

26

None  
Put up on 28/5/20

Prison  
Put up on 02/06/2020  
D.M. was Det.  
28/5/2020



**FORM NO. 45**

Bond and Bail Bond for Attendance before  
Office Incharge of Police Station of Court  
(Section 436, 437, 438 (3) and 441)

In the court of Shri Auty M.M. West Delhi  
Police Station Kirti Nagar  
Under Section 381/342/344/397/411/128/34 PC Next date of hearing  
F. I. R. No. 337116 Sent to Jail On

Pr. - place det.  
Prison call up  
Prison order ke  
complaint  
27/05/2020  
28/05/2020  
M.Y.  
26/05/2020

**Bail Bond**

I Vijay @ Rahul Son of Shri U. Ram Nihar  
Residence Vill. Talokli, Purva Saray, P.S. Kirti Nagar Dist. Ghazipur - UP  
having been arrested or detained without warrant by the Officer Incharge of  
Kirti Nagar Police Station for having been brought before this Honourable  
Court charged with the offence of 381/342/344/397/411/128/34 PC and required to give  
surety for my attendance before such Officer of Court on condition that I shall attend such  
Officer or Court on every day on which any investigation or trial is held with regard to  
such charge and in case of my making default here in myself to forfeit to Government the sum  
of Rs. 25000/-

S/O to  
Jail  
26/5/2020  
26/5/2020

Signature  
*(Handwritten signature)*

DELHI  
DATED 23/5/20

I Hasan Ali Shah Son of Shri Sabir Ali  
Residence W-155/660, Rakhi Market, 23, Chara Mardi Zakhira Delhi  
hereby declare my self for the above said Shri as above  
that he shall attend the Officer-in-charge of as above  
Police Station or the Court of Shri as above  
every day on which any investigation in the charge is made or any trial on such charge is held  
that he shall be and re-appear before such officer or court for the purpose of such  
investigation to answer the charge against him (as the case may be) and in the case or his  
making default herein I have blind myself to forfeit to Govt. the sum of  
Rs. 25000/-

CC No.131/17  
Shalu vs. Neeraj Gondia

28.05.2020 (At 4:15 pm)

Present: None.

Put up for consideration on 05.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.183/2020**  
**U/s 376 IPC**  
**PS Paschim Vihar West**  
**State Vs. Amit Kumar**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

  
(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.376/20**  
**U/s 379 IPC**  
**PS Rajouri Garden**  
**State Vs. Happy @ Kamal**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.611/2020**  
**U/s 188 IPC**  
**PS Nihal Vihar**  
**State Vs. Sunny Jain**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.111/2020**  
**U/s 188 IPC**  
**PS Mundka**  
**State Vs. Ram Sundar Pandey**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.63/2019**  
**U/s 420/468/471/201/174A/34 IPC**  
**PS Paschim Vihar West**  
**State Vs. Rakesh Kumar Madan**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

  
(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.255/2019**

**U/s 420/468/471/201/174A/34 IPC**

**PS Paschim Vihar West**

**State Vs. Rakesh Kumar Madan**

28.05.2020 (At 4:00 pm)

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

No report received.

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020



**FIR No.342/2020**  
**U/s 186/353/188/269/270/34 IPC**  
**PS Paschim Vihar West**  
**State Vs. Raju**

28.05.2020 (At 4:15 pm)

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

Put up for consideration on 02.06.2020.


  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.346/2020**  
**U/s 186/353/188/269/270/34 IPC**  
**PS Tilak Nagar**  
**State Vs. Sunil**

28.05.2020 (At 4:15 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakarsha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.346/2020**  
**U/s 186/353/188/269/270/34 IPC**  
**PS Tilak Nagar**  
**State Vs. Munil**

28.05.2020 (At 4:15 pm)

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

Put up for consideration on 02.06.2020.


  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.622/2020**  
**U/s 379/356/411/34 IPC**  
**PS Nihal Vihar**  
**State Vs. Santosh**

28.05.2020 (At 4:15 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.59/2020**

**U/s 304/308/323/506/147/148/149 IPC**

**PS Kirti Nagar**

**State Vs. Manuveer Hussain @ Minky & Ors.**

28.05.2020

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

Put up for consideration on 02.06.2020.

