

State V/s Vinayak Vikas Jadhav
FIR No. 249/16
P.S. Sadar Bazar
U/s 420/34/120B/419 IPC

10.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up through Video Conferencing on Cisco Webex. 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 Vinayak Vikas Jadhav.

Present : Ld. APP for State (through V.C).

Mr. Manoj Kumar Yadav, 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 applicant/accused himself is a victim at the hands of other persons who used him in the commission of alleged crime without his knowledge. It is further submitted that IO has taken no step to trace out the main conspirators in the present matter namely, Raja and Asad. It is further submitted that applicant/accused has been arrested only on the basis of disclosure statement of his co-accused, Tejas Yashwant Parmar. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 25.10.2020. It is further submitted that charge-sheet has already been filed and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant is young boy aged 23 years and is 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. However, perusal of the reply reveals that it has been filed with regard to co-accused Tejas, instead of applicant/accused.

In view of the same, IO is directed to file fresh reply to the present bail application on **24.12.2020**. SHO concerned is directed to look into the same and ensure that IO files reply with regard to bail application filed by 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 SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

State V/s Naresh Kalia
e-FIR NO. 28930/20
P.S. Sadar Bazar
U/s 379/411 IPC

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, the cases are being taken up through Video Conferencing today.

This is an application for releasing of vehicle bearing No. DL-8S-CS-7048 on superdari filed by applicant Ms. Payal.

Present : Ld. APP for the State through V.C.

Sh. Manish Kumar, Id. Counsel for applicant through V.C.

Reply filed by the IO. Same is take on record.

Perusal of reply reveals that IO has filed reply regarding scooty bearing No. DL-6S-AW-3168 whereas application has been filed for release of vehicle bearing No. DL-8S-CS-7048.

IO concerned is directed to file fresh reply to the present application on **24.12.2020**. 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 and Ld. Counsel for the applicant/applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

State Vs. Mustak
FIR No. 263/20
PS Civil Lines
U/s 379/411/34 IPC

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, the cases are being taken up through Video Conferencing today.

Present : Ld. APP for the State (through V.C.).

Sh. Sunil Tomar, Ld. Counsel for applicant through V.C.

An application has been moved electronically by Ld. Counsel for the applicant/accused for release of applicant/accused on personal bond stating that applicant/accused was admitted on bail by Ld. Sessions Court vide order dated 18.11.2020 and applicant/accused was directed to furnish his personal bond in the sum of Rs. 20,000/- with one local surety of like amount. It is submitted by Ld. Counsel for applicant that applicant/accused is in J/C and is unable to furnish surety due to his poor economic condition due to which he is languishing in the jail.

Reply has been filed by IO electronically. Same has been supplied to Ld. Counsel for applicant/accused. IO in his reply has opposed the present application on the ground that there is a strong possibility that applicant/accused will abscond and not join the trial, if released on personal bond.

Heard. Record perused. The applicant/accused has been granted bail by Ld. Sessions Court vide order dated 18.11.2020. Since bail has been granted by Ld. Sessions Court, this Court does not deem it fit to interfere in the order passed by Ld. Sessions Court. Accordingly, the present application stands dismissed.

Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, the cases are being taken up through Video Conferencing today.

Present : Ld. APP for the State (through V.C.).

Ms. Sareeka, Ld. LAC for the applicant/accused through V.C.

An application for modification of order dated 15.12.2020 has been moved on behalf of Ld. Counsel for applicant/ accused.

Vide order dated 15.12.2020, this Court had allowed application moved on behalf of applicant/accused for his release on personal bond. This Court had directed accused to be released on bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Ld. Duty MM, subject to verification of his permanent address.

Pursuant to the said order, Ld. Duty MM rejected the personal bond of applicant/accused since as per the report of IO, the applicant/accused does not have a permanent address and he is residing in a tenanted premises.

Ld. LAC submits that the address mentioned on the AADHAR card of applicant/accused was issued prior to shifting to the present tenanted premises of the applicant/accused. It is submitted that the tenanted premises is the permanent address of applicant/accused and accused undertakes to inform this Court as and when he will change his residence.

In view of submissions made by Ld. LAC for applicant/accused and in the interest of justice, the present application stands allowed and this Court deems it fit to direct the release of applicant/accused on personal bond since it is submitted by Ld. LAC that tenanted premises is the permanent address of applicant/accused and he has no other permanent address.

Applicant/accused be released on bail on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction of Ld. Duty MM, as per prevailing Duty Roster. Applicant/accused is directed to inform this Court immediately, if he changes his residence in future.

Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of concerned Jail superintendent, SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, the cases are being taken up through Video Conferencing today.

Present : Ld. APP for the State (through V.C.).

Sh. Aman Jain, Ld. Counsel for applicant through V.C.

