

FIR No. 16/20
State Vs. Unknown (through applicant Mohit)
PS Rajender Nagar

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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. Atul Rathi, Ld. Counsel for applicant.

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

Heard. Record perused.

This order shall dispose off application for release of seized articles, moved on behalf of applicant Mohit.

Counsel for applicant submits that on 01.02.2020, father of applicant, namely, late Ramesh Kumar unfortunately died in a road accident and the present case FIR was registered.

It is further submitted that the police has seized articles from the dead body of late Ramesh Kumar and same are no more required for the purpose of investigation. It is averred that applicant being son of deceased is entitled for custody of the articles. With these averments, prayer is made for release of articles in favour of applicant.

In reply filed by IO, it has been stated that in jamatalshi of deceased Ramesh Kumar, a sum of Rs.3015, one Samsung Mobile phone and one pink color lighter was found. IO has stated that the aforesaid articles are lying in malkhana and police has no objection, if, same are released in favour of LRs of deceased. Counsel for applicant has not disputed the list/identity of articles as stated in the reply filed by IO.

For the purposes of identity, scanned copy of adhar card of applicant Mohit has been filed alongwith the present application.

In such circumstances, since the articles in question are no more

required for the purpose of investigation, therefore, same deserves to be released in favour of the LR of the deceased. Accordingly, IO/SHO concerned is directed to release the jamatlashi articles as per the seizure memo in applicant's favour, subject to verification of the identity of 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.

**RISHABH
KAPOOR**

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2020.09.09
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(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
09.09.2020

FIR No.255/19
State Vs. Driver (through applicant Adill Malik)
PS I.P. Estate

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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. Omveer Singh, Ld. Counsel for applicant.
IO/SI Sunil Antil.

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

Heard. Record perused.

This order shall dispose off application for release of vehicle DL 8SCR 2397, moved on behalf of applicant Adill Malik.

In reply received under the signatures of IO/SI Sunil Antil, it has been stated that the vehicle in question is registered in the name of applicant Adill Malik. It is further stated in the reply that the vehicle in question is the victim vehicle and its insurance policy has also been verified. IO has further stated that vehicle in question is having a valid insurance policy till 20.06.2024. IO has raised no objection if vehicle released on superdari.

The applicant has sent the scanned copy of RC of vehicle, insurance of vehicle and copy of his Adhar Card for the purposes of identity.

On perusal of the report of IO and documents appended with the application, the applicant Adill Malik prima facie appears to be the person entitled for custody of vehicle in question.

In these circumstances and as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in Crl. M.C. No.4485/2013 dated 10.09.2014, the aforesaid vehicle be released to the applicant / registered owner subject to the following conditions:-

1. Vehicle in question be released to applicant/registered owner only

subject to furnishing of indemnity bonds as per the valuation of the vehicle, to the satisfaction of the concerned SHO/ IO subject to verification of documents.

2. IO shall prepare detailed panchnama mentioning the colour, Engine number, Chasis number, ownership and other necessary details of the vehicle.
3. 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.
4. The photographs should be attested and counter signed by the complainant/applicant and accused.
5. IO is directed to verify the RC and insurance of the vehicle in question and release the vehicle after getting it insured by the applicant if the same is not already insured.

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
09.09.2020

FIR No. 005623/2015
State Vs. Danish
PS I.P. Estate

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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.

None for applicant.

The present application was filed through email.

It has been stated in the application that the accused Danish was granted bail in the present case and release order was issued on 27.08.2020. It is further stated that applicant/accused is detained in Dasna Jail, Ghaziabad, U.P. but has not been released yet as the release orders could not be received by the concerned Jail Superintendent.

Perusal of the order dt. 28.08.2020 passed by this Court (as Duty MM), would reveal that the release warrants qua accused have already been issued to concerned Jail Superintendent at Dasna Jail through Jail Superintendent, Tihar. However, since, it emerges that the accused is still not released from custody till date, therefore, let directions be issued to concerned Jail Superintendent at Dasna Jail through Jail Superintendent Tihar, for releasing the accused, if his custody is not required in any other case.

Copy of bail order dt. 22.08.2020, copy of order dt. 28.08.2020 passed by Ld. Duty MM and copy of this order be sent to Jail Superintendent at Dasna Jail through all permissible modes including email.

One copy of aforesaid orders each, be also sent to concerned Jail Superintendent Tihar, through email with a direction to send the same Jail Superintendent, Dasna Jail, Ghaziabad, U.P. for compliance.

One copy of aforesaid orders each, be also transmitted to concerned Jail Superintendent at Dasna Jail, Ghaziabad, U.P., through SHO concerned.

Application stands disposed off.

Copy of this order be sent to counsel for applicant through email.

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

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(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
09.09.2020

FIR No. 56/18
PS Rajender Nagar

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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.

IO/SI Praveen in person.

The present application was filed through email.

Heard. Record perused.

IO has moved an application for issuance of NBWs against the accused persons, namely, Sameer Gupta S/o Sat Narayan Gupta and Rajani Ahuja D/o Vishan Dass Choudhary.

It is submitted by the IO that the accused persons are intentionally evading and are absconding to avoid their arrest. IO further submits that during the course of investigation, search/raids were conducted at the residence of the accused Sameer Gupta at 212-R (A) New Colony Gurugram, Haryana and H.No. 192, Ward No.13, Holi Mohalla, Karnal Haryana and it was found that the accused has sold the aforesaid premises to one Sh. Rajeev Sharma. IO further submits that during the course of investigation, search/raids were conducted at the residence of the accused Rajani Ahuja at 92B, Security Investment Pocket JEK, Dilshad Garden, East Delhi-110095 and he was informed by the brother of accused that she was no more residing there. It is also submitted by the IO that there is no stay on arrest of accused persons in any Court of Law.