(Aakanksha)


Duty MM/West/Delhi/28.05.2020

**FIR No.172/2020**  
**PS Patel Nagar**  
**State Vs. Sandeep @ Deepu**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.


  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.375/2020**  
**PS Paschim Vihar**  
**State Vs. not known**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.664/19**  
**PS Tilak Nagar**  
**State Vs. Raman**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



**(Aakanksha)**

**Duty MM/West/Delhi/28.05.2020**



**FIR No.140/2020**  
**PS Moti Nagar**  
**State Vs. Md. Gulzar Alam**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.


  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.1920/2020**  
**PS Patel Nagar**  
**State Vs. Raju @ Kalu**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

**FIR No.21/13**  
**PS Khyala**  
**State Vs. Mukesh**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.381/19**  
**PS Nihal Vihar**  
**State Vs. Manjeet Saini**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.123/2020**  
**PS Maya Puri**  
**State Vs. Rahul & Sunny**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.240/2020**  
**PS Paschim Vihar East**  
**State Vs. Surender @ Happy**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.461/2020**  
**PS Khyala**  
**State Vs. Mani**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.



**(Aakanksha)**


**Duty MM/West/Delhi/28.05.2020**

**FIR No.1064/15**  
**PS Punjabi Bagh**  
**State Vs. Rahul @ Ravi**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020




**FIR No.95/2020**  
**PS Hari Nagar**  
**State Vs. Amit Singh**

28.05.2020 (At 4:00 pm)

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

Put up for consideration on 02.06.2020.

  
(Aakanksha)  
Duty MM/West/Delhi/28.05.2020

FIR No. 441/2020  
PS Rajouri Garden  
State Vs. Sarabjeet Singh @ Sunny  
U/s 392/34 IPC

25.05.2020

This is an application for bail moved on behalf of accused  
Sarabjeet Singh @ Sunny.

Present: Ld. APP for the State

Proxy counsel Sh. A.K. Gupta for applicant

It is submitted that main counsel is not available and on his  
request, bail application be renotify for 28.05.2020.

[RAKESH KUMAR-II]  
Duty MM(West)/THC/Delhi:25.05.2020

28/05/2020.

Pr. Ld APP for the state

Ld. Ct Sh. Mahesh Patel for the applicant

Let fresh P.P Report on 29/05/2020.

↓  
Duty MM(West) Delhi  
28/05/2020.

(V)

e-FIR No.2515/2020  
U/s 379 IPC  
PS Nangloi  
State Vs. Unknown

At 2:45 pm.

28.05.2020

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

Ld. Counsel Sh. P. M. Singh on behalf of applicant Chunchun Kumar Tiwari in person (brother-in-law of owner Sandeep Kumar Pathak).

No objection to the release of the vehicle bearing registration no. **DL 4SBW 9314 (Hero Honda motorcycle)** is tendered on behalf of the IO/HC Nitya Dev.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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*

Contd...2/-

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. Wherever 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.”

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 4SBW 9314 (Hero Honda motorcycle)** be released to the applicant on verification of the particulars regarding ownership/power of attorney and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 4SBW 9314 (Hero Honda motorcycle)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.180/2020**  
**U/s 188 IPC**  
**PS Paschim Vihar**  
**State Vs. Ram Chander**

28.05.2020

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

Applicant/accused Ram Chander in person along with Ld. Counsel Sh. Arun Kumar Tiwari.

No objection to the release of the vehicle bearing registration no. **DL 14SA 3424 (motorcycle)** is tendered on behalf of the IO/HC Deepak.

It has been stated on behalf of the accused that RC of the said vehicle has lost, regarding which a complaint has been registered bearing LR No.92417/2020 dated 25.01.2020, copy of which has been annexed with the application.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

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. Wherever 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.”

