FIR No. 286/2020 PS Nihal Vihar U/s 379 IPC

29.07.2020

Present:

Ld. APP for the State.

Ms. Priyanka Gaur Ld. Counsel for applicant.

This is an application for release of mobile phone **Oppo** A1601, gold colour.

Report is received and same is perused. As per report filed by the IO, state has no objection in releasing the mobile phone.

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 has been held that:-

"59. The valuable articles seized by the police may be released 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 be released to the applicant/ complainant on furnishing security bond as per valuation report. IO/SHO is directed to get done the valuation as well as photographs of the same prior to the release the same to the applicant as per directions of Hon'ble High Court.

Panchnama and photographs shall be filed in the court

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alongwith the chargesheet.

Copy of this order be given dasti to applicant.

Copy of this order be also sent to IO/SHO concerned $_{\mbox{\scriptsize for}}$ compliance.

Copy of order be given dasti to applicant.

(DEEPIKA THAKRAN)

Duty MM-II, West Dist, THC, Delhi 29.07.2020.

DD No. 058/20

PS Hari Nagar

State Vs. Mitul Jain

29.07.2020

Present:

Ld. APP for the State.

Ms. Ila Khan Applicant in person.

This order shall dispose of the application seeking release of vehicle bearing no. DL-8CZ-7764 on superdari to the RC holder Ms. Ila Khan.

IO in his reply has submitted that during investigation vehicle no. DL-8CZ-7764 was seized and IO has also no objection qua the release of vehicle

This Court is of the considered view that the vehicle 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 has been held that:-

- "68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.
- 69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
- 70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.
- 71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.
- 72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or ., insurance company or by a third person, it may be ordered to be sold by

Considering the facts and circumstances and law laid down auction." by higher courts, vehicle in question bearing registration number DL-8CZ-7764 be released to the RC holder Ms. Ila Khan on furnishing security bond I indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

(DEEPIKA THAKRAN)

Duty MM-1, West Dist, THC, Delhi 29.07.2020.

FIR No. 685/20

PS Paschim Vihar West

U/s 33/38 Delhi Ex. Act.

State Vs. Sanjeev Kumar @ Mintu

29.07.2020

Present:

Ld. APP for the State.

Sh. Pranay Abhishek Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Sanjeev Kumar @ Mintu in the above mentioned case FIR wherein it is submitted that applicant is in JC since 26.07.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that the recovery of illicit liquor is planted one upon the accused. It is further stated that accused is sole bread earner of his family and has old handicap mother to care in corona condition. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that investigation of the present case is at initial stage. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 25,000/- with one surety in the like amount subject to following conditions:-

 He will not tamper the evidence or intimidate any of the witnesses.

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8. That accused is ready to abide by all terms and conditions imposed

by this Hon'hle Court.

- He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
- He will furnish his fresh address on record as and when he changes the same.
 - He will not commit the same or similar offence in future. Application in hand is disposed of. Copy of this order be given dasti to Ld. Counsel for the 4.

accused.

Record be sent back to court concerned.

(DEEPIKA THAKRAN) Duty MM-1, West Dist, THC, Delhi 29.07.2020.

FIR No.40202/20 PS Paschim Vihar West U/s 379/411/34 IPC State Vs. Manish 29.07.2020

Present:

Ld. APP for the State.

Sh. Sushil Kumar Pandey Ld. Counsel for applicant (through Video conferencing).

The present bail application has been filed on behalf of accused Manish in the above mentioned case FIR wherein it is submitted that applicant is innocent and falsely implicated in the present case. It is further stated that the applicant is a young person and has neat and clean family background and has very good antecedents and he is the sole bread earner of his family. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery was effected from the accused. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

- 1. He will not tamper the evidence or intimidate any of the witnesses.
 - 2. He shall co-operate into the investigation and will appear

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- 3. He will furnish his fresh address on record as and when he changes the same.
 - 4. He will not commit the same or similar offence in future.

 Application in hand is disposed of.

Copy of this order be given dasti to Ld. Counsel for the accused.

Record be sent back to court concerned.

(DEEPIKA THAKRAN)
Duty MM-1, West Dist, THC, Delhi
29.07.2020.

FIR No.358/2020

PS: Paschim Vihar East

U/s 411 IPC

State Vs. Vishal @ Mukesh.

29.07.2020

Present:

Ld. APP for State.

This is a bail application seeking interim bail on behalf of

accused Vishal.

Ld. Counsel for the accused has appended note qua the withdraw the present application.

It is observed that the bail already been granted vide order dt. 16.07.2020 by the court of Ms. Babita Puniya Ld. Duty MM/West/Delhi. In view of the statement of ld. Counsel the present application stands disposed of as withdrawn.

Order be sent to concerned court for record.

(Deepika Thakran)

Duty MM-I (Mahila Court-04) West/ THC/Delhi 29.07.2020

DD No. 636/20

PS Paschim Vihar West

State Vs. Jitender Singh Malik

29.07.2020

Present:

Ld. APP for the State.

