

Manoj Kumar Vs. SI Rajkumar
CC NO. 530/1/15
PS Chandni Mahal

रिषभ कपूर
RISHABH KAPOOR
म.
Metropolitan Magistrate-03
केन्द्रीय जिला नं. 150
Central District Court No. 150
तीस हाज़ार कोर्ट, दिल्ली
Tis Hazari Courts, Delhi

30.06.2020

Present: Complainant (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 2:17 PM to 2:26 PM.

The present case was listed for today vide *en bloc* dates given due to Covid-19 pandemic.

Yesterday i.e on 29.06.2020, the official on duty namely, Sh. Awdhesh Kumar Rai (Reader) telephonically contacted the complainant for taking up the present case through VCC for today. The complainant tendered his willingness for advancing the arguments on point of summoning through VCC over Cisco Webex Application.

Hence, the matter is taken up for hearing through VCC in view of Circular No. 6507-6577/CMM/Central/DR/2020 dated 13.06.2020.

Case record was sent to the residence of undersigned by the official on duty namely Sh. Atma Ram (Ahlmad), today.

During the course of proceedings, the submissions advanced by complainant could not be heard due to some technical glitch at his end. Thereafter, Sh. Atma Ram (Ahlmad) had also made a telephonic contact with complainant and he was stated to be informed that due some fault in the speaker installed in system of complainant, his voice is not audible.

Therefore, no effective hearing could be done in the matter.

Accordingly, ***Put up for purpose fixed on 31.08.2020.***

Copy of this order is being sent to Sh. Atma Ram(Ahlmad) through whatsapp/email for uploading on CIS and for necessary compliance.

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


(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

30.06.2020

State Vs. Sandeep and Anr.

FIR No: 141/2020

PS: Rajender Nagar

30.06.2020

Present: Sh. Vakil Ahmad, Ld. APP for State (through VCC over Cisco Webex)
IO/SI Rituraj (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 3:05 PM to 3:11 PM.

Today, Sh. Atma Ram, Ahlmad of this court has sent report of SHO PS Rajender Nagar, to the residence of undersigned. The scanned copies of order the arrest memos of both accused are also sent by Naib Court, PS Rajender Nagar through whatsapp.


In furtherance of directions issued vide order dated 22.06.2020, the copies of orders dated 15.06.2020 and 16.06.2020 passed by concerned Ld. Duty MM, along with MLCs of both accused are sent with the report of SHO PS Rajender Nagar. Same are perused.

The perusal of the initial MLCs of both accused persons reveals that the first medical examination of both accused was conducted on 15.06.2020 at 1:45 am and 1:50 am, respectively. In both said MLCs the injuries in the nature of swelling in the wrist was not reported. However, such injuries were reported in subsequent MLCs dated 15.06.2020 and 16.06.2020

IO/SI Rituraj submits that the initial medical examination of accused persons was conducted in respect of case FIR No.146/2020 at PS Rajender Nagar, wherein the concerned medical expert examining the accused did not record the injuries sustained by the accused persons, which infact were sustained by them when they fell off from the vehicle during their attempted retreat from the spot of occurrence.

As per report of SHO PS Rajender Nagar, the injuries in question were sustained by accused persons by falling from vehicle and were not meted out to them during the period of their custody.

Taking into account the gravity of the situation and to rule out the commission of any act of custodial violence against the accused persons, SHO PS Rajender Nagar is hereby directed to file a detailed report specifying (i) the time of arrest of both accused persons in respect of case FIR No.146/2020 PS Rajender Nagar, (ii) the period for which the accused persons were detained in


30/06/2020.

police lockup in connection with FIR No.146/2020, prior to their production before the LD. MM, (iii) the exact time when they were taken for conducting their medical examinations and (v) also to ascertain the CCTV footage of cameras installed inside/outside the lockup for the relevant time period. SHO concerned is also directed to assess the circumstances in which the alleged injuries were sustained by accused persons, by associating the IO in case FIR No. 146/2020, during the inquiry.


The scanned copy of report of SHO be filed through the email id of the court on 09.07.2020 at 10:00 AM.

Put up for consideration on 10.07.2020 at 2: 00 PM through VCC over Cisco Webex application.

Ld. APP for State and IO be joined for hearing of the matter at scheduled time.

Scanned Copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for transmitting it to SHO concerned through all permissible modes, including whatsapp/email, for necessary compliance at his end.

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


(RISHABH KAPOOR)
MM-03 (Central), THC, Delhi
30.06.2020

RISHABH KAPOOR

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M. 03
केन्द्रीय जिला कमरा नं. 150
Central District Court Room No. 150
तीस हज़ार कोर्ट दिल्ली
Tis Hazari Courts, Delhi

State Vs. Sandeep and Anr.
FIR No: 139/2020
PS: Rajender Nagar

30.06.2020

Present: Sh. Vakil Ahmad, Ld. APP for State (through VCC over Cisco Webex)
IO/ASI Vijay Shankar (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 3:20 PM to 3:26 PM.