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 14SA 3424 (motorcycle)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 14SA 3424 (motorcycle)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.186/2020**  
**U/s 188 IPC**  
**PS Paschim Vihar West**  
**State Vs. Nand Kishore**

28.05.2020

**Present:** Ld. APP for the State,  
Sh. Sanjay Kumar, Ld. Counsel for the applicant/accused Nand  
Kishor.

No objection to the release of the vehicle bearing registration no.  
**DL 10CS 0204 (i- 20 Hyundai)** is tendered on behalf of the IO/HC Umesh  
Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari,  
this Court is of the considered view that the vehicle has to be released as per  
the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai  
Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the  
Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in  
case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has  
been held that :-

*“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.*

Contd...2/-

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. Wherever 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 ponchnama should suffice for the purposes of evidence.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 10CS 0204 (i- 20 Hyundai)** be released to the applicant on verification of the particulars regarding ownership and after preparing ponchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 10CS 0204 (i- 20 Hyundai)** shall be photographed from all the angles. The Ponchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**



FIR No.190/2020  
U/s 188 IPC  
PS Paschim Vihar West  
State Vs. Vikram

28.05.2020

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

Ld. Counsel Mr. R. Kumar for applicant/owner Sunil Agri.

No objection to the release of the vehicle bearing registration no. **DL 4SDA 5828 (TVS)** is tendered on behalf of the IO/HC Umesh Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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*

*Contd...2/-*

*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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."*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 4SDA 5828 (TVS)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 4SDA 5828 (TVS)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.298/2020**  
**U/s 188/269 IPC**  
**PS Punjabi Bagh**  
**State Vs. Musheer Ahmad**

28.05.2020

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

Applicant/accused Musheer Ahmad in person.

No objection to the release of the vehicle bearing registration no. **DL 4CAT 0537 (Volswagen Polo)** is tendered on behalf of the IO/ASI Sube Singh.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 4CAT 0537 (Volswagen Polo)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 4CAT 0537 (Volswagen Polo)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.11129/2020**  
**U/s 379 IPC**  
**PS Nihal Vihar**  
**State Vs. unknown**

28.05.2020

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

Applicant/owner Ranjeet Kumar Ray in person.

No objection to the release of the vehicle bearing registration no. **DL 4SCJ 8967 (motorcycle)** is tendered on behalf of the IO/HC Sandeep Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 4SCJ 8967 (motorcycle)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 4SCJ 8967 (motorcycle)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.288/2020**  
**U/s 188/269/270 IPC**  
**PS Mundka**  
**State Vs. Mehendi Hassan**

28.05.2020

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

Applicant/accused Mehendi Hassan in person.

No objection to the release of the vehicle bearing registration no. **UP 13BT 2525 (Bus)** is tendered on behalf of the IO/HC Krishan.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**UP 13BT 2525 (Bus)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**UP 13BT 2525 (Bus)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**



**FIR No.11370/2020**  
**U/s 379 IPC**  
**PS Tilak Nagar**  
**State Vs. Unknown**

28.05.2020

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

Ld. Counsel Mr. Vimal Verma for applicant Riya Arcra (owner of stolen vehicle).

No objection to the release of the vehicle bearing registration no. **DL 5SBD 1011 (Honda Activa Scooty)** is tendered on behalf of the IO/HC Arvind.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 5SBD 1011 (Honda Activa Scooty)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 5SBD 1011 (Honda Activa Scooty)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

  
(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.576/2020**  
**U/s 188/269/270 IPC**  
**PS Punjabi Bagh**  
**State Vs. Raminder Singh & Ors.**

28.05.2020

**Present:** Ld. APP for the State.  
Ld. Counsel Mr. S. P. Shukla for applicant/accused Raminder Singh.

No objection to the release of the vehicle bearing registration no. **DL 8CAL 0907 (Hyundai Creta)** is tendered on behalf of the IO/HC Ajay Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*


*countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 8CAL 0907 (Hyundai Creta)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 8CAL 0907 (Hyundai Creta)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.551/2020**  
**U/s 188 IPC**  
**PS Paschim Vihar West**  
**State Vs. Ram Murat**

28.05.2020

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

Applicant/accused Ram Murat in person.