Sh. Ram Phal Applicant/ Authority holder in person.

This order shall dispose of the application seeking release of vehicle bearing no. HR-10W-8999 on superdari to the applicant/ authority holder Sh. Ram Phal.

Authority letter is perused. Original RC and ID of authority holder are seen and returned.

IO in his reply has submitted that during investigation vehicle no. HR-10W-8999 was seized and IO has also no objection quathe release of vehicle

This Court is of the considered view that the vehicle 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 has been held that:-

- "68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.
- 69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.
- 70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.
- 71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.
- 72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance

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company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by

Considering the facts and circumstances and law laid down auction." by higher courts, vehicle in question bearing registration number HR-10W-8999 be released to the applicant/ authority holder Sh. Ram Phal on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

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(DEEPIKA THAKRAN Duty MM-1, West Dist, THC, Delhi 29.07.2020.

FIR No. 0424/20 PS Hari Nagar U/s 379/411 IPC State Vs. Rajesh Kapoor 29.07.2020

Present:

Ld. APP for the State.

Mohd. Iliyas Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Rajesh Kapoor in the above mentioned case FIR wherein it is submitted that applicant is in JC since 20.07.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that prosecution story is false and fabricated. It is further stated that the applicant was picked up by the police near the house of accused and falsely implicated in the present case and nothing has been recovered from his possession. It is further submitted that no purpose will be served by keeping the accused in JC. It is further stated that accused is a young aged about 24 years and is sole bread earner of his family. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged stolen two mobile phones were recovered from the accused. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

- 1. He will not tamper the evidence or intimidate any of the witnesses.
- 2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
- 3. He will furnish his fresh address on record as and when he changes the same.
 - He will not commit the same or similar offence in future.
 Application in hand is disposed of.

Copy of this order be given dasti to Ld. Counsel for the accused.

Record be sent back to court concerned.

(DEEPIKA THAKRAN)

Duty MM-1, West Dist, THC, Delhi 29.07.2020.

FIR No. 00116/20
PS Hari Nagar
U/s 379/411 IPC
State Vs. Rajesh Kapoor
29.07.2020

Present:

Ld. APP for the State.

Mohd. Iliyas Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Rajesh Kapoor in the above mentioned case FIR wherein it is submitted that applicant is in JC since 20.07.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that alleged recovery is planted one. It is further stated that applicant is not a previous convict. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged stolen mobile phone was recovered from the dicky of scooty activa of accused. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

- 1. He will not tamper the evidence or intimidate any of the witnesses.
- 2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.

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He will furnish his fresh address on record as and when he 3. changes the same.

He will not commit the same or similar offence in future. Application in hand is disposed of. Copy of this order be given dasti to Ld. Counsel for the accused.

Record be sent back to court concerned.

(DEEPIKA THAKRAN) Duty MM-1, West Dist, THC, Delhi

29.07.2020.

FIR No.623/20 PS Nangloi State Vs. Mahesh, etc.

29.07.2020

Fresh chargesheet is filed. It be checked and registered.

Present:

Ld. APP for State.

IO/ASI Sunil Kumar in person.

Put up for consideration before concerned court on 03.09.2020.

FIR No. 574/20

PS Khayala

State Vs. Karan @ Vishal

29.07.2020

Fresh chargesheet is filed. It be checked and registered

Present: Ld. APP for

Ld. APP for the State.

IO ASI Sohan Pal is present.

Put up for consideration before concerned court on

03.09.2020.

(DEEPIKA THAKRAN)
Duty MM-1, West Dist, THC, Delhi
29.07.2020.

FBR No. 140/13 Ph. Anusel Postus Uni. 802/803/024/025/54 IPC

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Present La APP for State

Request regarding non-surrough of nocused Lopesti & Many Six Surrough Lamas of Sul Superimention is recover.

Expense for called from the ROPSERO for 01.08,2020.

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Duny MINA & (Manthia Cours did)
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28.07, 2020

FIR No.454/19 PS Paschim Vihar, West State Vs. Ankush Grover, etc.

29.07.2020

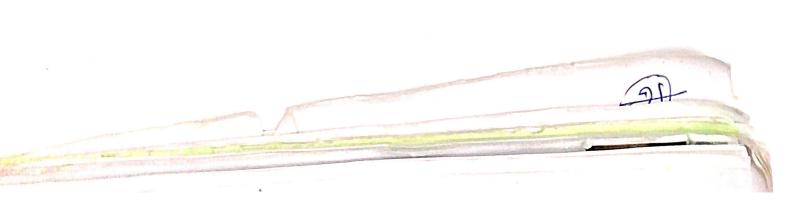
Fresh chargesheet is filed. It be checked and registered.

Present:

Ld. APP for State.

IO/ASI Anil in person.

Put up for consideration on 22.09.2020.



State Vs. Bharat Bhushan, etc. FIR No.332/19 PS Paschim Vihar, West

29.07.2020

Fresh chargesheet is filed. It be checked and registered.

Present:

Ld. APP for State.

