FIR No. 247/2020 PS Ranit Nagar U/s 381/411/120B/34 IPC 20.08.2020

This is an application for releasing applicant/accused namely Pankaj on furnishing personal bond.

20.08.2020

Present: Ld. APP for the State. Sh. A. K. Sharma, Ld. Counsel for the applicant/accused.

Argument heard. It is submitted that the applicant/accused is already granted bail on 19.08.2020 by Ms. Aakanksha, Ld. Duty MM, West but could not furnish bail bond/ surety bond.

Heard. Perused.

In view of outbreak of COVID-19, accused Pankaj be hereby released on furnishing personal bond in the sum of Rs. 30,000/-.

Full signed duplicate of this order be sent to Jail Superintendent concerned, which shall also be treated as release warrant upon the acceptance of personal bond.

Copy of this order be given Dasti, as prayed for.

(Gupta) (Sonam Duty MM/West/THC/Delhi

20.08.2020

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FIR No. 558/2020 U/s 182/408/120B/411/34 IPC PS Moti Nagar

20.08.2020

Present :

Ld. APP for the State through CISCO Webex. Ld Counsel for the accused/applicant Mumtaj Alam S/o Husnain.

Report received from the Jail Superintendent, Tihar Jail wherein as per the release warrant the name of father of the accused/applicant Mumtaj Alam is mentioned as Usman Shah and as per the custody warrant the name of the father of accused/applicant is mentioned as Hushnain.

or the lattice of accused application, FIR and reply of the IO to the said Report i.e., bail application, FIR and reply of the IO to the said application has been called from the concerned Ahlmad wherein the name is mentioned as accused Mumtaj Alam S/o Hushnain R/o 3/21, Veena Enclave, Nangloi, Delhi.

Accordingly, the same be sent to Jail Superintendent, Tihar jail.



(Sonarn Gupta) MM, Mahila, Court-02/West/THC/Delhi 20.08.2020(k)

FIR No.341/2020 PS Mundka U/s 354/354D/506/509 IPC 20.08.2020

Present:

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Yogender.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 379/411 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19. Keeping in view the fact that the accused is in custody and

considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days.

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

Copy of this order be also given dasti, as prayed for.

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.009556/2020 PS Tilak Nagar U/s 379/411 IPC 20.08.2020

Present: Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Bittu @ Rajkumar.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 379/411 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19.

Keeping in view the fact that the accused is in custody and considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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.

Accused shall surrender before the Jail Authority concerned after expiry of interim bail for the period of 45 days.

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

Copy of this order be also given dasti, as prayed for.

Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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## In Ref. No. DSLSA/T.J./DC/4884/20/5508 & DSLSAIT.J./DC/4857/20/5481

FIR No.380/2020 PS Moti Nagar U/s 379/411 IPC 20.08.2020

Present:

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Deepak.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 379/411 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19. Keeping in view the fact that the accused is in custody and

considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days. Copy of this order be sent to jail Superintendent concerned,

which shall also be treated as release warrant. Copy of this order be also given dasti, as prayed for.

(Sonam Gupta)

Duty MM/West/THC/Delhi 20.08.2020

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FIR No.588/2019 PS Punjabi Bagh U/s 25 Arms Act 20.08.2020

Present:

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Deepak.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 25 Arms Act. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19.

Keeping in view the fact that the accused is in custody and considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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.

Accused shall surrender before the Jail Authority concerned after expiry of interim bail for the period of 45 days.

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

Copy of this order be also given dasti, as prayed for.

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.329/2020 PS Mundka U/s 33/58/38 Delhi Excise Act 20.08.2020

Present:

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Bihari.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 33/58/38 Delhi Excise Act3 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak

Keeping in view the fact that the accused is in custody and of COVID-19. considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days.

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

Copy of this order be also given dasti, as prayed for

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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## FIR No.44090/2019 PS Tilak Nagar U/s 379/411 IPC 20.08.2020

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Vimal. Present:

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 379/411 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19. Keeping in view the fact that the accused is in custody and

considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days. Copy of this order be sent to jail Superintendent concerned,

which shall also be treated as release warrant.

Copy of this order be also given dasti, as prayed for.