No objection to the release of the vehicle bearing registration no. **DL 11EA 0204 (E-Rickshaw)** is tendered on behalf of the IO/ASI Rajender.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*“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*

*Contd...2/-*

*whom the custody is handed over. Wherever 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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 11EA 0204 (E-Rickshaw)** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 11EA 0204 (E-Rickshaw)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.217/2020**  
**U/s 188/269 IPC**  
**PS Punjabi Bagh**  
**State Vs. Ajay Kumar**

28.05.2020

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

Ld. Counsel Mr. Aditya for applicant Nidhi Thakur (wife of accused Ajay Kumar).

No objection to the release of the vehicle bearing registration no. **DL 1ZC 8185 make Maruti Suzuki Dzire** is tendered on behalf of the IO/ASI Rakesh.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever necessary, the Court may get the jewellery articles valued from a government approved valuer.*

*Contd...2/-*

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.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**DL 1ZC 8185 make Maruti Suzuki Dzire** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**DL 1ZC 8185 make Maruti Suzuki Dzire** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



**(Aakanksha)**

**Duty MM/West/Delhi/28.05.2020**



FIR No.192/2020  
U/s 188/269 IPC  
PS Hari Nagar  
State Vs. Amit Chopra

28.05.2020

**Present:** Ld. APP for the State.  
Ld. Counsel Mr. Sundaram for applicant Sanchay Kapoor  
(attorney holder on behalf of accused Amit Chopra).

No objection to the release of the vehicle bearing registration no.  
**RJ 26CA 7986 (Venue Hyundai)** is tendered on behalf of the IO/HC  
Jitender Kumar.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari,  
this Court is of the considered view that the vehicle has to be released as per  
the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai  
Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the  
Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in  
case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has  
been held that :-

*"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. Wherever necessary, the Court may get the jewellery articles valued  
from a government approved valuer.*

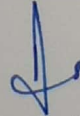
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61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.”*

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no.**RJ 26CA 7986 (Venue Hyundai)** be released to the applicant on verification of the particulars regarding ownership/attorney holder and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no.**RJ 26CA 7986 (Venue Hyundai)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.



**(Aakanksha)**

**Duty MM/West/Delhi/28.05.2020**

**Ex. Crl. No.204/19**

**PS Ranhola**

**Smt. Neelam & Anr. Vs. Dinesh Nishad**

28.05.2020

Present: Sh. Inder Pahuja, Ld. Counsel for the applicant/respondent Dinesh Nishad along with applicant in person.

An application for grant of bail has been moved on behalf of respondent above named.

It has been submitted on behalf of respondent that he was sent to civil imprisonment on account of non-payment of maintenance vide order dated 29.02.2020 and was released on interim bail on 13.04.2020 for a period of 45 days in view of COVID-19 situation, since Hon'ble High Court of Delhi has already extended interim orders till 15.06.2020 vide its order dated 15.05.2020 in WP (C) No.3037/2020, hence it is prayed that respondent above named be granted bail.

Submissions heard.

Vide order dated 15.05.2020 in WP (C) No.3037/2020, Hon'ble High Court of Delhi has ordered that all the matters pending before subordinate Courts wherein the interim order issued were subsisting as on 15.05.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.06.2020 or until further orders. Accordingly, the interim bail granted to the above named respondent stands automatically extended till 15.06.2020 in view of above order of Hon'ble High Court of Delhi and no separate order from this Court is warranted.

Application stands disposed of accordingly.

Copy of this order be given dasti



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.372/2020**  
**U/s 356/379/411/34 IPC**  
**PS Khyala**  
**State Vs. Gagan Singh**

28.05.2020

Present : Ld. APP for the State.  
Mr. Ajesh Kumar Sharma, Ld. Counsel for applicant/accused  
Gagan Singh @ Kukli S/o Vijay Singh R/o 221/89, Rajouri  
Garden, Tilak Nagar West, Delhi.

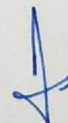
An application U/s 437 Cr.P.C. has been filed on behalf of  
accused Gagan Singh @ Kukli.

Reply to the same has been received from IO HC Rajesh Kumar,  
who has objected to the bail application. During the course of arguments,  
Ld. Counsel for the accused has prayed for interim bail, while stating that  
accused is in custody since 18.04.2020 and that he is not involved in any  
other case. It has been submitted that interim bail be granted to him in view  
of prevailing COVID-19 situation.

Arguments heard on the interim bail application.

