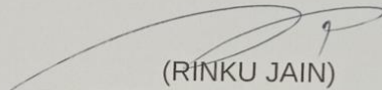


State Vs. Surjeet Singh
FIR No. 0727/2020
u/s 33, 38,58 Delhi Excise Act
PS Khyala

15.08.2020

Present: Ld. APP for state through VC.
None for applicant.
Surety absent.

Put up for consideration of bail bonds on 17.08.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

State Vs. Jeeta
FIR No. 815/2020
U/s 33 Delhi Excise Act
PS Nihal Vihar

15.08.2020

Present: Ld. APP for state.
Ld. Counsel Sh. Satish Kumar for accused/applicant.

An application for bail u/s 437 Cr. P. C has been filed on behalf of accused/applicant.

Reply filed. Same is taken on record.

Heard. Perused.

Accused is in JC since 10.08.2020. Recovery has already been effected from accused. No fruitful purpose would be served by keeping the accused in custody.

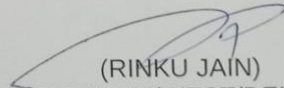
In view of the same, the application of the applicant/accused namely Jeeta s/o Sita Ram is allowed and accused is admitted to bail on furnishing of personal bond in the sum of Rs. 20,000/- with one surety in the like amount.

Bail bonds / surety bonds filed.

Bail bond and surety bond would be accepted only after verification through IO of this case.

At request of Id counsel for accused/applicant, a copy of this order be given dasti.

*(copy) order
Received
7/2350/2012
15.08.2020*


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

State Vs. Sumit @ Naveen
e-FIR No. 00235/2020
U/s 379/411 IPC
PS Nangloi

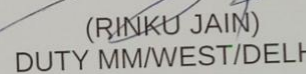
15.08.2020

Present: Ld. APP for State.
Ld. Counsel for accused / applicant through VC.

Status report filed by the Jail Authorities. Same is taken on record.

As per the report, two other cases are pending against the accused/applicant and no bail has been granted to accused in case FIR No. 136/20 PS Nangloi and that is why the accused has not been released by the Jail Authorities.

In view of the aforementioned, the present application is disposed off.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

FIR No.030990/2020
U/s 379 IPC
PS Khyala
Vehicle No. DL 10 SS 0269

15.08.2020

This is an application for releasing vehicle bearing no. DL 10 SS 0269 on Superdari.

Present:-Ld. APP for the State.

None for applicant.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

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 reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014**.

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL 10 SS 0269 be released to the **registered owner after due identity verification and if the IO/SHO has no objection in release of the abovesaid vehicle and the same is not required any further for investigation of the present case** on furnishing security bond as per valuation report of the vehicle. **IO shall check/verify the valid insurance certificate of the vehicle before releasing the same.** After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

10/08/20

11/08/20

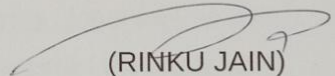
State Vs. Kishan Rai
FIR No. 57/2020
U/s 356/379/34 IPC
PS Hari Nagar

15.08.2020

Present: Ld. APP for State through VC.
Ld. Counsel for accused/applicant through VC.

Vide order dt. 04.08.2020 passed by Hon'ble High Court of Delhi in WP(C) 3080/2020 interim bails granted to UTPs has been extended for another 45 days.

In view of the same the present application has become infructuous. Accordingly, the application stands disposed off as infructuous.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

FIR No. 469/2020
PS Hari Nagar

15.08.2020

Present: Ld. APP for State through VC.
Ld. Counsel for accused/applicant heard on telephone call as Id counsel was unable to join VC on Cisco Webex despite repeated efforts.

An application for bail u/s 437 Cr. P. C has been filed on behalf of accused/applicant.

Reply filed. Same is taken on record.

Heard. Perused.

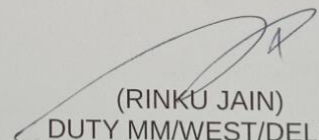
Accused is in JC since 17.07.2020. Recovery has already been effected from accused. No fruitful purpose would be served by keeping the accused in custody.

In view of the same, the application of the applicant/accused namely Sushant Chauhan @ Akki s/o Sh. Subhash Chauhan is allowed and accused is admitted to bail on furnishing of personal bond in the sum of Rs. 10,000/- with one surety in the like amount.

Bail bond and surety bond would be accepted only after verification through IO of this case.

Bail bond / surety bond not filed.

The application is disposed off in above mentioned terms.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

Vehicle No. DL-4SBX-7585
FIR No. 006246/2020
U/s 379 IPC
PS Hari Nagar

15.08.2020

This is an application for releasing vehicle bearing no. DL-4SBX-7585 on Superdari.

Present:- Ld. APP for the State.
Applicant in person.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

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 reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014**.

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-4SBX-7585 be released to the **registered owner after due identity verification and if the IO/SHO has no objection in release of the abovesaid vehicle and the same is not required any further for investigation of the present case** on furnishing security bond as per valuation report of the vehicle. **IO shall check / verify the valid insurance certificate of the vehicle before releasing the same.** After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

Panchnama and valuation report shall be filed in the court along with charge sheet.

Copy of order
Received
Kishay

15/8/2020

(BINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

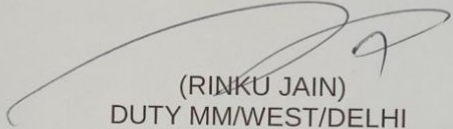
State Vs. Roshan
FIR No. 485/2020
u/s 485/2020
PS Paschim Vihar East

15.08.2020

Present: Ld. APP for State through VC.
Ld counsel Sh. Satish Kumar for accused/applicant.

It is submitted by Id counsel for accused/applicant that
the present application be disposed off as withdrawn.

In view of submission of Id counsel for
accused/applicant, the present application stands disposed off as
withdrawn.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

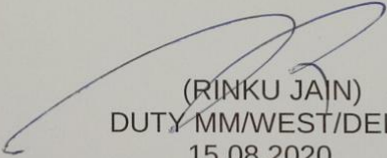
State Vs. Ankit Kumar
FIR No.657/2020
u/s 379 IPC
PS Paschim Vihar West

15.08.2020

Present: Ld. APP for State.
None for applicant.

Vide order dt. 02.08.2020 bail was granted to the accused. Thereafter, bail bonds were filed on his behalf and the same were accepted on 06.08.2020. Endorsement regarding the same was signed at the bottom of the bail bonds. However, inadvertently the bonds have been kept pending.

In view of the aforementioned, nothing remains in the application. The application stands disposed off accordingly.


(RINKU JAIN)
DUTY MM/WEST/DELHI
15.08.2020

Before R.C. ...
6/8/2020