

**e-FIR No. 171/20**  
**PS Rajender Nagar**

**25.09.2020**

**(Through Video Conferencing over Cisco Webex Meeting)**  
**Case taken up in view of circular no. 23456-23616 DJ(HQ)/**  
**Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions**  
**issued by Ld. District & Sessions Judge (HQ).**

**Present:** Ld. APP for the State.

None for applicant.

IO/ASI Brijender Kumar in person.

The present application was filed through email. Scanned copy of reply under the signatures of IO/ASI Brijender Kumar is received through email. Copy of same stands supplied to applicant, electronically.

Heard. Record perused.

This order shall dispose off application for release of ECM (Engine Control Module) Part of vehicle bearing no. DL 10CA 2503, moved on behalf of applicant Deepika Bhatia.

In reply received under the signatures of IO/ASI Brijender Kumar, it has been stated that the ECM Part of vehicle bearing no. DL 10CA 2503 is lying in the custody of police at PS Rajender Nagar. It is further stated in report that the aforesaid ECM part pertains to vehicle of complainant. It is further reported that the IO has no objection, if the aforesaid ECM Part released in favour of its rightful owner.

IO further submits that the complainant has not yet produced RC of vehicle/ bill of the aforesaid ECM Part, therefore, the directions qua its release may be passed only upon furnishing of RC/bill thereof, by the applicant.

Perusal of the copy of case FIR would reveal that same was registered on the basis of complaint made by applicant regarding theft of ECM Part of her vehicle bearing no. DL 10CA 2503 which was parked at the parking on road near complainant's residence. The perusal of record would further reveal that applicant the aforesaid ECM Part of vehicle was in built part of the vehicle. Therefore, there arises no question of having its separate bill/invoice with applicant.

On perusal of the report of IO, RC of vehicle and documents

appended with the application, applicant Deepika Bhatia prima facie appears to be the registered owner of the vehicle bearing DL 10CA 2503 from which the alleged ECM Part was stolen. Therefore, the applicant prima facie appears to be entitled for custody of ECM Part in question.

So far as the objections raised by IO qua non production of bill/invoice of ECM Part in question by applicant are concerned, same appears to be untenable in view of the aforesaid discussion wherein it appears that there exists no possibility of having a separate bill/invoice of ECM Part in question with applicant, as same was an in built part of the vehicle.

Further, even otherwise also, the identity of the said ECM Part can also be verified by IO by verification of its serial number, make, model number, if any from the concerned vehicle agency.

In these circumstances and as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014, the aforesaid ECM Part of vehicle no. DL 10CA 2503 be released to the applicant / rightful owner subject to the following conditions:-

1. ECM Part in question be released to applicant/ rightful owner only subject to furnishing of indemnity bonds as per its valuation to the satisfaction of the concerned SHO/ IO subject to verification of documents.
2. IO shall prepare detailed panchnama mentioning the colour, Make, Serial number, Model and other necessary details of the ECM Part in question.
3. IO shall take the colour photographs of the ECM Part in question from different angles and also of the serial number and model number thereof.
4. The photographs should be attested and counter signed by the complainant/applicant and accused.
5. IO is directed to verify the identity of ECM Part in question from concerned vehicle agency by verification of its serial number, model number, make, brand etc.

Application stands disposed off.

Scanned copy of this order be sent to applicant and to IO/SHO concerned through email.

One copy be sent to Computer Branch, THC for uploading on Delhi District Court Website.

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**(RISHABH KAPOOR)**  
**MM-03(Central),THC,Delhi**  
**25.09.2020**

FIR No. 200/20  
PS Rajender Nagar  
State Vs. Gaurav Soni

25.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld. District & Sessions Judge (HQ).

**Present:** Ld. APP for the State.

Sh. G.L. Soni, Ld. Counsel for applicant.

IO/SI Ali Akram in person.

Pursuant to directions issued on 24.09.2020, scanned copy of reply under the signatures of IO/SI Ali Akram is received through email. Copy of same is supplied to counsel for applicant, electronically.

Heard. Record perused.

This order shall dispose off application for release of vehicle bearing no. DL 1SAF 3871, moved on behalf of applicant Gaurav Soni.

In reply received under the signatures of IO/SI Ali Akram, it has been stated that the vehicle bearing no. DL 1SAF 3871 was recovered from applicant/accused Gaurav Soni in connection with the present case FIR. It is further stated in the report that during online verification, the vehicle in question was found in registered in the name of applicant. IO has raised no objection, if vehicle is released in favour of its actual owner.

On perusal of the report of IO, applicant Gaurav Soni appears to be registered owner of vehicle in question, hence, he prima facie appears to be entitled for custody thereof.

