

(Misc Application) Applicant Tofiq

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.
Applicant in person with Ld. Counsel Mr. Mohd. Ahmed.
Mr. Praveen Kumar, Deputy Director from D.D.V.S. in person.
Sh. Pal, Veterinary Inspector, Civil Lines, Delhi in person.

An application has been filed on behalf of the owner/ applicant seeking release of 31 animals (19 buffaloes and 21 buffaloes calves) on superdari.

It is submitted by the owner/ applicant that owner/ applicant was carrying about 31 animals in a truck bearing registration NO. RJ 18 GB 4331 which belongs to one Sh. Majid Quresh and pursuant to minor accident officials of PS Sadar Bazar arrived at the spot and called officials of NDMC who took the said truck as well as animals in their custody.

Perusal of record reveals that no cognizable or non cognizable case has been registered in PS Sadar Bazar. The officials of PS Sadar Bazar have not seized the animals, rather they have merely informed NDMC who took the animals in their custody. No proceeding regarding the said animals is pending before this Court. Thus, this Court has no jurisdiction to entertain the present application.

Accordingly, the present application stand dismissed.

Copy of this order be given dasti to the applicant. One copy of order be uploaded on CIS.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/07.12.2020

(Misc Application) FIR No. 01/18
P.S. Sadar Bazar

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing on Cisco Webex.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. S.M. Jamal, Ld. Counsel for applicant/accused.

Sh. Rajuddin Khan, Ld. Counsel for the complainant.

An application has been filed on behalf of applicant/accused Mohd. Danish for cancellation of proceedings u/s 82, 83 Cr.P.C. and for grant of bail.

On the other hand, an application has been filed by IO SI Vijay Kumar for declaring accused Mohd. Danish as Proclaimed Offender.

Ld. APP for the State has vehemently opposed the application for cancellation of proceedings u/s 82, 83 Cr.P.C. issued against accused on the ground that accused has not appeared before the Court despite repeated calls since the morning.

At this stage, it is submitted by Ld. Counsel for applicant/accused Mohd. Danish that he wants to withdraw the present bail application.

Heard. Request stands allowed. The present bail application stands dismissed as withdrawn.

Application for cancellation of proceedings u/s 82, 83 Cr.P.C. issued against the accused stands dismissed since accused has not appeared before the Court physically despite repeated calls since the morning.

Process server is directed to appear in person before the Court on the next date of hearing.

Put up for recording of statement of process server on 17.12.2020.



(SHIVLI TALWAR)
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and Nitin were arrested at the instance of the applicant/accused. It is further stated that there is no previous involvement of applicant/accused however, IO has opposed the bail application on the ground that further custody of applicant/accused is required to trace the receiver of the case property namely, Jaan Mohammad @ Jaanu. It is further stated that applicant/accused may abscond and intimidate the complainant and witnesses, if released on bail.

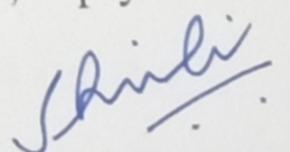
Ld. APP for the State has vehemently opposed the bail application on the ground that the allegations against the applicant/accused are grave and serious in nature. It is further submitted that a part of robbed money i.e. Rs. 1200/- has been recovered from the possession of applicant/accused. It is further submitted that further custody of applicant/accused is required to trace out co-accused namely, Jaan Mohammad @ Jaanu who is receiver of the case property. Hence, it is prayed that the applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Allegations against the applicant/accused are grave and serious in nature. Recovery of a part of robbed amount has been made from the applicant/accused. Applicant/accused has refused to undergo TIP proceedings. Thus, prima facie there is material against the applicant/accused regarding his involvement in the present case. Thus, considering the gravity of alleged offence and seriousness of the allegations, this Court is not inclined to grant bail to the applicant/accused at this stage. Hence, bail application of applicant/accused stands dismissed.

Accordingly, the present application is disposed off.

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


(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.12.2020

State V/s Vipin
e-FIR No. 000426/20
P.S. Civil Lines
U/s 392/411/34 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing.

This is second bail application U/s 437 Cr.P.C. moved on behalf of applicant/accused Vipin s/o Sh. Shripal Singh.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. Bharat Bhushan, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he has not been previously involved in any other case. It is further submitted that the applicant/accused is in J/C since 01.11.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that applicant/accused is a driver of TSR, a young boy and he is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that on the day of incident, applicant/accused was driving the auto in which co-accused namely, Ajay and Nitin committed robbery. A part of robbed money i.e. Rs. 1200/- has been recovered from the possession of applicant/accused. It is further stated that applicant/accused has refused to participate in TIP proceedings which were scheduled to be conducted on 01.12.2020. It is further submitted that co-accused namely, Ajay

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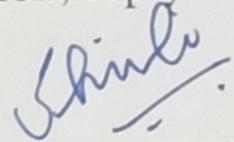
Shripal Singh

further submitted that the applicant/accused is a habitual offender and involved in several other cases. It is submitted that the applicant/accused is likely to commit similar type of offences, if released on bail.