Today, Sh. Atma Ram, Ahlmad of this court has sent report of SHO PS Rajender Nagar, to the residence of undersigned. The scanned copies of order the arrest memos of both accused are also sent by Naib Court, PS Rajender Nagar through whatsapp.

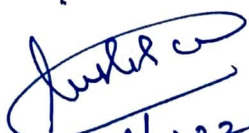
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IO/ASI Vijay Shankar submits that the initial medical examination of accused persons was conducted in respect of case FIR No.146/2020 at PS Rajender Nagar, wherein the concerned medical expert examining the accused did not record the injuries sustained by the accused persons, which infact were sustained by them when they fell off from the vehicle during their attempted retreat from the spot of occurrence.

As per report of SHO PS Rajender Nagar, the injuries in question were sustained by accused persons by falling from vehicle and were not meted out to them during the period of their custody.

Taking into account the gravity of the situation and to rule out the commission of any act of custodial violence against the accused persons, SHO PS Rajender Nagar is hereby directed to file a detailed report specifying (i) the time of arrest of both accused persons in respect of case FIR No.146/2020 PS Rajender Naqar, (ii) the period for which the accused persons were detained in police lockup in connection with FIR No.146/2020, prior to their production before the LD. MM, (iii) the exact time when they were taken for conducting their medical examinations and (v) also


30/06/2020.

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(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

30.06.2020

ऋषभ कपूर
RISHABH KAPOOR
महानगर न्यायालय-03
Metropolitan Magistrate-03
केन्द्रीय जिला कमरा नं. 150
Central District, Room No. 150
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

State Vs. Rahul Malik (through Applicant Sachin Kwatra)

FIR No. 0020/2020

PS I.P. Estate

30.06.2020

Present: Applicant Sachin Kwatra (through VCC over Cisco Webex)
Sh. Vakil Ahmad, Ld. APP for State (through VCC over Cisco Webex)
IO/ HC Banwari Lal (through VCC over Cisco Webex)

Matter is heard through VCC over CISCO Webex Application from 2:02 PM to 2:08 PM.


The present urgent application was filed on behalf of the applicant on email id of this court on 29.06.2020. Same is taken up for hearing through VCC in view of Circular No. 6507-6577/CMM/Central/DR/2020 dated 13.06.2020.

This order shall dispose off the application for release of mobile phone on Superdari, moved on behalf of applicant Sachin Kwatra.

In furtherance of directions issued through email dated 29.06.2020, Scanned copy of status report has been sent by IO/HC Banwari Lal, through the email id of the court, wherein it has been stated that in connection with the present case FIR the *Honor-201 Mid Night Black* mobile phone of the applicant Sachin Kwatra, is lying in the custody of the police at PS I.P. Estate. IO has stated that Sachin Kwatra is the owner of the said mobile phone and he has no objection if the aforesaid mobile phone is released on superdari. For the purposes of identity applicant has sent scanned copy of his Aadhar ID card. Scanned copy of bill pertaining to mobile phone is also sent to email id of court along with the application

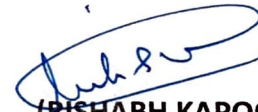
On perusal of the report of the IO and the documents appended with the application, as it emerges that applicant Sachin Kwatra is the owner of the *Honor-201 Mid Night Black* mobile phone in question. If that be so, he prima facie appears to be entitled for the custody of mobile phone in question.

In these circumstances and as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014, the aforesaid the *Honor-201 Mid Night Black* mobile phone be released to the applicant / owner subject to the following conditions:-


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1. *Honor-20I Mid Night Black* mobile phone in question be released to its owner only subject to furnishing of indemnity bond as per its value, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
2. IO shall prepare detailed panchnama mentioning the colour, IMEI NO., ownership and other necessary details of the *Honor-20I Mid Night Black* mobile phone.
3. IO shall take the colour photographs of the *Honor-20I Mid Night Black* mobile phone from different angles and also of the IMEI number of the mobile phone.
4. The photographs should be attested and counter signed by the complainant/applicant and accused.
5. IO is directed to verify the bill/invoice of the mobile in question and release the same to the applicant.

Scanned copy of this order is being sent to Sh. Atma Ram (Ahlmad) through whatsapp/email for transmitting the same to the applicant and also to the IO/SHO concerned, for compliance. Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



(RISHABH KAPOOR)

MM-03 (Central), THC, Delhi

30.06.2020