An application for release of vehicle bearing NO. DL-3C-CE-5683 Make Maruti Ecco with liberty to sale has been filed on behalf of applicant /AR of HDFC Ergo General Insurance Company Ltd. It is stated that the said vehicle was insured by HDFC Ergo General Insurance Company Ltd. and due to untraced report filed by IO, the company has paid the claim amount of Rs. 3,33,301/- to the registered owner of the said vehicle namely, Mr. Dhani Ram Mittal and now company is the lawful owner of the vehicle.

Reply has been filed by IO electronically. Copy of same has been supplied to Ld. Counsel for applicant. It is stated by IO that vehicle bearing no. DL-3C-CE-568, engine No. 444398, chassis No. 467269 Maruti Ecco, which was stolen from Dhani Ram Mittal has not been recovered yet.

In view of reply of IO, the present application stands dismissed.

One copy be given to the applicant. One copy be given 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 and Ld. Counsel for the applicant/applicant.

(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up through Video Conferencing on Cisco Webex.

This is an application for releasing of mobile make MI on superdari filed by applicant Sh. Narender Singh.

Present : Ld. APP for the State through V.C.

Sh. Santosh Shukla, Ld. Counsel for applicant through V.C.

Reply on behalf of IO filed electronically. Copy of same has been sent to applicant. As per the reply, it is stated that IO has no objection in releasing the mobile phone to its real owner, Sh. Narender Singh s/o Sh. Keshar Singh.

Perusal of the present application reveals that it has been filed by Narender Singh s/o Kehar Singh r/o Ganwari, Aligarh, U.P. For the purpose of identity, scanned copy of AADHAR card of applicant is also sent alongwith the application.

There is ambiguity involved in the present matter since name of father of applicant mentioned by IO in his reply is Keshar Singh, whereas, name of father of applicant as mentioned in the application as well as in the AADHAR card is Kehar Singh.

In view of the same, IO is directed to verify the identity of the present applicant and file the report on **24.12.2020**.

Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

State V/s Dilshad @ Bhanja
FIR No. 550/20
P.S. Civil Lines
U/s 25/54/59 Arms Act

23.12.2020

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

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 Dilshad @ Bhanja s/o Sh. Mohd. Ali.

Present : Ld. APP for State (through V.C).

Mr. Gaurav Sharma, , 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 no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is submitted that there was no public witness at the time of alleged recovery. Ld. Counsel for applicant/accused has placed reliance upon the judgment passed by Hon'ble High Court of Delhi in "**Suresh Kalmadi Vs CBI**" **2012 (1) JCC 734** in support of plea of bail. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 14.12.2020. 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 a buttondar knife was recovered from possession of applicant/accused. IO has stated that applicant/accused has not been previously involved in any other case. However, the bail application of applicant/accused is opposed on the ground that applicant/accused is a drug addict and his family has no control over him. It is stated that the applicant/accused may abscond, if released on bail.

Ld. APP for the State has opposed the bail application on the ground

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that a buttondar knife was recovered from the possession of the applicant/accused. It is submitted that applicant/accused is a drug addict and his family has no control over him, hence, he may abscond, if released on bail. It is further submitted that investigation of the case is still at an initial stage. Hence, it is prayed that applicant/accused shall 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.

Considering the submissions made and the circumstances that investigation of the case is still at a nascent stage, 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/23.12.2020

e-FIR No. 000032/20
PS – Sadar Bazar

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, matters are taken up through Video Conferencing on Cisco Webex. This is an application for releasing of mobile make Redmi Note 7 Pro bearing IMEI No. 867381045375793 & 867381045375801 on superdari filed by applicant Sh. Amit Rana.

Present : Ld. APP for the State through V.C.

Sh. Parveen Kumar, Ld. Counsel for applicant through V.C.

Reply to the present application has been filed electronically. Copy of the same has been supplied to Ld. Counsel for applicant. As per the reply, neither the stolen mobile phone has been recovered nor accused has been apprehended yet in the present matter.

In view of the same, the present application stands dismissed.

Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/23.12.2020

State Vs. Vinay
FIR No. 111/9
PS Sadar Bazar
Case No.14951/19
U/s 279/338 IPC

23.12.2020

Vide Office Order No. 1277/22595-765 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 25.11.2020, the cases are being taken up through Video Conferencing today.

Present : Ld. APP for the State through V.C.

Mrs. Snehlata, Ld. Counsel for applicant/ accused through V.C.

Three separate applications have been moved on behalf of applicant/accused for cancellation of superdari of vehicle bearing no. DL-3C-AQ-4525, release of his driving license and release of his RC which are attached with the case file.

However, some clarifications are required from the applicant. Be put up for 24.12.2020.

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/23.12.2020