IO/ASI Anil in person.

Put up for consideration on 22.09.2020.

Duty MM-I (Mahila Court-04) West/ THC/Delhi (DeepikaHhakran) 29.07.2020

FIR No. 468/20 PS Anand Parbat U/s 356/379/411/34 IPC State Vs. Deepak Verma 29.07.2020

Present

Ld. APP for the State.

Sh. B.D. Sharma Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Deepak Verma in the above mentioned case FIR wherein it is submitted that applicant is in JC since 17.07.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that the applicant has neither any criminal history nor he is the previous convict and he belongs to a respectable family with clean antecedents. It is further stated that the alleged recovery is planted one. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged mobile phone was recovered from the possession of accused. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

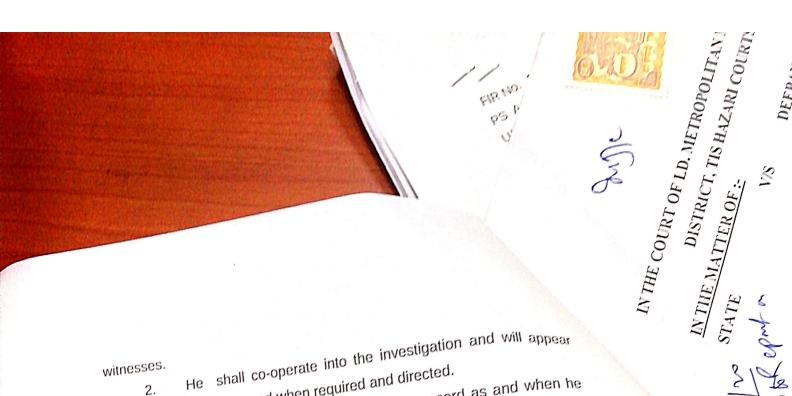
Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the

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imposed by this Hon'ble Court for his release and ready to join the investigation if required.



- witnesses.
- before IO and Court as and when required and directed. He will furnish his fresh address on record as and when he
- He will not commit the same or similar offence in future. changes the same.
- Surety bonds are furnished and same are accepted. The original ID poof and solvency proof seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other

Personal bonds of the accused be sent to the Jail process of law. superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record. Record be sent back to court concerned.

> (DEEPIKA THAKRAN) Duty MM-1, West Dist, THC, Delhi 29.07.2020.

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FIR No. 168/20 PS Anand Parbat U/s 356/379/411/34 IPC State Vs. Deepak Verma 29.07.2020

Present:

Ld. APP for the State.

Sh. B.D. Sharma Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Deepak Verma in the above mentioned case FIR wherein it is submitted that applicant is in JC since 20.07.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that the applicant has neither any criminal history nor he is the previous convict and he belongs to a respectable family with clean antecedents. It is further stated that the alleged recovery is planted one. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is

Reply to this application was sought wherein it is filed. mentioned that the alleged mobile phone was recovered from the possession of accused and he is involved in two other cases and he is a habitual offender. It is further mentioned that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

- He will not tamper the evidence or intimidate any 6,
- He shall co-operate into the investigation and will appear 1. witnesses.
- before IO and Court as and when required and directed.
- He will furnish his fresh address on record as and when he He will not commit the same or similar offence in future. changes the same.
 - 4.

Surety bonds are furnished and same are accepted. The original ID poof and solvency proof seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record. Record be sent back to court concerned.

> (DEEPIKA THAKRAN) Duty MM-1, West Dist, THC, Delhi 29.07.2020.

FIR No.467/19 PS : Hari Nagar U/s. 336/337 IPC

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.61/2020

PS: Paschim Vihar, West

U/s. 328/392/34 IPC

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.013765/2020 PS : Paschim Vihar U/s. 379/34 IPC

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.007750/2020 PS : Nihal Vihar

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.028917/18 PS : Rajouri Garden

U/s. 379 IPC

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

State Vs. Rakesh Manik Agarwal PS Paschim Vihar

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.030990 PS : Khyala U/s 379 IPC

29.07.2020

Present:

Ld. APP for State.

Reply be called from IO/SHO for 01.08.2020.

Ld. Counsel for applicant be also intimidated telephonically or otherwise about the date of hearing and for the purpose fixed.

FIR No.613/2020 PS: Paschim Vihar U/s 380/411/34 IPC State Vs. Rahul @ Sunny

29.07.2020

Present:

Ld. APP for State.

Sh. Ankit Tyagi ld. Counsel from DLSA.

Reply not filed. Be called for 01.08.2020.

FIR No.014210/2020 PS: Rajouri Garden U/s 379 IPC

29.07.2020

This is fresh application received via email through Ld. CMM office/facilitation center. None.

Present:

Let the reply be called by the SHO/IO concerned via email or physically on 30.07.2020.

FIR No.000843/2020

PS: Anand Parbat U/s 379/411 IPC

29.07.2020

Present:

Ld. APP for State.

Sh. Praveen Patori ld. Counsel for applicant.

Reply be called by IO/SHO for 31.07.2020.