

State Vs. Rahul @ Aryan
e-FIR No.35684/2019
PS: Rajinder Nagar

ऋषभ कपूर
RISHABH KAPOOR
 महानगर दण्डाधिकारी
 Metropolitan Magistrate-113
 केन्द्रीय जिला कमरा नं. 150
 Central District, Room No. 150
 तीस हजारी न्यायालय, दिल्ली
 Tis Hazari Courts, Delhi

30.09.2020

Matter heard through VCC over Cisco Webex.

Case is taken up in view of Circular No. 23456-23616 DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30.08.2020 issued by Ld. District & Sessions Judge (HQ).

Present: Sh. Vakil Ahmed Ld. APP for State
 Sh. N.K Saraswat Ld. LAC for applicant/accused

The present application was filed through email. Ld APP for State submits that he does not wish to file reply to the present application.

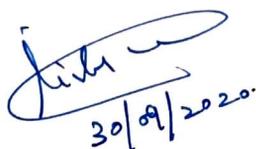
Heard. Record perused.

This order shall dispose off application for release of accused/applicant Rahul@ Aryan, on personal bonds.

Ld. LAC for accused submits that the accused belongs to a poor strata and is a permanent resident of H No. 862, Anand Parbat, Baba Faridpuri, Delhi. It is further submitted that accused is having no surety owing to the present Pandemic situation. With these submissions, Ld. LAC for applicant/accused submits that the accused be released on personal bonds.

Heard. Record perused.

In the present case, the accused was admitted on bail by this Court vide order dt.07.09.2020, subject to furnishing personal and surety bonds in the sum of Rs.10000/- each. In view of the fact that accused is a poor person and is the resident of Delhi and also owing to the fact that, he is having no one to stand as a surety for him in present Pandemic situation, his prayer deserves to be accepted. Accordingly, in view of the orders of Hon'ble High Court of Delhi in matter of *D.M. Bhalla Vs. State W.P.(C) No. 3465/2010*, the application of

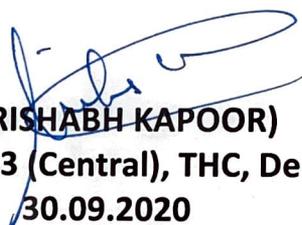

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accused is allowed and as such he is admitted on bail on furnishing personal bond in the sum of Rs.10,000/- to the satisfaction of concerned Jail Superintendent. The Jail Superintendent is directed to verify the address of accused prior to his release and submit the compliance report to this effect in court.

Application stands disposed off.

Scanned copy of this order be sent to Ld.LAC for applicant/accused through email. One copy be also sent to concerned Jail Superintendent through all permissible modes including email at daksection.tihar@gov.in for necessary information and 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

30.09.2020

Metropolitan Magistrate-03 (Central)
Tis Hazari, Delhi

State Vs. Balbir Singh (through Applicant Sonu Tandon)

FIR No. 191/2020

u/s 279/337 IPC

PS I.P Estate

30.09.2020

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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
Tis Hazari Courts, Delhi

Matter heard through VCC over Cisco Webex.

Case is taken up in view of Circular No. 23456-23616 DJ(HQ)/Covid lockdown/Physical Courts Roster/2020 dated 30.08.2020 issued by Ld. District & Sessions Judge (HQ).

Present: Sh. Vakil Ahmad Ld. APP for State

Sh. Sanjay Kumar Jain Ld. Counsel for applicant

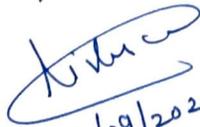
IO/HC Jaswinder Singh

In furtherance of directions issued on 29.09.2020, Scanned copy of detailed reply has been sent by IO/HC Jaswinder Singh, through the email id of the court. Copy of same is supplied to Counsel for applicant, electronically.

Heard. Record perused.

This order shall dispose off the application for release of **vehicle no. DL-1RM-0495** on Superdari, moved on behalf of **applicant Sonu Tandon**.

In reply filed by IO, it has been stated that he has verified the documents of vehicle in question. Further, in the reply as received from the IO , it has been stated that vehicle in question was having a valid insurance at the time of alleged accident. IO has raised no objection if the vehicle aforesaid is released on superdari.


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Ld. Counsel for applicant is the Special Power of Attorney (SPA) of the registered owner of vehicle namely, Sh.Puran Singh. It is further submitted that the vehicle in question is having the insurance policy valid upto 05/03/2021.

Scanned copies of insurance policy and R/C of vehicle in question, are also sent with application and same are perused. For the purposes of identity applicant has sent scanned copy of SPA executed in his favour by registered owner, along with the application.

On perusal of the report of IO along with the copies of documents appended with application, as applicant Sonu Tandon being SPA of registered owner Sh.Puran Singh, prima facie appears to be entitled for the custody of the vehicle in question, accordingly his prayer for release of same deserves to be accepted.

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 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 the SPA issued in applicant's favour from registered owner Sh. Puran Singh, within 2 days from receipt of this order and release the vehicle only upon verification thereof.

3. IO shall also verify the identity proof of applicant and retain self attested copy of same.


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4. IO shall also retain the original SPA issued in applicant's favour by registered owner of vehicle and submit the same in court along with the detailed panchnama.

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

6. 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.

7. 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 also to the IO/SHO concerned, 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

30.09.2020

Metropolitan Magistrate-03 (Central)
Tis Hazari, Delhi

State Vs. Mohd. Ashad
FIR No.200/2017
PS: I.P Estate

ऋषभ कपूर
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
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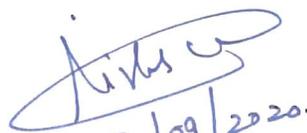
Heard. Record perused.

This order shall dispose off application for release of accused/applicant Mohd. Ashad, on personal bonds.

Ld. LAC for accused submits that the accused belongs to a poor strata and is a permanent resident of C-4/84 Jhuggi, LNJP Colony, Delhi. It is further submitted that accused is having no surety owing to the present Pandemic situation. With these submissions, Ld. LAC for applicant/accused submits that the accused be released on personal bonds.

Heard. Record perused.

In the present case, the accused was admitted on bail by this Court vide order dated 29.08.2020, subject to furnishing personal and surety bonds in the sum of Rs.10000/- each. In view of the fact that accused is a poor person and is the permanent resident of Delhi and also owing to the fact that, he is having no one to stand as a surety for him in present pandemic situation, his prayer deserves to be accepted. Accordingly, in view of the orders of Hon'ble High Court of Delhi in matter of *D.M. Bhalla Vs. State W.P.(C) No. 3465/2010*, the application of accused is allowed and as such he is admitted on bail on


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furnishing personal bonds in the sum of Rs.10,000/- to the satisfaction of concerned Jail Superintendent. The Jail Superintendent is directed to verify the address of accused prior to his release and submit the compliance report to this effect in court.

Application stands disposed off.

Scanned copy of this order be sent to Ld.LAC for applicant/accused through email. One copy be also sent to concerned Jail Superintendent through all permissible modes including email at daksection.tihar@gov.in for necessary information and compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.



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MM-03 (Central), THC, Delhi

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Metropolitan Magistrate-03 (Central)
Tis Hazari, Delhi