

e-FIR No. OD-RA-000268/2020

PS Ranhola

U/s 379 IPC

30.05.2020

This is an application for release of mobile phone moved on behalf of applicant Sh. Dilshad.

Present: Ld. APP for the State
Applicant Dilshad in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the mobile phone is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the mobile in question be released to the applicant on furnishing **Indemnity bond in the sum of Rs.5000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the mobile in question from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the mobile is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the mobile prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi, 30.05.2020

Received copy
30/5/20

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FIR No. 28064/19
PS Ranhola
U/s 379 IPC

30.05.2020

This is an application for release of vehicle No. DL4ER-6652 moved on behalf of applicant Prahlad Singh.

Present: Ld. APP for the State

Applicant / registered owner Prahlad Singh in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

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Ranhola
20.05.12.01/20

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(11)

FIR No. 0225/2020
PS Hari Nagar
U/s 188/269 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL9SAW-9667 on superdari filed on behalf of applicant Sh. Kamaldeep Singh.

Present: Ld. APP for the State
Applicant / registered owner Kamaldeep Singh in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.10,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.


[RAKESH KUMAR-II]

Duty MM(West)CPHC/Delhi:30.05.2020



(12)

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e-FIR No. 002673/2020
PS Hari Nagar
U/s 379 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL10SR-0453 on superdari.

Present: Ld. APP for the State
Applicant / registered owner in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant / registered owner as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

Rajesh

OP

FIR No. 288/2020

PS Mundka

U/s 188, 269, 270/34 IPC & 3 Epidemic Act & 51 D.M. Act

30.05.2020

Application for release of vehicle bearing registration No. UP75AT-1505 (Bus) on superdari filed on behalf of applicant Sh. Arun Pachauri.

Present:

Ld. APP for the State

Applicant is not present.

Ld. Counsel Sh. A.K. Shakya and Sh. Ravinder Singh for applicant.

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question bearing registration number **UP75AT-1505** be released to the applicant on furnishing **Indemntiy bond in the sum of Rs.3,00,000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/TIC/Delhi:30.05.2020

R.K.
30/5/20

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FIR No. 264/2020

PS Mundka

U/s 33/38/58 Delhi Excise Act, 188 IPC & 51 DM Act

30.05.2020

Application for release of vehicle bearing registration No. DL7CT-0688 on superdari filed on behalf of applicant Sh. Harpreet Singh Chawla.

Present: Ld. APP for the State

Applicant / registered owner in person with Ld. counsel

It is submitted by Ld. Counsel that he wish to withdraw the present application. Separate statement recorded in this regard on the application itself.

In view of the statement, application stands dismissed as withdrawn.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 252/2020

PS Mundka

U/s 188 IPC/51 DM Act & 33/38 Delhi Excise Act

30.05.2020

This is an application for release of mobile phone moved on behalf of applicant Deen Dayal.

Present: Ld. APP for the State
Applicant in person with Ld. Counsel Sh. Shobhit Gaur

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the mobile phone is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the mobile in question be released to the applicant on furnishing Indemnity bond in the sum of Rs.5000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the mobile in question from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the mobile is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the mobile prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.

Copy received
Shobhit Gaur
30/5/2020

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 241/2020
PS Mundka
U/s 33/58/38 Delhi Excise Act

30.05.2020

**Application for release of vehicle bearing registration No.
DL1Z-5421 on superdari filed on behalf of applicant Sh.
Ram Mehto.**

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

It is submitted by Ld. Counsel that he wish to withdraw the present application. Separate statement recorded in this regard on the application itself.

In view of the statement, application stands dismissed as withdrawn.

[RAKESH KUMAR, II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 270/2020
PS Paschim Vihar West
U/s 188 IPC

30.05.2020

Application for release of vehicle bearing registration No.
DL8SCP-8052 on superdari.

Present: Ld. APP for the State

Applicant / registered owner Sh. Sonu in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.10,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi.30.05.2020

Sonu

FIR No. 209/2020
PS Paschim Vihar West
U/s 188 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL11SM-2726 on superdari.

Present: Ld. APP for the State
Applicant / registered owner Sh. Sunil Saundhi in person

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant / registered owner as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.