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.80/2020 PS Tilak Nagar U/s 379/411 IPC 20.08.2020

Present:

Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Vimal.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 379/411 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19. Keeping in view the fact that the accused is in custody and

considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days. Copy of this order be sent to jail Superintendent concerned,

which shall also be treated as release warrant. Copy of this order be also given dasti, as prayed for.

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.468/2020 PS Ranhola U/s 457/380/411/34 IPC 20.08.2020

Present: Ld. APP for the State through Cisco Webex. Ms. Vinita Raghav, Ld. Remand Advocate for accused Sumit.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 457/380/411/34 IPC. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions prevailing due to outbreak of COVID-19.

Keeping in view the fact that the accused is in custody and considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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.

Accused shall surrender before the Jail Authority concerned after expiry of interim bail for the period of 45 days.

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

Copy of this order be also given dasti, as prayed for.

(Sonand Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.512/2020 PS Moti Nagar U/s 354/354A/506/509 IPC & 8/12 POCSO Act 20.08.2020

Present:

Ms. Vinita Raghav, Ld. Remand Advocate for accused Heera

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC for the offence U/s 354/354A/506/509 IPC & 8/12 POCSO Act. Ld. Counsel for applicant/accused seeks interim bail in view of emergent conditions

Keeping in view the fact that the accused is in custody and prevailing due to outbreak of COVID-19.

considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond 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. Accused shall surrender before the Jail Authority concerned

after expiry of interim bail for the period of 45 days. Copy of this order be sent to jail Superintendent concerned,

which shall also be treated as release warrant. Copy of this order be also given dasti, as prayed for.

(Somam Gupta) Duty MM/West/THC/Delhi 20.08.2020

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FIR No.628/2020 PS Punjabi Bagh 20.08.2020

This is an application for releasing vehicle bearing no. DL-

34)

11SP-3294 on Superdari. Present:- Ld. APP for the State. Ld. Counsel for applicant/registered owner.

Reply has been received through whatsapp. Report perused. As per the report, IO has mentioned that above mentioned vehicle is lying with police and police has no objection if the same be released to the original owner in the present case.

Keeping in view the report of IO and law laid down by Hon'ble

High Court Of Delhi in case titled as Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 and Crl. MA. No. 16055/2013 wherein interalia the law laid down by Hon'ble Supreme Court Of Indiain case titled as Sunderbhai Ambalal Desai Vs. State of Gujrat, (2002) 10SC 283 has been reiterated

SHO/IO of concerned PS is directed as under: (i) to release the above mentioned vehicles to the registered

owner subject to preparing detailed proper panchnama of above vehicle and after proper verification of the owner;

(ii) take photographs of abovementioned vehicle and file the same alongwith charge, sheet;

(iii) take security bond from applicant to indemnify the claimant, if any to the extent of value of aforesaid vehicle in future;

(iv) to get panchnama and photographs of abovementioned

vehicle attested and countersigned by complainant, accused as well by applicant/RO and IO;

Applicant is also directed not to dispose off the vehicle in

question without prior permission of the Court. Photograph charges shall be borne by the applicant/RO.

The IO shall not insist on payment of stamp duty in respect of

the indemnity bond due to the prevailing situation on account of lockdown, however, the applicant is directed to furnish the stamp duty within 15 days from the date of re-opening of lockdown/courts to the IO and indemnity bond shall contain an undertaking by the applicant to this effect.

Application moved by applicant stands disposed off accordingly.

Order of the order be given dasti as prayed for.

20-8-2020

(Sonam Gupta) Duty MM/West/THC/Delhi 20.08.2020



FIR No.506/2020 PS Punjabi Bagh U/s 356/379/34 IPC

20.08.2020

This is an application moved on behalf of accused for calling the status report from the jail superintendent wit respect to non-release of the accused.

Present: Ld. APP for the State through Cisco Webex. Sh. K.K. Singh, Ld. LAC for the applicant/accused.

Status report has been filed. Accordingly, nothing remains in the present application. The same stands disposed of.

(Son Gupta) Duty MM/West/THC/Delhi 20.08.2020

FIR No000436/2020 PS Tilak Nagar 20.08.2020

This is an application for releasing articles i.e. mobile phone make I-Phone 6 S on superdari.

