for accused / applicant
Sonu Singh.

An application for grant of bail is moved on behalf of accused
Sonu Singh.

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 18.11.2020 in the present case. It is stated that alleged recovery has already been effected and accused / applicant is no more required for any custodial interrogation. It is further submitted that accused is ready to abide by the terms of the bail.

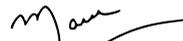
Reply of IO has been perused.

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

Considering the abovesaid submissions and the fact that recovery has already been effected, accused / applicant Sonu Singh is no more required for any custodial interrogation. Hence, accused is admitted to bail on furnishing bail bond in the sum of Rs.10,000/- 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
07.01.2021

FIR No.265/2019
u/s 392/411/34 IPC
PS Punjabi Bagh
State vs. Saurab @ Sonu

07.01.2021

This is an application for permission to release the applicant / accused Saurab @ Sonu on personal bond.

Present: Ld. APP for the State.

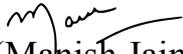
Sh. Rahul Madan, Id. Remand Advocate for the accused /applicant.

Heard. Perused the reply of IO.

As per reply of IO, it is stated by the mother of accused that accused is involved in certain immoral activities and she has no control over him.

Considering the reply filed by IO, the court is not inclined to release the accused on personal bond and accordingly, the application in hand is dismissed.

Copy of order be given dasti, as prayed for.


(Manish Jain)

MM-01(West)/THC:Delhi
07.01.2021

FIR No.
Case no.
PS Punjabi Bagh

07.01.2021

Present: Ld. APP for the State.

(Manish Jain)
MM-01(West)/THC:Delhi
07.01.2021