*Recd order
for Superdari
Sunil
30/5/2020*

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 261/2020
PS Paschim Vihar West
U/s 188 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL9SW-5867 on superdari filed on behalf of applicant Sh. Kuldeep Singh.

Present: Ld. APP for the State
Applicant / registered owner in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant / registered owner as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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e-FIR No. 00012/2020
PS Paschim Vihar East
U/s 379/411 IPC

30.05.2020

This is an application for release of mobile phone moved on behalf of applicant Sh. Bhushan.

Present: Ld. APP for the State
Applicant Bhushan in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the mobile phone is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the mobile in question be released to the applicant on furnishing **Indemnity bond in the sum of Rs.5000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the mobile in question from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the mobile is released. The said panchnama shall be filed alongwith the chargesheet. IO is directed to get the valuation done of the mobile prior to releasing the same to the applicant as per directions of Hon'ble Supreme Court.

Copy of this order be given dasti to applicant.


[RAKESH KUMAR-II]
Duty MM(West)/TIC/Delhi:30.05.2020

RAKESH KUMAR

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19

FIR No. 553/2020
PS Khyala
U/s 188 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL9CAM-1092 on superdari filed on behalf of applicant Sh. Parampreet Singh.

Present: Ld. APP for the State
Applicant / registered owner Parampreet Singh in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.2,00,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

Parampreet

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e-FIR No. 009366/2020
PS Tilak Nagar
U/s 379/411 IPC

30.05.2020

Application for release of vehicle bearing registration No. DL6CL-6972 on superdari filed on behalf of applicant Sh. Sunil Kumar Khullar.

Present: Ld. APP for the State
Applicant Sunil Kumar Khullar in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question bearing registration number DL6CL-6972 be released to the applicant on furnishing security bond in the sum of Rs.2,00,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

Received
Sunil

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 254/2020
PS Punjabi Bagh
U/s 188/279 IPC

30.05.2020

This is an application for release of vehicle No. DL3CCN-7434 moved on behalf of applicant Smt. Seema.

Present: Ld. APP for the State
Applicant / registered owner Smt. Seema in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question bearing registration number **DL3CCN-7434** be released to the applicant on furnishing **security bond in the sum of Rs.2,00,000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

Seema

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FIR No. 267/2020

PS Punjabi Bagh

U/s 188/269 IPC & 3 Epidemic Disease Act

30.05.2020

Application for release of vehicle bearing registration No. DL7CN-0307 on superdari filed on behalf of applicant Sh. Amit Malik.

Present: Ld. APP for the State
Applicant is not present.
Ld. Counsel Sh. Abhay Pandey for applicant.
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing **Indemntiy bond in the sum of Rs.15,00,000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

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copy of order
Abhay
30/5/2020

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FIR No. 133/2020

PS Kirti Nagar

U/s 188/269 IPC

30.05.2020

This is an application for release of vehicle No. DL1LR-5182 moved on behalf of applicant.

Present: Ld. APP for the State

Ld. Counsel Sh. R.B. Gaur for applicant

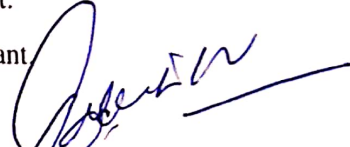
Sh. R.K. Shrivastav for applicant. He submitted that he has been authorized on behalf of partnership firm New Jai Durge Transport Service.

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.4,00,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant

Raeel Singh
Syendra
CB. K. Paudyal
Adv


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 132/2020
PS Kirti Nagar
U/s 188/269 IPC

30.05.2020

This is an application for release of vehicle NO. DL1Y-4361 moved on behalf of applicant.

Present: Ld. APP for the State

Applicant / registered owner Anand Shrivastava in person
IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.4,00,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet. 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.

Copy of this order be given dasti to applicant.

Rauland
Byadha
(B.K. Poddar)
Adv

Rakesh Kumar
[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

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FIR No. 154/2020
PS Paschim Vihar West
U/s 188 IPC

30.05.2020

This is an application for release of vehicle bearing registration No. DL4SCW-7079 moved on behalf of applicant Arjun.