Without going into the merits of the case as well as taking a step  
towards the de-congestion of the jail and to protect health and safety of the  
accused as well as jail inmates, the plea to grant of interim bail is  
considered and allowed, in view of HPC minutes dated 18.05.2020 and  
28.03.2020. Applicant/accused Gagan Singh @ Kukli is released on interim  
bail for a period of 45 days on furnishing personal bond in the sum of

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-2-

Rs.10,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Applicant/accused Gagan Singh @ Kukli shall surrender before the Jail Authority Concerned after expiry of interim bail for the period of 45 days, until his bail is extended. Application stands disposed of accordingly.

Copy of this order be sent to Jail Superintendent concerned, which shall also be treated as release warrant.

Copy of this order be given dasti to Ld. Advocate, as prayed for.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.137/2020**  
**U/s 356/379/411/34 IPC**  
**PS Punjabi Bagh**  
**State Vs. Gaurav @ Gauri & Ors.**

28.05.2020

Present : Ld. APP for the State.  
Mr. Ajesh Kumar Sharma, Ld. Counsel for applicant/accused  
Gaurav @ Gauri S/o Sh. Jagpal @ Jagu R/o S-130, Mangol Puri,  
Delhi.

An application U/s 437 Cr.P.C. has been filed on behalf of  
accused Gaurav.

Reply to the same has been received from IO SI Kaplianhang,  
who has objected to the bail application. During the course of arguments,  
Ld. Counsel for the accused has prayed for interim bail, while stating that  
accused is in custody since 25.02.2020 (and inadvertently the date has been  
mentioned as 04.03.2020 in the application), he has been released on  
regular bail in e-FIR No.34513/19 on 27.05.2020 and has been released on  
regular bail in e-FIR No.928/20 before the lockdown started. It has been  
submitted that interim bail be granted to him in view of prevailing COVID-  
19 situation.

Arguments heard on the interim bail application.

Without going into the merits of the case as well as taking a step  
towards the de-congestion of the jail and to protect health and safety of the  
accused as well as jail inmates, the plea to grant of interim bail is

Contd...2/-



-2-

considered and allowed, in view of HPC minutes dated 18.05.2020 and 28.03.2020. Applicant/accused Gaurav @ Gauri is released on interim bail for a period of 45 days on furnishing personal bond in the sum of Rs.10,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Applicant/accused Gaurav @ Gauri shall surrender before the Jail Authority Concerned after expiry of interim bail for the period of 45 days, until his bail is extended. Application stands disposed of accordingly.

Copy of this order be sent to Jail Superintendent concerned, which shall also be treated as release warrant.

Copy of this order be given dasti to Ld. Advocate, as prayed for.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**e-FIR No.000327/2020**  
**U/s 379 IPC**  
**PS Moti Nagar**  
**State Vs. Himanshu Kumar**

28.05.2020

Present: Ld. APP for State.  
Sh. Sauraj Yadav for accused Himanshu Kumar.

Status report has been received from jail superintendent stating that the bail order dated 13.05.2020 was not received in the jail.

Let the copy of bail order dated 13.05.2020 in e-FIR No.327/2020 PS Moti Nagar U/s 379 IPC be sent to the Jail Superintendent, Central Jail No.10, Rohini, Delhi, to comply with the said order.

Application stands disposed of accordingly.

Copy of order be given dasti to Ld. Counsel.



(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**



**FIR No.151/18**  
**U/s 379/411 IPC**  
**PS Nihal Vihar**  
**State Vs. Sheikh Anwar @ Aanu**

28.05.2020

Present: Ld. APP for State.  
Md. Ilyas, Ld. Counsel for the applicant/accused Sheikh Anwar  
@ Aanu.

This is an application for issuing ropkar to Jail Superintendent,  
Tihar for release of accused Sheikh Anwar.

Status report was sought from Jail Superintendent vide order dated 24.05.2020 as to why the accused has not been released in FIR No.151/18. Report was received from Dy. Superintendent, Tihar dated 26.05.2020, citing three case in which accused is running in JC i.e. FIR No.108/19 in which interim bail has been granted vide order dated 22.04.2020, however, surety bond was not furnished, FIR No.96/18 & FIR No.151/18. Thereafter, report was called from Ahlmad PS Nihal Vihar regarding status of accused in FIR No.151/18, which has not been received today.

