

State Vs Rahul @ Kale
FIR No. 141/20
PS – Sadar Bazar
U/s 356/379/411 IPC

22.08.2020

Joined through Video conferencing at 11.25 am.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Ld. MM.

This is an application for grant of bail U/s 437 Cr.P.C. moved on behalf of accused Rahul @ Kale.

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Sunil Tiwari, Id. Counsel for applicant/accused joined through Cisco Webex.

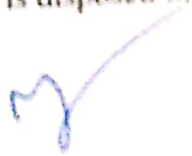
This is an application for grant of bail to the applicant/accused. Ld. Counsel for accused has argued that applicant/accused is in J/C since 16.07.2020. Ld. Counsel argued that accused has been falsely implicated in the present case. It is further argued by Ld. Counsel that co-accused has already been granted bail by this Court on 14.08.2020 and recovery has already been effected. Therefore, it has been prayed that accused be released on bail.

Reply of IO has been filed electronically. Perusal of reply shows that the present accused snatched the mobile phone from the complainant and he is B.C. of the area and involved in more than 19 cases.

Submissions heard. Perused.

The present accused is the one who snatched the mobile phone from the complainant and he was apprehended while he was running away after snatching the mobile phone. He is the B.C. of the area and involved in several other cases. So, considering the antecedents of the accused, this Court is not inclined to grant bail to the accused at this stage. Hence, bail application stands dismissed.

Accordingly, the present application is disposed off.



One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/22.08.2020

FIR No. 138/2020
PS – Sadar Bazar

22.08.2020

Joined through Video conferencing at 10.35 am.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Ld. MM.

This is an application for issuance of production warrants against accused.

Present : Ld. APP for State has joined the meeting through Cisco Webex.

IO/ASI Krishan Pal has joined the meeting through Cisco Webex.

As the accused persons are not being produced physically in District Court due to Covid-19 Pandemic, so the present application of IO stands dismissed.

IO is directed to approach the concerned Jail Duty MM.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar. The printout of the application and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)
MM-06(C)/THC/Delhi/22.08.2020

State Vs Sapna & Jyoti
FIR No. 26/20
PS – Sadar Bazar

22.08.2020

None has joined meeting through Cisco webex.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Ld. MM.

Two separate applications for grant of bail U/s 438 Cr.P.C. moved on behalf of accused Sapna & Jyoti.

Present : Ld. APP for State has joined the meeting through Cisco Webex.

None has joined the meeting despite intimation.

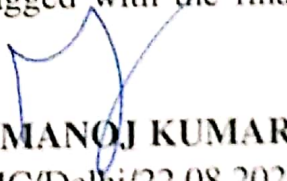
Vide this common order, I shall dispose off two separate applications u/s 438 Cr.P.C. moved on behalf of accused Sapna and Jyoti.

Present application are filed U/s 438 Cr.P.C. and no one joined on behalf of applicants/accused, so, the present both applications are dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website.

Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/22.08.2020

22.08.2020

Joined through Video conferencing at 10.30 am.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Ld. MM.

This is an application for releasing of mobile of make Redmi-07 on superdari filed electronically by applicant Mr. Ajay.

Present : Ld. APP for the State joined through Cisco Webex.

Mr. Hariom, Ld. Counsel for applicant Ajay who is husband of registered owner Smt. Rekha joined through Cisco Webex.

Reply filed electronically by the IO. Copy of same has been sent to Ld. Counsel for applicant electronically. It is submitted by the IO that he has no objection in releasing the mobile to the rightful owner. The applicant has filed on record photocopy of the bill of aforesaid mobile phone which stands in his name. The mobile of make **Redmi-07** is no more required for the purpose of investigation. Instead of releasing the said mobile on superdari, I am of the considered view that the aforesaid mobile 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**", which has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State**".

Considering the facts and circumstances and law laid down by higher courts, mobile of make **Redmi-07** be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the aforesaid mobile. Accordingly, IO is directed to get the valuation done of the mobile phone prior to releasing the same to the applicant, as per directions of Hon'ble Supreme Court. Coloured photographs of the mobilephone be also taken as per rules.