Present: Ld. APP for the State

Applicant / registered owner Arjun in person

Report perused. As per report filed by the IO, State has no objection in releasing the vehicle.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing **Indemnity bond in the sum of Rs.20,000/-**. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

Before parting with this order Court would like to point out that in such a difficult time when entire country has come to standstill due to lockdown to curb the spread of Corona virus and social distancing has been mentioned as one of the effective way to curb the spread of virus it is antithesis to the concept of social distancing that large crowd be gathered in

21/5/20

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Court. Court has noticed that major number of vehicles have been seized for violation of lockdown. It is relevant here to note the provision u/s 102 CrPC which authorize police officials also to release the vehicle. Section 102 (3) CrPC read as under:-

“Every police official acting under sub section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as and when required and to give effect to further order of the Court as to disposal of the same.”

Although the party would have option to approach the Court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power u/s 102 (3) CrPC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All

DCPs are reminded by this Court regarding extraordinary situation due to Covid-19. The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCP are requested to brief all the police officials to invoke provision u/s 102 (3) CrPC so that gathering in Court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity. DCP are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of this order be provided to all the DCPs of West District through Facilitation Centre with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102 (3) CrPC for release of vehicle seized for breach of lockdown liberally. DCPS are also directed to release the vehicles in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

C To Rami
29/05/20
(Police official)
20/5/20

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FIR No. 362/19
PS Nangloi

30.05.2020

Present: Ld. APP for the State
Ld. Counsel Sh. Vibhuti Shekhar for applicant

At request, be put up on 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 390/19
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State

Ld. Counsel Sh. Vibhuti Shekhar for applicant

At request, be put up on 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi/30.05.2020



FIR No. 264/2020
PS Mundka
State Vs. Harpreet Singh & Anr.

30.05.2020

This is an application on behalf of surety Sh. Harpreet Singh Chawla for replacing fresh Bail Bond / surety bond.

Present: Ld. APP for the State

Accused Harpreet Singh in person

Surety Khushwinder Singh in person

Bail order not filed. Therefore, matter be listed on **02.06.2020** with direction to Ld. Counsel to file bail order as without bail order Court is unable to ascertain the fact and circumstances particularly regarding bail passed by concerned Court.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 0056/2020
PS Anand Parbat
U/s 363 IPC

30.05.2020

This is an application for seeking direction to IO for release of child namely Priyanshi.

Present: Ld. APP for the State

Applicant is absent

Ld. Counsel Sh. Ankit Rai on behalf of applicant

Report of IO filed. Perused. As per report IO has stated that victim Priyanshi has been missing and during investigation, she was traced on 21.03.2020 from Kali Mata Mandir, Patel Nagar and after conducting counselling and medical examination, the missing girl was kept in Flag Home, Dev Nagar, Karol Bagh, Delhi. IO in reply further submitted that statement of victim was recorded in which she stated that no sexual assault has been done with her, although due to lockdown her statement u/s 164 CrPC could not be recorded. It is further submitted in status report that victim girl could not be produced before the concerned CWC. IO further submitted in reply that it has come to his notice that CWC is open soon and as soon as the victim will be produced and whatever the direction be passed by CWC will be abided by the undersigned. IO sought sometime to produce the victim before the concerned CWC.

Submissions heard.

Liberty of living being including human being is one of the

Handwritten notes:
Dm
CWC
A/C
30/5/20
30/5/2020

①

Signature

natural right. Freedom is one of the cherished principle. It is the foundational principle behind all laws that liberty of human being should not be curtailed without following due procedure of law. In the case in hand, victim has been admittedly kept in protection home. Court is unable to ascertain as victim is not before the Court regarding her willingness to reside in protection home. In the view of the Court, IO cannot kept the victim in protection home just for the reason that CWC is not working due to lockdown. Eventually, liberty is the ultimate principle which override all other procedural technicalities. If IO is unable to produce the victim before CWC due to lockdown, it is not the fault of the victim. The very pertinent question is why should victim suffer and why should liberty of victim be curtailed. If CWC is not working it is not the fault of victim. Therefore, IO is directed to take immediate steps to produce victim before CWC. If production before CWC is not possible in immediate future, then victim be released as no purpose is going to be served by curtailing the liberty of victim.

Copy of this order be sent to concerned IO / SHO.