Submission heard.

In view of the submissions made by the IO and also keeping in view the fact that the investigation of the case has to be brought to a logical end, which certainly cannot take place in absence of the absconding accused persons, accordingly, this Court is of the considered view that accused persons are deliberately avoiding the process of law & their presence cannot be secured without issuing of coercive process against them.

In these circumstances, NBWs be issued against the accused persons namely Sameer Gupta and Rajani Ahuja through IO / SHO concerned for 12.10.2020.

It is needless to state that IO is at the liberty to cause the production of the accused persons before the court within the statutory period prescribed under law, in the event they are nabbed by him prior to the date fixed.

Scanned copy of this order be sent to IO/SHO concerned for compliance.

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

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FIR No.30/20
Ankit Vs. State (through applicant Vijay Singh)
PS Rajinder Nagar

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)
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. Wahid Ali, Ld. Counsel for applicant.
IO/SI Ali Akram.
The present application was filed through email.
Heard. Record perused.

This order shall dispose off application for supply of copy of charge-sheet, moved on behalf of applicant/accused Vijay Singh.

Counsel for applicant/accused submits that the accused is detained in JC since 05.03.2020 and the charge-sheet has already been filed in present case.

It is further stated that due to the present Covid-19 Pandemic situation, the accused could not get the copy of charge-sheet and same is required by him for the purpose of his defence. With these submissions, counsel for accused has sought issuance of directions to IO for supplying the copy of charge-sheet to him.

In view of the averments made in the application and keeping in view the fact that the copy of charge-sheet is required by accused for defending his case, the prayer made on behalf of applicant/accused is accepted and present application stands allowed.

IO/SI Ali Akram is directed to send the copy of charge-sheet in PDF form through the email id of counsel for applicant i.e. advwahid2309@gmail.com (as provided by counsel for applicant) within two days.

Application stands disposed off.

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

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
09.09.2020

e-FIR No.016814/20
State Vs. Unknown (through applicant Nafis)
PS I.P. Estate

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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.

None for applicant.

IO/HC Ranvijay in person.

The present application was filed through email. Scanned copy of
reply under the signature of IO/HC Ranvijay is received through email. Copy
stands supplied to applicant, electronically.

Heard. Record perused.

This order shall dispose off application for release of vehicle DL
2SQ 5721, moved on behalf of applicant Nafis.

In reply received under the signatures of IO/HC Ranvijay, it has
been stated that the vehicle bearing no. DL 2SQ 5721 has been recovered in
connection with the present case FIR and same is registered in the name of
applicant Nafis. IO has stated that the investigation qua the vehicle is complete and
he has no objection, if same is released on superdari.

The applicant has sent the scanned copy of RC of vehicle and copy
of his Adhar Card for the purposes of identity.

On perusal of the report of IO and documents appended with the
application, the applicant Nafis Ahmed prima facie appears to be the person entitled
for custody of vehicle in question.

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 / registered owner
subject to the following conditions:-

1. Vehicle in question be released to applicant/registered owner only
subject to furnishing of indemnity bonds as per the valuation of the

vehicle, to the satisfaction of the concerned SHO/ IO subject to verification of documents.

2. IO shall prepare detailed panchnama mentioning the colour, Engine number, Chasis number, ownership and other necessary details of the vehicle.

3. 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.

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

5. IO is directed to verify the RC and insurance of the vehicle in question and release the vehicle after getting it insured by the applicant if the same is not already insured.

Application stands disposed off.

Scanned copy of this order be sent to 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
09.09.2020

FIR No.30/20
Ankit Vs. State (through applicant Raj Kumar Thakur)
PS Rajinder Nagar

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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. Wahid Ali, Ld. Counsel for applicant.
IO/SI Ali Akram.

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.

As per the reply filed by the IO, during the course of investigation,
only vehicle no. DL 1SAD 6840 was seized by the police and the vehicle bearing
no. DL 1SAD 2937 was not seized in connection with present case FIR.

In such circumstances, since as per reply filed by IO, the vehicle in
question was not seized in connection with present case FIR, therefore, the present
application stands dismissed and not maintainable.

Application stands disposed off.

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

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
09.09.2020

09.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

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.

The present letter no.F.3/SCJ-03/AS(U.T)/2020/4166 dt. 08.09.2020
under the signatures of Dy. Superintendent Central Jail No.3, Tihar has been
received through email.

It is stated in the aforesaid letter that release order qua accused
Sanwar Lal were received in Jail on 08.09.2020, in connection with case FIR No.
192/20,PS Rajinder Nagar. However, as per custody warrants, the accused is stated
to be in JC in connection with case FIR No. 120/20 u/s 454/380/511 IPC, PS
Rajinder Nagar. The clarification has been sought regarding the correct FIR No.
pertaining to the present case.

In such circumstances, issue notice to SHO concerned to file the
report regarding the correct case particulars of the present case and also to specify,
if, accused was also arrested in case FIR No. 120/20 at PS Rajinder Nagar, *on 10.9.2020*

Notice be sent to SHO concerned through all permissible modes,
including whatsapp/email.

Scanned copy of this order be sent to concerned Jail Superintendent
through email for information.

One of this order be sent to SHO concerned for compliance.

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
09.09.2020