Copy of this order be given dasti to the applicant.

(MANOJ KUMAR)

MIM-06(C)/THC/Delhi/22.08.2020

FIR No. 308/17
PS – Civil Lines

22.08.2020

None has joined meeting through Cisco webex.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Ld. MM.

Present : Ld. APP for the State has joined through Cisco Webex.

An application for applying certified copies has been filed electronically.

Perused. The same stands allowed.

Application stands disposed off.

One copy of order be uploaded on Delhi District Court website.

The printout of the application and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/22.08.2020

State Vs. Pawan Tyagi
FIR No. 320/20
PS - Civil Lines
U/s 392/394/411/34 IPC

22.08.2020

Joined through Video conferencing at 10.30 am.

The undersigned is looking after the work of Link Court of Ms. Tista Shah, Id. MM.

This is an application for grant of bail U/s 437 Cr.P.C. moved on behalf of accused Pawan Tyagi.

Present : Ld. APP for State has joined the meeting through Cisco Webex.

Mr. Chanderkant Tyagi, Id. Counsel for applicant/accused joined through Cisco Webex.

This is an application for grant of bail to the applicant/accused. Id. Counsel for accused has argued that applicant/accused is in J/C since 19.08.2020. Ld. Counsel submitted that accused has been falsely implicated in the present case. It is argued by Id. Counsel that accused is a decorated officer of Delhi Police. He has been recommended for Asadharan Karya Puraskar (AKP) by concerned DCP for showing exemplary courage, outstanding performance and high level detection work. He further argued that his good work has also been shared by concerned DCP on her Twitter account. He further argued that complainant in the present case is related to the concerned DCP Monika Bhardwaj and in order to recover robbed amount, the present police official has been implicated. Therefore, it has been prayed that accused be released on bail.

Reply of IO has been filed electronically, Perusal of reply shows that the present FIR has been registered on the complaint of one Mr. Sandeep Matta on the allegations that he was robbed for a sum of Rs. 5 lacs when he was near I.P. College, Red Light by four unknown persons who came on two scooties. The said FIR was registered on 06.08.2020. It is further submitted in

the reply that on 15.08.2020, an information vide DD No. 28-A was received regarding arrest of one Rohan and Sanjay @ Kunal by Special Staff South District u/s 41.1 D Cr.P.C. Both accused disclosed their involvement in the present case. Thereafter, they were formally arrested in the present case. The another accused Sumit s/o Nagesh also arrested on 07.08.2020 vide DD No. 38-A by official of PS Kotwali U/s 41.1 D Cr.P.C. These three accused persons were formally arrested on 17.08.2020 and all of them disclosed that they were going on their scooty after looting the money then they were intercepted by the police at Outer Ring Road near Red Fort and they fell from their scooty. It is further disclosed that they try to run away from the spot but accused Sumit alongwith his scooty and looted money was apprehended there. It is further submitted in the reply that thereafter, CCTV camera recordings were checked on 06.08.2020 and CCTV camera recording clearly shows accused HC Pawan Kumar and his team intercepted two scooty riders over the flyover behind Shanti Van, Outer Ring Road, Delhi and both accused persons tried to run away from the spot. It is further submitted that accused HC Pawan lifted a white poly bag which was lying near the scooty and kept the same in his Wagon-R car. HC Pawan himself handed over the said Rs. 5 lacs and requested to sort out the matter.

Submissions heard. Perused.

Perusal of record shows that the present FIR was registered U/s 392/394/411/34 IPC. The present accused is a police official who intercepted the accused persons and arrested accused Sumit. CCTV footage shows accused Pawan lifted a poly bag and kept the same in his Wagon-R car. Investigation is at initial stage. Police custody of accused Rohan, Sumit & Sanjay is still to be taken.

The accused is Delhi Police official and his job is to prevent such crime and prima facie allegations shows his role in retaining the robbed

amount. So, the allegation against the accused is very serious. Hence, considering the gravity of offences and seriousness of the allegations, this Court is not inclined to grant bail to the accused at this stage. Hence, the bail application stands dismissed.

Accordingly, the present application is disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/22.08.2020