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

(229)

IO has filed his reply. Taken on record. This Court is of the considered view that the articles has to be released as per directions of Hon'ble High Court in case titled as Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014 wherein it

"59. The valuable articles seized by the police may be released has been held that :-

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. Whenever 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 circumstances and law laid down by higher courts, articles in question as per seizure memo i.e. mobile phone be released to the applicant on furnishing security bond as per valuation report. IO is directed to get done the valuation as well as photographs of the same prior to the releasing the same to the applicant as per directions

of Hon'ble High Court.

Panchnama and photographs shall be filed in the court along with charge sheet.

Copy of this order be given dasti to applicant.

(Soham Gupta) Duty MM/West/THC/Delhi/20.08.2020

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FIR No.0062/2020 PS Mundka 20.08.2020

This is an application for releasing vehicle bearing no. DL-8SBM-6960 on Superdari.

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Present:- Ld. APP for the State. Ld. Counsel for applicant/registered owner through VC.

Reply has been received. Report perused. As per the report, IO has mentioned that above mentioned vehicle is lying with police and police has no objection if the same be released to the original owner in the present case.

Keeping in view the report of IO and law laid down by Hon'ble High Court Of Delhi in case titled as Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 and Crl. MA. No. 16055/2013 wherein interalia the law laid down by Hon'ble Supreme Court Of Indiain case titled as Sunderbhai Ambalal Desai Vs. State of Gujrat, (2002) 10SC 283 has been reiterated

SHO/IO of concerned PS is directed as under:

(i) to release the above mentioned vehicles to the registered owner subject to preparing detailed proper panchnama of above vehicle and after proper verification of the owner;

(ii) take photographs of abovementioned vehicle and file the same alongwith charge-sheet;

(iii) take security bond from applicant to indemnify the claimant, if any to the extent of value of aforesaid vehicle in future;

(iv) to get panchnama and photographs of abovementioned

vehicle attested and countersigned by complainant, accused as well by applicant/RO and IO;

Applicant is also directed not to dispose off the vehicle in question without prior permission of the Court.

Photograph charges shall be borne by the applicant/RO.

The IO shall not insist on payment of stamp duty in respect of

the indemnity bond due to the prevailing situation on account of lockdown, however, the applicant is directed to furnish the stamp duty within 15 days from the date of re-opening of lockdown/courts to the IO and indemnity bond shall contain an undertaking by the applicant to this effect. Application moved by applicant stands disposed off

accordingly.

Order copy be sent to the Ld. Counsel for the applicant through e-mail/whatsapp.

(Spnam Gupta) Duty MM/West/THC/Delhi 20.08.2020

FIR No.0387/2020 PS Mundka 20.08.2020

This is an application for releasing vehicle bearing no. HR-

13M-0848 on Superdari. Present:- Ld. APP for the State. Ld. Counsel for applicant/registered owner.

Reply has been received through whatsapp. Report perused. As per the report, IO has mentioned that above mentioned vehicle is lying with police and police has no objection if

the same be released to the original owner in the present case. Keeping in view the report of IO and law laid down by Hon'ble

715

High Court Of Delhi in case titled as Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 and Crl. MA. No. 16055/2013 wherein interalia the law laid down by Hon'ble Supreme Court Of Indiain case titled as Sunderbhai Ambalal Desai Vs. State of Gujrat, (2002) 10SC 283 has been reiterated

SHO/IO of concerned PS is directed as under: (i) to release the above mentioned vehicles to the registered

owner subject to preparing detailed proper panchnama of above vehicle and after proper verification of the owner; (ii) take photographs of abovementioned vehicle and file the

(iii) take security bond from applicant to indemnify the same alongwith charge-sheet;

claimant, if any to the extent of value of aforesaid vehicle in future;

(iv) to get panchnama and photographs of abovementioned vehicle attested and countersigned by complainant, accused as well by

Applicant is also directed not to dispose off the vehicle in applicant/RO and IO;

question without prior permission of the Court.

Photograph charges shall be borne by the applicant/RO.

The IO shall not insist on payment of stamp duty in respect of

the indemnity bond due to the prevailing situation on account of lockdown, however, the applicant is directed to furnish the stamp duty within 15 days from the date of re-opening of lockdown/courts to the IO and indemnity bond shall contain an undertaking by the applicant to this effect. Application moved by applicant stands disposed off

accordingly.

