

Dinesh Singh Vs. Sanjay Gupta  
CC No. 528315/16

19.09.2020

(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:** Sh. B.K. Mishra and Ms. Poonam, Ld. counsel for applicant.

The application was filed through email.

Heard. Record perused.

After advancing part arguments, counsel for applicant submits that  
he wishes to withdraw the present application.

In view of submissions made by counsel for applicant, the present  
application stands dismissed as withdrawn.

Application stands disposed off.

Scanned copy of this order be sent to Counsel for applicant, through

email.

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

  
(RISHABH KAPOOR)

MM-03(Central), THC, Delhi

19.09.2020

e-FIR No. 000250/20

State Vs. Unknown (through applicant Gagan Deep Singh).

PS I.P. Estate

19.09.2020

(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.

Applicant in person.

IO/HC Sushil Kumar.

The present application was filed through email. Scanned copy of reply under the signatures of IO/HC Sushil Kumar is received through email. Copy of same also stands supplied to applicant, electronically.

This order shall dispose off application for release of mobile phone make OPPO A-5S on superdari, moved on behalf of applicant Gagan Deep Singh.

In reply received under the signatures of IO/HC Sushil Kumar, it has been stated that in connection with the present case FIR the OPPO A-5S mobile phone of the applicant Gagan Deep Singh, is lying in the custody of the police at PS I.P. Estate. IO has stated that applicant Gagan Deep Singh is the owner of the said mobile phone and he has no objection if the aforesaid mobile phone is released on superdari.

The applicant has sent copy of Tax Invoice of Mobile Phone alongwith the present application. For the purposes of identity, applicant has also sent copy of his original Aadhar ID card through email.

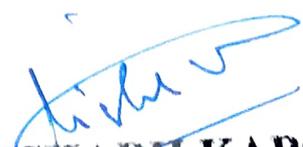
On perusal of the report of the IO and documents appended with the present application, as it prima facie emerges that applicant Gagan Deep Singh is the owner of the OPPO A-5S mobile phone in question. If that be so, he prima facie appears to be entitled for the custody of the mobile phone in question.

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.

  
19/09/2020

No.4485/2013 dated 10.09.2014, the aforesaid mobile phone be released to the applicant / owner subject to the following conditions:-

1. IO is directed to verify the original bill/invoice of mobile phone in question from concerned vendor and if applicant is found to be owner thereof, same shall be released to him.
  2. Mobile phone in question be released to its owner only subject to furnishing of indemnity bonds as per valuation of the mobile phone, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
  3. IO shall prepare detailed panchnama mentioning the colour, IMEI NO., ownership and other necessary details of the mobile phone .
  4. IO shall take the colour photographs of the mobile phone from different angles and also of the IMEI number of the mobile phone .
  5. The photographs should be attested and counter signed by the complainant/applicant and accused.
- Scanned copy of this order be sent to applicant through email.  
One copy be also sent to IO/SHO concerned through email, for information and compliance.  
One copy be also sent to Computer Branch for uploading on Delhi District Court Website.

  
(RISHABH KAPOOR)  
MM-03(Central),THC,Delhi  
19.09.2020

e-FIR No. 00146/20  
State Vs. Simranjeet Singh  
PS I.P. Estate

19.09.2020

(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. N.K. Saraswat, Ld. LAC for applicant/accused.  
IO/HC Mahesh Kumar in person

The present urgent application was filed on behalf of the applicant  
on email id of this court.

Scanned copy of reply of under the signatures of IO/HC Mahesh Kumar, is  
received through email id of the court. Copy of same is already supplied to LAC for  
applicant/accused, through email.

This order shall dispose off the application for grant of interim bail  
u/s 437 Cr.PC, moved on behalf of applicant/accused Simranjeet Singh.