However, Ld. Counsel for accused has placed on record order dated 14.12.2019 passed in FIR No.151/18 stating that accused has been acquitted in the said case; he has also placed on record order dated 27.05.2020 passed in FIR No.96/18, wherein accused has been released on interim bail for 45 days upon furnishing of personal bond; and he has

Contd...2/-



-2-

placed on record a copy of order dated 22.04.2020 passed in FIR No.108/19 wherein accused has been released on furnishing bail bonds and surety bonds. Ld. Counsel for the accused has submitted that surety bond has already been furnished in FIR No.108/19 and has prayed for release of accused.

Since all the orders of acquittal/bail of accused in all the three cases are already on record, accordingly a copy of all the above three orders be sent to jail Superintendent Tihar for release of accused Sheikh Anwar after complying with the directions passed in the above three orders regarding furnishing of bail bonds.

Application stands disposed of accordingly.

Copy of order be given dasti.



(Aakanksha)

Duty MM/West/Delhi/28.05.2020

**FIR No.384/17**  
**U/s 363/370 IPC**  
**PS Punjabi Bagh**  
**State Vs. Vinod Ram**

28.05.2020

Present: None for the State.  
Sh. Pramod Kumar, Ld. Counsel for the applicant/accused  
Vinod Ram along with surety Mr. Ashok Kumar Ram in person.

It is submitted by Ld. Counsel for the accused that accused was ordered to be released on interim bail in FIR No.384/17 vide order dated 20.05.2020 with the condition of furnishing personal bond in the sum of Rs.20,000/- with one surety of like amount to the satisfaction of Ld. MM/ Ld. Duty MM. Thereafter on 22.05.2020, bail bonds/surety bonds were submitted before the Ld. Duty MM but the same were sent to SHO for verification report. Thereafter no verification report has been received by SHO concerned on 23.05.2020, 25.05.2020, 26.05.2020. Today, also no verification report has been received. It is submitted by Ld. Counsel that surety is cobbler and is being harassed by police officials of PS Punjabi Bagh, after verification he was asked for some money by the person who verified him at his house and was warned that unless he obliges him, verification report will not be sent to the Court.

Let SHO be called.

After waiting for more than an hour, Niab Court lady Ct. Anikesh was asked about whereabouts of SHO. This Court was earlier

Contd...2/-

informed that SHO is on his way. But now, Niab Court informed that SHO will be sending some other person as SHO has been detected CORONA Poisitive. Ld. Counsel for the accused has objected to the same stating that the surety has been waiting in the Court since morning.

Niab Court is directed to contact the concerned SHO for verification report to be submitted in this Court at the earliest today itself.

At 2:10 pm, one Ct. Aditya Som No.8867/DHG has appeared in the Court with verification report. He has been asked about concerned SHO to which Ct. Aditya Som has replied that the concerned SHO Mr. Vinay Malik has never been detected with CORONA virus. Ld. Counsel for the accused has objected to the conduct of IO/SHO concerned pleading for necessary action against them.

Verification report has been received. Bail bond/surety bond furnished and accepted. It is also noted that surety has produced an FD, it did not require any further verification. **Accused Vinod Ram be released in pursuance of order dated 20.05.2020 if not in custody in any other case.**

Copy of this order be sent to Jail Superintendent.

Copy of this order be given dasti to Ld. Counsel for the accused.

  
(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**

**FIR No.555/18  
U/s 376 IPC &  
Section 6 of POCSO Act  
PS Nihal Vihar  
State Vs. Deepak Kumar**

28.05.2020

Present: Ld. APP for State.  
Sh. Alamine, Ld. Counsel for the applicant/accused Deepak  
Kumar with Sh. Rajesh Kumar (surety).

Reply of verification report of RC of vehicle Hero Splender has  
been received from ASI Heera Lal. In pursuance of bail order dated  
23.05.2020, accused Deepak Kumar has furnished bail bond and surety  
bonds, which are accepted.