Application stands disposed off.

Copy of order be given dasti to the counsel for applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Domi:30.05.2020

2

(X)

FIR No. 168/2020
PS Rajouri Garden
U/s 20/25/29 NDPS Act

30.05.2020

This is an application for release of vehicle on superdari.

Present: Ld. APP for the State

Applicant in person

Applicant is directed to file copy of RC on NDOH.

Be put up on 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

(P)

FIR No. 616/19
PS Tilak Nagar
State Vs. Sachin Bhatia
U/s 392/397/411/379/356/34 IPC & 27/54/59 Arms Act

30.05.2020

This is an application for release of vehicle No. DL13ST-9738.

Present: Ld. APP for the State
Ld. Counsel for applicant
Reply not filed.

Let reply be called for 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

(11)

**FIR No. 00436/2020
PS Rajouri Garden
State Vs. Khalil
U/s 380/457/411/34 IPC**

30.05.2020

**This is an application for bail moved on behalf of accused
Khalil.**

Present: Ld. APP for the State

Ld. Counsel Sh. U.K. Giri for accused

IO has filed reply. However, reply is very vague in nature and Court is not in position to pass any order. Therefore, IO be called in person in Court for **01.06.2020**. **Let notice be issued to IO for NDOH.**

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

**FIR No. 348/2020
PS Rajouri Garden
State Vs. Khalil
U/s 380/457/411 IPC**

30.05.2020

**This is an application for bail moved on behalf of accused
Khalil.**

Present: Ld. APP for the State

Ld. Counsel Sh. U.K. Giri for accused

IO has filed reply. However, Court is not in position to ascertain the nature of reply filed by IO. Therefore, IO be called in person in Court for **01.06.2020**. **Let notice be issued to IO for NDOH.**

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 548/2020
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State
Ld. Counsel Sh. A.K. Sharma for applicant / accused
Report not received.

Let report be filed on **01.06.2020**.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 012199/19
PS Paschim Vihar
State Vs. Shahid
U/s 379/411 IPC

30.05.2020

**Application for grant of regular bail moved on behalf of
accused / applicant namely Shahid.**

Present: Ld. APP for the State

Ld. Counsel Sh. Pramod Kumar for applicant / accused.

Report filed by the IO. Report is not legible. IO is directed to
file legible report before the Court on 01.06.2020.

Copy of the order be given dasti to Ld. Counsel for
applicant, as requested.

[RAKESH KUMAR-II]

Duty MM(West)/THC/Delhi:30.05.2020

*Copy sent to
Prasad*

FIR No. 0012199/19
PS Paschi Vihar
U/s 379/411 IPC

30.05.2020

**Application for grant of regular bail moved on behalf of
accused / applicant namely Lalit Kumar @ Aniket.**

Present: Ld. APP for the State

Ld. Counsel Sh. Pramod Kumar for applicant / accused.

It is submitted by Ld. Counsel that he wish to withdraw the
present application. Separate statement recorded in this regard on the
application itself.

In view of the statement, application stands dismissed as
withdrawn.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

e-FIR No. 010516/2020
PS Kirti Nagar
U/s 379 IPC

30.05.2020

**Application for release of vehicle bearing registration No.
DL10ST-0445 on superdari.**

Present: Ld. APP for the State

Applicant / registered owner Sh. Arjun Chhatwal in person

IO has filed his reply. Taken on record. IO has stated in the application that he has no objection if the vehicle is released to the applicant.

In view of the directions given 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 High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant on furnishing security bond in the sum of Rs.30,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama shall be filed alongwith the chargesheet.

