

06.08.2020

Joined through Video conferencing at 11:30 am.

Present : Ld. APP for the State.

Sh. Shashi Kant Dureja, Ld. Counsel for the accused Rekha Meattal and Pinky Meattal joined through Cisco Webex.

Ld. Counsel for accused persons submits that matter has been compromised between the parties.

Let, notice be issued to complainant for appearance for NDOH.

Put up for appearance of complainant/further proceedings on 07.09.2020.

One copy of order be uploaded on CIS website.


(MANOJ KUMAR)

MM-06/THC/Central/06.08.2020

06.08.2020

Joined through Video conferencing at 11:35 am.

Present : Ld. APP for the State.

SI Robin joined through Cisco Webex.

IO has move an application electronically for issuing process under Section 82
Cr. P.C.

Heard.

Perusal of the application shows that NBWs were issued against accused on 11.02.2020 for appearance on 26.03.2020. However, the whole nation was under lockdown on 26.03.2020, so there was no occasion for the accused to appear before the Court on 26.03.2020.

At this stage, IO submits that he wants to withdraw the present application and move fresh application for issuance of NBW. Heard.

In view of the same, present bail application stands dismissed as withdrawn. One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/06.08.2020

06.08.2020

Joined through Video conferencing from 11:40 to 11:50 am.

Present : Ld. APP for the State.

MHC(M) HC Baljeet joined through Cisco Webex.

None for the claimant.

Vide this common order, I am disposing off the applications for disposal of case property.

As per the applications, cases have already been disposed off.

SHO concerned is directed to find out the lawful / rightful owner(s) of case properties and to deliver the case property to them. In case, the rightful / lawful owner(s) are not traceable, case properties be deposited to District Nazir for disposal.

Applications stand disposed off accordingly.

Case properties in question be deposited to District Nazir.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the applications and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/06.08.2020

06.08.2020

Joined through Video conferencing from 11:50 to 12:00 pm.

Present : Ld. APP for the State.

MHC(M) HC Baljeet joined through Cisco Webex.

None for the claimant.

As per the application, case has already been disposed off.

Application stands disposed off accordingly.

Case property in question be deposited to District Nazir.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/06.08.2020

06.08.2020

This is an application for releasing article i.e. laptop.

Present : Ld. APP for the State.

Applicant Sunil Kumar Yadav not joined the matter despite intimation.

IO has filed his reply electronically.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released 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.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

“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 *Hon'ble High Court of Delhi*, article i.e. laptop make HP in question as per reply be released to the applicant on furnishing security bond as per valuation report of the articles and after preparation of panchnama and taking photographs of articles as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the articles prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for. One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/06.08.2020