Heard. Perused. Recovery has been effected from the applicant/accused and he is a habitual offender and involved in more than 30 cases. Thus, considering the past antecedents of the applicant/ accused, there is propensity to commit the crime again if accused is released on bail. Moreover, bail application of present applicant/accused has been dismissed by this Court several times. No new ground has been pointed out by Ld. Counsel for applicant/accused for grant of bail to the applicant/accused. Thus, this Court is not inclined to grant bail to the applicant/ accused and the present bail application is hereby rejected.

Accordingly, the present application is disposed off.

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



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.12.2020

State V/s Sunny @ Hakla @ Upesh
e-FIR No. 490/20
P.S. Sadar Bazar
U/s 379/411/34 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing.

This is the bail application U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Sunny @ Haqla @ Upesh s/o Sh. Jagdish.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. Parveen Garg, Id. Counsel for applicant/accused (through V.C.).

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that nothing material has been recovered from the possession or at the instance of the applicant/accused and the recovery has been planted by the police officials. It is further submitted that co-accused, Jitender @ Naresh has already been granted bail by this Court vide order dated 14.10.2020. It is further submitted that applicant/accused is not a previous convict in any criminal case. It is further submitted that the applicant/accused is in J/C since 06.10.2020. It is further submitted by Ld. Counsel for applicant/accused that charge-sheet in the present case has already been filed. Therefore, it has been prayed that applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of reply shows that Rs. 20,000/- were recovered from the possession of applicant/accused and he was arrested on the spot during investigation. It is stated that the applicant/accused may abscond and commit similar type of offences again, if enlarged on bail.

Ld. APP for the State has vehemently opposed the bail application on the ground that the recovery of Rs. 20,000/- has been made from the applicant/accused. It is

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Shinde

State V/s Raman @ Sanju
FIR No. 202/20
P.S. Sadar Bazar
U/s 392/34 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Raman @ Sanju s/o Sh. Subhash.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. Nikhil Yadav, Ld. LAC for applicant/accused.

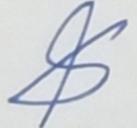
Reply of IO has been filed electronically. Copy of same has been sent to Ld. LAC for the applicant/accused electronically.

At this stage, it is submitted by Ld. LAC for applicant/accused that accused Raman has already been granted bail from Ld. Sessions Court on 05.12.2020 and therefore, he wishes to withdraw the present bail application.

Heard. Request stands allowed.

Accordingly, in view of request of Ld. LAC for applicant/accused, the present bail application stands dismissed as withdrawn. Copy of this order be given dasti to Ld. LAC for applicant/accused.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.12.2020

State V/s Abhishek
FIR No. 302/20
P.S. Sadar Bazar
U/s 457/380/411/34 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Abhishek s/o sh. Vinod.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. P.K. Garg, ld. Counsel for applicant/accused.

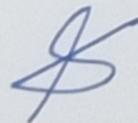
Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically.

At this stage, it is submitted by Ld. Counsel for applicant/accused that he wishes to withdraw the present bail application.

Heard. Request stands allowed.

Accordingly, in view of request of Ld. Counsel for applicant/accused, the present bail application stands dismissed as withdrawn. Copy of this order be given dasti to Ld. Counsel for applicant/accused.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar.


(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.12.2020

State V/s Vinay @ Beenu
FIR No. 302/20
P.S. Sadar Bazar
U/s 457/380/411/34 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

Joined through Video conferencing.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Vinay @ Beenu s/o Sh. Manoj Kumar.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. P.K. Garg, Ld. Counsel for applicant/accused.

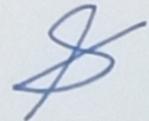
Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically.

At this stage, it is submitted by Ld. Counsel for applicant/accused that he wishes to withdraw the present bail application.

Heard. Request stands allowed.

Accordingly, in view of request of Ld. Counsel for applicant/accused, the present bail application stands dismissed as withdrawn. Copy of this order be given dasti to Ld. Counsel for applicant/accused.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.12.2020

FIR No. 229/20
P.S. Civil Lines
U/s 279/337 IPC

07.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up physically.

This is an application for releasing of original documents i.e. RC, Insurance & DL of vehicle bearing No. DL-6C-Q-9635 on superdari filed by applicant/ registered owner, Sh. Neeraj Goel.

Present : Ld. Substitute APP for the State.

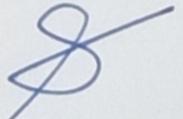
Sh. M.K. Bansal, Ld. Counsel for the applicant.

Reply filed by the IO. Same is take on record. As per the reply, investigation of the case is still pending and the original documents i.e. RC, Insurance & DL of vehicle bearing No. DL-6C-Q-9635 are required for the purpose of investigation.

Heard. In view of the submission made in the reply filed by IO, the present application stands dismissed.

Accordingly, the present application stands disposed of.

Copy of this order be given dasti to the applicant. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/07.12.2020