Copy of this order be given dasti to applicant.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

*received one copy
APP Chhatwal
30/05/20*

FIR No. 20/2020
PS Nihal Vihar

30.05.2020

Present: Ld. APP for the State
Ld. Counsel Sh. A.K. Sharma for applicant / accused
Report not received.
Let report be filed on **01.06.2020**.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 007947/2020
PS Tilak Nagar
State Vs. Faizal @ Faizal Ali
U/s 379/411 IPC

30.05.2020

**This is an application for bail moved on behalf of accused
Faizal @ Faizal Ali.**

Present: Ld. APP for the State
Ld. Counsel for applicant / accused
Be put up on 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

**FIR No. 759/19
PS Paschim Vihar East
State Vs. Nikhil Kumar
U/s 379/34 IPC**

30.05.2020

**This is an application for bail moved on behalf of accused
Nikhil Kumar.**

Present: Ld. APP for the State
Ld. Counsel Sh. K.P. Singh for accused / applicant.
Be put up on 01.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi/30.05.2020

FIR No. 007947/2020
PS Tilak Nagar
State Vs. Harsh
U/s 379/411 IPC

30.05.2020

This is an application for bail moved on behalf of accused
Harsh.

Present: Ld. APP for the State
Ld. Counsel for applicant / accused
Be put up on 01.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

**FIR No. 033263/19
PS Patel Nagar
State Vs. Rahisuddin
U/s 379/411/34 IPC**

30.05.2020

**This is an application for bail moved on behalf of accused
Rahisuddin.**

Present: Ld. APP for the State
Ld. Counsel for applicant / accused
Be put up on 01.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

**FIR No. 443/16
PS Hari Nagar
State Vs. Akash @ Kakri
U/s 326/34 IPC**

30.05.2020

This is an application for cancellation of proclamation order against accused u/s 82 CrPC and grant of regular / interim bail.

Present: Ld. APP for the State
Ld. Counsel for applicant.
Be put up on 02.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 637/19
PS Tilak Nagar
State Vs. Sagar @ Chocolate
U/s 380/457/411/34 IPC

30.05.2020

This is an application for bail moved on behalf of accused
Sagar @ Chocolate.

Present: Ld. APP for the State
Ld. Counsel Sh. Rahul Verma for applicant / accused.
Be put up on 02.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020



FIR No. 397/2020
PS Paschim Vihar West
U/s 188 IPC

30.05.2020

This is an application for release of vehicle on superdari.

Present: Ld. APP for the State
Ld. Counsel for applicant.
Be put up on 02.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 33787/19
PS Paschim Vihar West

30.05.2020

Present: Ld. APP for the State

None for applicant.

Be put up on 02.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 0170/2020
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State

None for the applicant.

Be put up on 02.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 151/18
PS Nihal Vihar

30.05.2020

Present: Ld. APP for the State
None for the applicant.
Be put up on 02.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 182/2020
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State
None for the applicant.
Be put up on 02.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 180/2020
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State

None for applicant.

Be put up on 02.06.2020.


[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 034517/18
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State

None for applicant.

Be put up on 02.06.2020.

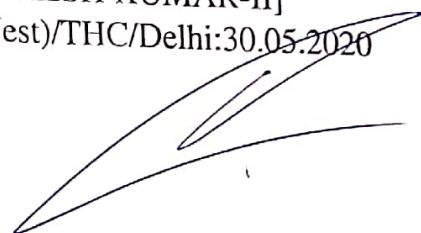
[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 296/2020
PS Kirti Nagar

30.05.2020

Present: Ld. APP for the State
None for applicant.
Be put up on 02.06.2020.

RAKESH KUMAR-II]
Duty MM West)/THC/Delhi:30.05.2020



FIR No. 158/2020
PS Nangloi

30.05.2020

Present: Ld. APP for the State
None for applicant / accused
Be put up on 02.06.2020.

RAKESH KUMAR-IIJ
Duty MM (West)/THC/Delhi/30.05.2020

FIR No. 0197/2020
PS Paschim Vihar West

30.05.2020

Present: Ld. APP for the State
None for the applicant.
Be put up on 02.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020

FIR No. 144/2020
PS Punjabi Bagh

30.05.2020

Present: Ld. APP for the State
None for the applicant.
Be put up on 02.06.2020.

[RAKESH KUMAR/II]
Duty MM(West)/THC/Delhi/30.05.2020

**FIR No. 199/2020
PS Ranjit Nagar
State Vs. Boby
U/s 392 IPC**

30.05.2020

**This is an application for bail moved on behalf of accused
Bobby.**

Present: Ld. APP for the State
Ld. Counsel for accused / applicant.
Be put up on 04.06.2020.

[RAKESH KUMAR-II]
Duty MM(West)/THC/Delhi:30.05.2020