In these circumstances and as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014, the aforesaid vehicle be released to the applicant / registered owner subject to the following conditions:-

1. Vehicle in question be released to applicant/registered owner only subject to furnishing of indemnity bonds as per the valuation of the vehicle, to the satisfaction of the concerned SHO/ IO subject to

verification of documents.

2. IO shall prepare detailed panchnama mentioning the colour, Engine number, Chasis number, ownership and other necessary details of the vehicle.

3. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chasis number of the vehicle.

4. The photographs should be attested and counter signed by the complainant/applicant and accused.

5. IO is directed to verify the RC and insurance of the vehicle in question and release the vehicle after getting it insured by the applicant if the same is not already insured.

6. IO shall also verify the identity proof of applicant and release the vehicle in question to applicant only subject to such verification. The self attested copy of identity proof applicant shall be retained by IO with a further direction to file the same along with detailed panchnama.

Application stands disposed off.

Scanned copy of this order be sent to Counsel for applicant and to IO/SHO concerned through email.

One copy be sent to Computer Branch, THC for uploading on Delhi District Court Website.

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**(RISHABH KAPOOR)**  
**MM-03(Central),THC,Delhi**  
**25.09.2020**

**FIR No. 195/20**  
**State Vs. Mohit Singh @ Tuti @ Prince**  
**PS Rajender Nagar**

**25.09.2020**

**(Through Video Conferencing over Cisco Webex Meeting)**  
**Case taken up in view of circular no. 23456-23616 DJ(HQ)/**  
**Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions**  
**issued by Ld. District & Sessions Judge (HQ).**

**Present:** Ld. APP for the State.  
Sh. Nitin Arora, Ld. Counsel for applicant.  
IO/SI Vinod Kumar in person

The present urgent application was filed on behalf of the applicant on email id of this court.

Scanned copy of reply of under the signatures of IO/SI Vinod Kumar, is received through email id of the court. Copy of same is already supplied to counsel of applicant/accused, electronically.

This order shall dispose off the application for grant of bail u/s 437 Cr.PC, moved on behalf of applicant/accused Mohit Singh @ Tuti @ Prince.

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that applicant/accused is undergoing judicial custody since 02.09.2020. It is further averred that the applicant is implicated on the basis of story cooked up by the complainant in connivance with police officials. It is further averred that applicant/accused is not involved in any other case except the present one and even no complaint was registered against him till date. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvement in a case involving serious offences. Ld. APP for the State has also opposed the present application citing seriousness of the allegations leveled against the applicant/accused and prayed for dismissal of the present application.

On perusal of reply filed by IO, it emerges that the accused

was nabbed on the basis of a secret information received by police that he is wanted in a murder case registered at Punjab. Pursuant thereto, the accused was apprehended by police and one country made pistol along with two live cartridges were recovered from his possession. As per reply, the accused has been absconding in connection with case FIR No. 159/19 u/s 302/307/120B/34 IPC and u/s 25/27 Arms Act PS Kotkapura, Faridkot, Punjab. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified. The allegations against accused are seriousness in nature and the investigation of the case is still at its inception. The chances of accused fleeing away from process of law in case of his admission on bail, are also vital.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant. Accordingly, the present application deserves dismissal and same is hereby dismissed.

The application is accordingly disposed of.

Scanned copy of this order be sent to the Ld. Counsel for applicant through email. One copy be also sent to IO/SHO concerned, through email, for necessary information.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.

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**(RISHABH KAPOOR)**  
**MM-03(Central),THC,Delhi**  
**25.09.2020**

FIR No. 153/20  
PS Rajender Nagar  
State Vs. Vishnu (through applicant Meenakshi)

**25.09.2020**

**(Through Video Conferencing over Cisco Webex Meeting)**

**Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19  
Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld.  
District & Sessions Judge (HQ).**

**Present:** Ld. APP for the State.  
Sh. Neeraj Kumar, Ld. Counsel for applicant.  
IO/SI Vinod Kumar in person.

The present application was filed through email. Scanned copy of reply under the signatures of IO/SI Vinod Kumar is received through email. Copy same stands supplied to counsel for applicant, electronically.

Heard. Record perused.

As per the reply filed by the IO, the vehicle in question is the offending vehicle involved in the alleged accident. The perusal of the reply would reveal that IO has not verified the insurance of vehicle in question. Therefore, in view of directions of Hon'ble High Court of Delhi in case titled as "**Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors FAO No. 842/2003 decided on 21.12.2009**", IO is directed to verify the insurance of the vehicle and file a detailed report on 26.09.2020 by 10:00 am through email.

Put up for consideration on 26.09.2020 at 12:00 pm.

Scanned copy of this order be sent to IO/SHO concerned for compliance.

One copy be sent to Computer Branch, THC for uploading on  
Delhi District Court Website.

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**(RISHABH KAPOOR)**  
**MM-03(Central),THC,Delhi**  
**25.09.2020**