**Accused Deepak Kumar be released, if not in custody in any  
other case.** Release warrants be prepared.

Copy of this order be sent to Jail Superintendent concernec.

Copy of this order be given dasti.



**(Aakanksha)**

**Duty MM/West/Delhi/28.05.2020**

**FIR No.172/2020**  
**U/s 379/34 IPC**  
**PS Rajouri Garden**  
**State Vs. Nargis**

28.05.2020

Present: None for the state.  
Sh. M. L. Gupta, Ld. Counsel for the applicant/accused Nargis.

This is an application for directing Jail Superintendent Mandoli Jail to release accused Nargis as per judgment passed in W.P. (Crl.) No.822/20 titled as Anil Mittal vs. State of NCT of Delhi.

Status report has been filed by Dy. Superintendent, Central Jail No.16, Mandoli.

Ld. Counsel for the accused has submitted that in the above case, all the three accused persons have been granted interim bail for 60 days on 27.03.2020, whereafter the two co-accused have already been released but accused Nargis has not been released despite the above order. It has been further submitted that in the above cited writ petition, Hon'ble High Court of Delhi has clearly stated that the provisions of Section 269 (C) CrPC and that the custody of accused Nargis is illegal after a date of bail order.

Heard. Perused.

Vide order dated 27.03.2020, accused Nargis was admitted to interim bail on furnishing personal bond in the sum of Rs.10,000/- to the

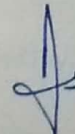
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satisfaction of Jail Superintendent for a period of 60 days. However, accused Nargis has not been received till date. The reply received from Dy. Superintendent states the reason for non-compliance with the bail order to be as follows:- “the above said accused wanted in outstation case FIR No.420./10 u/s 324/326/334 IPC PS Narsingharh MP. The production warrant was received in this case on 16.03.2020 for production on 07.04.2020 before the Hon'ble Court of ... it is further stated that due to efforts by Central Government to prevent spread of pandemic COVID-19, the State of Delhi was maintaining lockdown/curfew and the lockdown is subsequently being extended. Therefore, this office was unable to produce the said female accused before the above said Hon'ble Court at Rajgarh, any further production warrants were not received after 07.04.2020 in this office till date... Therefore, as per tentative date of suspension of lockdown is 31.05.2020, the said female accused Nargis will be transferred to Rajgarh, MP”.

Production warrant is not an order for custody of an accused. It is merely issued for the purpose of producing an accused before a Court, who is already in custody because in such cases the accused cannot otherwise be summoned. Thus, production warrant plays the same role as that of the summons and mere issue to production warrant would not entitle the jail superintendent to keep the accused in custody in violation of the bail order granting bail to such accused.

**Clearly, the above reply depicts that accused Nargis has been**

Contd...3/-



**illegally detained by Jail Superintendent, Mandoli Jail despite order dated 27.03.2020, without any lawful justification.** Section 269 (c) CrPC which deals with exceptional cases wherein Officer In-charge of Prison is granted liberty not to follow the production warrant, states that “where the person in respect of whom an order is made u/s 267- (c) is in custody for a period which would expire before the expiration of the time required for complying with the order and for taking him back to the prison in which he is confined or detained, the officer in-charge of prison shall abstain from carrying out the court's order and shall send to the court a statement of reasons for so abstaining”.

The facts of this case are similar to the facts in WP (Crl.) 822/2020 before the Hon'ble High Court of Delhi namely Anil Mittal vs. State of NCT of Delhi, wherein Hon'ble High Court of Delhi has specifically directed the Director General (Prisons) to keep in mind Section 269 (c) of Cr.P.C. as well as judgment of Allahabad High Court in Dharam Pal & Ors. vs. State of UP 1981 SCC OnLine All 756 so that in similar cases accused are not forced to file writ petition in the Court.

Accordingly, Jail Superintendent Mandoli is directed to forthwith release accused Nargis in compliance of order dated 27.03.2020 after the accused furnishing personal bond as required by the above order.

**Copy of this order be sent to Jail Superintendent.**

Copy of this order be given dasti to Ld. Counsel.

*Aakanksha*  
*28/5/2020*  
(Aakanksha)

**Duty MM/West/Delhi/28.05.2020**