It is averred on behalf of accused/applicant that he has been  
falsely implicated in the present case. It is further averred that the recovery  
effected from the accused is planted one. It is further averred that the case of  
applicant/accused is not covered in any of the guidelines issued by HPC till  
date and he is seeking the interim bail on merits. With these averments,  
prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be  
released on bail as he is a habitual offender, having previous involvements. It  
is also submitted that the accused has not disclosed any ground for grant of  
interim bail to him, hence, the present application deserves dismissal.

On perusal of the previous conviction/involvement report  
appended in the record, it emerges that the accused is having previous  
involvements in certain other cases, involving serious offences. More  
particularly, the accused has been shown to have complicity in respect of

  
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case FIR No. 12709/20 u/s 379/411 IPC, FIR No. 233/17, u/s 379/356/34 IPC, FIR No. 265/17 u/s 356/379/411/34 IPC, FIR No. 247/17 u/s 379 IPC, FIR No. 141/17 u/s 379/356/34 IPC all at PS Jagat Puri, FIR No. 108/18 u/s 379/356/34 IPC, PS Preet Vihar, FIR No. 162/19 u/s 394 IPC, FIR No. 345/19 u/s 392/411/34 IPC, FIR No. 336/19, u/s 356/379/34 IPC all at PS Laxmi Nagar, FIR No. 18/19 u/s 394/34 IPC, PS Patparganj Industrial Area, FIR No. 380/16 u/s 392/34 IPC, PS Geeta Colony, FIR No. 41/17 u/s 356/379/34 IPC, FIR No. 188/17 u/s 356/379/34 IPC, FIR No. 113/18, u/s 356/379/34 IPC and FIR No. 84/17 u/s 356/379/411 IPC all at PS Shakar Pur. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified. Besides, there also does not exist any other cogent ground for grant of interim bail to the applicant/accused, hence, the prayer made on behalf of accused, appears to be untenable.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant. Accordingly, the present application deserves dismissal and same is hereby dismissed.

The application is accordingly disposed off.

Scanned copy of this order be sent to the Ld. LAC for applicant through email. One copy be also sent to concerned Jail Superintendent, through email, for necessary information.

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**  
**19.09.2020**

FB No. 37/20  
State Vs. Simranjeet Singh  
PS I.P. Estate

19.09.2020

(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. N.K. Saraswat, Ld. LAC for applicant/accused.  
IO/HC Mahesh Kumar in person

The present urgent application was filed on behalf of the applicant  
on email id of this court.

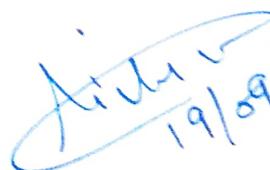
Scanned copy of reply of under the signatures of IO/HC Mahesh Kumar, is  
received through email id of the court. Copy of same is already supplied to LAC for  
applicant/accused, through email.

This order shall dispose off the application for grant of interim bail  
u/s 437 Cr.PC, moved on behalf of applicant/accused Simranjeet Singh.

It is averred on behalf of accused/applicant that he has been  
falsely implicated in the present case. It is further averred that the recovery  
effected from the accused is planted one. It is further averred that the case of  
applicant/accused is not covered in any of the guidelines issued by HPC till  
date and he is seeking the interim bail on merits. With these averments,  
prayer is made for grant of bail to accused.

Ld. APP for the State submits that the accused shall not be  
released on bail as he is a habitual offender, having previous involvements. It  
is also submitted that the accused has not disclosed any ground for grant of  
interim bail to him, hence, the present application deserves dismissal.

