

FIR No.137/20
State Vs. Jai Prakash
PS Rajinder Nagar

08.09.2020

(Matter has been physically heard)

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

Present: Ld. APP for the State (through VC).

Sh. N.K. Saraswat, Ld. LAC for applicant/accused in person.

IO/ASI Daryao Singh in person (through VC).

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

Scanned copy of reply of under the signatures of IO/ASI Daryao Singh, is received through email id of the court. Copy of same is already supplied to LAC for applicant/accused, through email.

This order shall dispose off the application for grant of regular bail u/s 437 Cr.PC, moved on behalf of applicant/accused Jai Prakash.

It is averred on behalf of accused/applicant that he has been falsely implicated in the present case. It is further averred that the recovery effected from the accused is planted one. It is further averred that the father of accused has unexpectedly passed away on 27.07.2020 and after death of his father, the family of applicant is dependent upon him. It is further averred that the applicant has two minor children to look after. With these averments, prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be released on bail as he is a habitual offender, having previous involvements.

On perusal of the previous conviction/involvement report appended in the record, it emerges that the accused is having previous involvements in certain other cases, involving serious offences. More particularly, the accused has been shown to have complicity in respect of case FIR No. 94/18 u/s 380/454 IPC, FIR No. 145/18 u/s 380/454 IPC, FIR No. 83/18 u/s 380/34 IPC, FIR No. 100/18 u/s 380/454/34 IPC all at Patel Nagar, FIR No. 11742/20 u/s 379/411/34 IPC, PS Rajinder Nagar and e-FIR No.CD-PTN-000183/2018 u/s 380/411/34 IPC. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the

offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified.

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

The application is accordingly disposed off.

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

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

**RISHABH
KAPOOR**

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(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
08.09.2020

FIR No. 192/20
State Vs. Sanwar Lal
PS Rajinder Nagar

08.09.2020

(Matter has been physically heard)

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

Present: Ld. APP for the State.

Sh. Ajesh Kumar, Ld. counsel for applicant.

The present application was filed through email. IO has wrongly filed the reply to bail application.

Accused has already been admitted on bail vide order dt. 03.09.2020.

Counsel for accused submits that the accused belongs to a poor strata and was working as a rag picker, prior to his arrest. It is further submitted that accused is a permanent resident of District Bhilwara, Rajasthan and is having no surety owing to the present Pandemic situation. With these submissions, counsel for applicant submits that the accused be released on personal bonds.

Heard. Record perused.

In the present case, the accused was admitted on bail by this Court vide order dt. 03.09.2020, subject to furnishing personal and surety bonds in the sum of Rs.20000/- each.

In view of the fact that accused is a poor person and is the native of District Bhilwara, Rajasthan and also owing to the fact that, he is having no one to stand as a surety for him in present Pandemic situation, his prayer deserves to be accepted. Accordingly, in view of the orders of Hon'ble High Court of Delhi in matter of **D.M. Bhalla Vs. State W.P.(C) No. 3465/2010**, the application of accused is allowed and as such he is admitted on bail on furnishing personal bond in the sum of Rs.20,000/- to the satisfaction of concerned Jail Superintendent.

Application stands disposed off.

Scanned copy of this order be sent to the counsel for applicant/accused through email. One copy be also sent to concerned Jail Superintendent through all permissible modes including email at

daksection.tihar@gov.in , for necessary information and compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi

District Court Website.

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(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
08.09.2020

08.09.2020

(Matter has been physically heard)

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

Present: Ld. APP for the State (through VC).
Sh. Sh. Ajay Sharma, Ld. Counsel for applicant.
IO/SI Ali Akram (through VC).

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

Heard. Record perused.

This order shall dispose off application for release of mobile OPPO A-53, moved on behalf of applicant Raju Bosak.

In the replied filed by IO/SI Ali Akram, it has been stated that the present case FIR was registered pursuant to complaint made by applicant Raju Bosak. It is further stated that the mobile in question has been recovered from possession of accused and bill of same is found in the name of Raghav Bosak who is brother of complainant. IO has raised no objection if the aforesaid mobile phone is released on superdari. For the purposes of identity, counsel for applicant has shown original Aadhar ID card of applicant and copy of same is retained for record.

Counsel for applicant submits that the applicant was using the mobile phone in question at the time of its snatching and he has been authorized by its owner, for the release of same.

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 OPPO-A-53 mobile phone be released to the applicant / owner subject to the following conditions:-

1. Applicant is directed to furnish the authority letter issued in his favour by the owner of mobile, before the IO. IO shall verify such authority letter and release the mobile phone in question subject to such verification.
2. OPPO-A-53 mobile phone in question be released to applicant/owner only subject to furnishing of indemnity bond as per the valuation of the mobile, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
3. IO shall prepare detailed panchnama mentioning the colour, IMEI NO., ownership and other necessary details of the OPPO-A-53 mobile phone .
4. IO shall take the colour photographs of the OPPO-A-53 mobile phone from different angles and also of the IMEI number of the OPPO-A-53 mobile phone .
5. The photographs should be attested and counter signed by the complainant/applicant and accused.
6. IO is directed to verify the bill/invoice of the mobile in question and release the same to the applicant.

Application stands disposed off.

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

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

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(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
08.09.2020