

**State Vs. Unknown (Through Applicant Anuj Khanna)**

**FIR No.185/2020**

**PS: Rajender Nagar**

**26.08.2020**

ऋषभ कपूर  
RISHABH KAPOOR  
महानगर दण्डाधिकारी  
Metropolitan Magistrate-1  
केन्द्रीय जिला कमरा नं. 150  
Central District, Room No. 15  
तीस हजारी न्यायालय, दिल्ली  
Tis Hazari Courts, Delhi

***Matter heard through VCC over Cisco Webex.***

***Case is taken up in view of directions of Hon'ble High Court vide Office order /DHC/2020 Dated 15.08.2020.***

Present: Sh. Vakil Ahmed Ld. APP for State

Sh. Shashank Sharma Ld. Counsel for applicant

IO/SI Vinod Kumar in person

*The present application was filed through email id of this court. Scanned copy of reply of under the signatures of IO/SI Vinod Kumar, is received through email. Copy of same is already supplied to Ld. Counsel for applicant, electronically.*

Submissions heard. Record perused.

This order shall dispose off the application for release of **GOODS (Latex Rubber Gloves Powder free)** on superdari, moved on behalf of **applicant Anuj Khanna**.

In reply filed by IO/SI Vinod Kumar, it has been stated that 20 cartons of Pioneer Latex medical examination gloves Powder free have been recovered in connection with present case FIR and same are lying in Malkhana of PS Rajender Nagar. Further, in the reply as received from the IO, it has been stated that during investigation, the owner of gloves namely Saurabh Sharma had produced the bill of aforesaid gloves and the identity of same has been verified from said bill/invoice. IO has raised no objection qua release of vehicle in question on superdari.

Ld. Counsel for applicant submits that applicant Anuj Khanna has been authorised by the owner of case property to get same released on superdari.

Scanned copy of the invoice of case property is filed by applicant along with

*Rishabh Kapoor*  
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present application. Applicant has also filed the Scanned copy of authority letter issued in his favour.

On perusal of the report of IO along with the copies of documents on record, applicant Anuj Khanna prima facie appears to be entitled for the custody of the aforesaid 20 cartons of gloves in question. Admittedly, the case property is no more required for the purpose of investigation. Therefore, same deserves to be released in favour of applicant.

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 vehicle be released to the applicant subject to the following conditions:-

1. IO shall verify the original bill/invoice of aforesaid 20 cartons of gloves in question prior to its release.

2. IO Shall also verify the authority letter issued in applicant's favour by the owner of case property namely Saurabh Sharma.

2. If applicant is found to be person authorised by rightful owner to take the possession of case property in question, it be released to him 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 total number of cartons, total number of gloves, colour, make, serial number/ batch number, if any on each carton, bar code number on each carton, ownership and other necessary details of the case property.

3. IO shall take the colour photographs of each of the cartons containing rubber gloves from different angles and also of the serial number(s), batch number(s) and bar code(s) of the cartons containing gloves.

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4. IO shall also take colour photographs of the Latex Rubber Gloves from different angles.

5. The photographs should be attested and counter signed by the complainant/applicant and accused.

Scanned copy of this order be sent to Counsel for applicant and IO/SHO concerned through email, 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**  
**26.08.2020**

State Vs. Unknown (Through Applicant Nizamuddin)

FIR No.185/2020

PS: Rajender Nagar

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RISHABH KAPOOR  
महानगर दण्डाधिकारी-03  
Metropolitan Magistrate-03  
केन्द्रीय जिला कमरा नं. 150  
Central District, Room No. 150  
तीस हजारी न्यायालय, दिल्ली  
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Present: Sh. Vakil Ahmed Ld. APP for State

Sh. Shashank Sharma Ld. Counsel for applicant

IO/SI Vinod Kumar in person

*The present application was filed through email id of this court. Scanned copy of reply of under the signatures of IO/SI Vinod Kumar, is received through email. Copy of same is already supplied to Ld. Counsel for applicant, electronically.*

Submissions heard. Record perused.

This order shall dispose off the application for release of **vehicle no. DL-1LJ-7462** on superdari, moved on behalf of **applicant Nizamuddin**.

In reply filed by IO/SI Vinod Kumar, it has been stated that vehicle bearing no. DL-1LJ-7462 has been recovered in connection with present case FIR and same is lying in Malkhana of PS Rajender Nagar. Further, in the reply as received from the IO, it has been stated that applicant Nizamuddin is the registered owner of vehicle in question. IO has raised no objection qua release of vehicle in question on superdari.

Scanned copy of the RC of vehicle is filed by applicant along with present application. For the purposes of identity applicant has sent scanned copy of his Aadhar card along with the application.

On perusal of the report of IO along with the copies of documents on record, applicant Nizamuddin prima facie appears to be entitled for the custody of the vehicle in question. Admittedly, the vehicle in question is no more required for the purpose of investigation.

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Therefore, same deserves to be released in favour of applicant.

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 vehicle be released to the applicant subject to the following conditions:-

1. Vehicle in question be released to its applicant/registered owner only subject to furnishing of indemnity bonds as per the value of the vehicle, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
2. IO shall verify RC, Insurance Certificate and other documents of the vehicle, prior to release of vehicle.
3. IO shall prepare detailed Panchnama mentioning the colour, Engine number, Chasis number, ownership and other necessary details of the vehicle.
4. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chasis number of the vehicle.
5. The photographs should be attested and counter signed by the complainant, applicant and accused.
5. IO is directed to verify the insurance of the vehicle in question and release the vehicle after getting it insured by the applicant if the same is not already insured.

Scanned copy of this order be sent to Counsel for applicant and IO/SHO concerned through email, 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  
26.08.2020