Order of the order be given dasti as prayed for.

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(Sonard Gupta) Duty MM/West THC/Delhi 20.08.2020

FIR No.351/2020 PS Kirti Nagar

20.08.2020

Sh. Vaibhav Kumar, Ld. Counsel for the applicant/surety Ms. Pooja Devi through Cisco Webex.

146

Present:

This is an application U/s 441 Cr.P.C for releasing of accused

on personal bond.

Though, it is clear that Section 441 Cr.P.C does not relate to dispensing with the requirement of the surety. Accordingly, the present application is not maintainable. However, the surety has been produced by Ld. Counsel for the applicant, who has stood surety for accused Rahul @ Vimal. The address of the surety has also been verified by the IQ vide report dated 18.08.2020. Accordingly, the present surety is accepted. Release warrant be prepared and the accused be released forthwith if not

required in any other case.

Application stands disposed off. Copy of this order be sent to the Ld. Counsel for the

applicant through e-mail/whatsapp.

(Sobarn Gupta) Duty MM/West/THC/Delhi 20.08.2020

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DD No.63 A dated 17.08.2020 PS Moti Nagar 20.08.2020

Ld. APP for the State through Cisco Webex. Proxy counsel for an through Cisco Webex. SI Nirmesh Kumar from PS Sahibabad, Ghaziabad, UP. Present: At request of Ld. Proxy counsel for applicant/accused, matter n 21.08.2020

201

be put up on 21.08.2020.

(Senath Gupta) Duty MM/West/THC/Delhi 20.08.2020

FIR No. 792/2020 PS : Ranhola U/S 33/38 Delhi Excise Act

20.08.2020

This is an application for bail U/s 437 Cr.P.C. of accused Ravi.

present:- Ld. APP for the state.

Sh. Pranay Abhishek, Ld. Counsel for the accused. An application U/s 437 Cr.P.C. filed on behalf of accused wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 18.08.2020 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail. Report filed by the IO. As per the report, recovery has already

been effected in the present case.

Considering the aforesaid as recovery has already been effected and no useful purpose shall be served by keeping the accused in custody, accused is admitted to bail on furnishing bail bond in the sum of

Rs.10,000/- with one surety in the like amount.

Application is disposed off accordingly.

Copy of the order be given dasti as prayed for.

(SONAM GUPTA) Duty MM, West, THC, Delhi 20.08.2020

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E-FIR No. 014700/2020 PS : Moti Nagar U/S 379/411 IPC

20.08.2020

This is an application for bail U/s 437 Cr.P.C. of accused 3hura. Rizwan @ Bhura.

Present:- Ld. APP for the state through Cisco Webex. Sh. K.B. Khap to the accused Sh. K.B. Khan, Ld. Counsel for the accused.

An application U/s 437 Cr.P.C. filed on behalf of accused wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 08.08.2020 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report, recovery has already been effected in the present case.

Heard. Perused.

Considering the aforesaid as recovery has already been effected and no useful purpose shall be served by keeping the accused in custody, accused is admitted to bail on furnishing bail bond in the sum of Rs. 10,000/- with one surety in the like amount.

Application is disposed off accordingly.

Copy of the order be given dasti as prayed for.

AM GUPTA) Duty MM, West, THC, Delhi 20.08.2020

FIR No. 13853/2020 PS : Tilak Nagar U/S 379/411 IPC

20.08.2020

This is an application for bail U/s 437 Cr.P.C. of accused Gopal. **Present:-** Ld. APP for the state through Cisco Webex. Sh. Sumit Tyagi, Ld. Counsel for the accused through Cisco Webex.

An application U/s 437 Cr.P.C. filed on behalf of accused wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 06.07.2020 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report, recovery has already been effected in the present case

Heard. Perused.

Considering the aforesaid as recovery has already been effected and no useful purpose shall be served by keeping the accused in custody, accused is admitted to bail on furnishing bail bond in the sum of Rs.10,000/- with one surety in the like amount.

Application is disposed off accordingly.

Copy of this order be sent to the Ld. Counsel for the accused through e-mail/whatsapp.

(SONAM GUPTA) Duty MM, West, THC, Delhi 20.08.2020