On perusal of the previous conviction/involvement report  
appended in the record, it emerges that the accused is having previous  
involvements in certain other cases, involving serious offences. More  
particularly, the accused has been shown to have complicity in respect of

  
19/09/2020

9988 FIR No. 12709/20 u/s 372/411 IPC, FIR No. 223/17, u/s 379/356/34 IPC, FIR No. 265/17 u/s 356/379/411/34 IPC, FIR No. 247/17 u/s 379 IPC, FIR No. 141/17 u/s 372/356/34 IPC all at PS Jagat Puri, FIR No. 108/18 u/s 372/356/34 IPC, PS Preet Vihar, FIR No. 162/19 u/s 394 IPC, FIR No. 345/19 u/s 392/411/34 IPC, FIR No. 336/19, u/s 356/379/34 IPC all at PS Laxmi Nagar, FIR No. 18/19 u/s 394/34 IPC, PS Patparganj Industrial Area, FIR No. 380/16 u/s 392/34 IPC, PS Geeta Colony, FIR No. 41/17 u/s 356/379/34 IPC, FIR No. 188/17 u/s 356/379/34 IPC, FIR No. 113/18, u/s 356/379/34 IPC and FIR No. 84/17 u/s 356/379/411 IPC all at PS Shakar

Pur. If that be so, the apprehension of prosecution that if enlarged on bail, he will commit the offences of like nature or will dissuade the material prosecution witnesses, appears to be well justified. Besides, there also does not exist any other cogent ground for grant of interim bail to the applicant/accused, hence, the prayer made on behalf of accused, appears to be untenable.

In such circumstances, this court is of the firm view that no ground for grant of bail is made out to the accused/applicant. Accordingly, the present application deserves dismissal and same is hereby dismissed.

The application is accordingly disposed off.

Scanned copy of this order be sent to the Ld. LAC for applicant through email. One copy be also sent to concerned Jail Superintendent, through email, for necessary information.

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

19.09.2020

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(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).

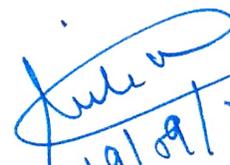
**Present:** Ld. AEP for the State.  
Applicant with Sh. A.D. Malik, Ld. counsel.  
IO/ASI Daryao Singh.

The present application was filed through email. Scanned copy of reply under the signatures of IO/ASI Daryao Singh is received through email. Copy of same also stands supplied to counsel for applicant, electronically.

This order shall dispose off application for release of goods on superdari, moved on behalf of applicant Sanjay Khanna.

In reply received under the signatures of IO/ASI Daryao Singh, it has been stated that the present FIR was registered upon complaint of applicant Sanjay Khanna and on 25.08.2020, accused Manoj and Dilip were caught red handed with one stolen AC. It is further stated that the recovery of one micro wave has been effected from house of accused Vishal, one refrigerator has been recovered from house of accused Manoj and four ACs, six fans alongwith bathroom fittings have been recovered from accused Ashif. It is further stated in the report that two ACs and three fans were stolen from ground floor of House no. 2/61, Rajender Nagar. Whereas, from the second floor of the property, three ACs, three fans, one Micro Wave and one small refrigerator was recovered. IO has raised no objection if the articles in question are released on superdari.

Counsel for applicant submits that the applicant is the resident of second floor of abovesaid property and is seeking release of recovered articles i.e. three ACs, three fans, one Micro Wave and one small refrigerator.

  
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On perusal of the report of the IO as it emerges that articles in question are no more required for the purpose of investigation, hence, keeping them in police custody will serve no useful purpose.

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 articles in question be released to the applicant / owner subject to the following conditions:-

1. IO is directed to verify the original bills/invoices of aforesaid articles i.e. three ACs, three fans, one Micro Wave and one small refrigerator in question from concerned vendor(s) and if applicant is found to be owner thereof, same shall be released to him.
2. Articles in question be released to its owner only subject to furnishing of indemnity bonds as per the market value of the articles, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
3. IO shall prepare detailed panchnama mentioning the colour, serial number, brand, make/model number, ownership and other necessary details of the articles in question.
4. IO shall take the colour photographs of the articles in question from different angles and also of serial number of the articles in question.
5. The photographs should be attested and counter signed by the complainant/applicant and accused.
6. IO shall also verify the identity proof of the applicant and shall also retain a self attested copy thereof, which shall be filed alongwith panchnama.

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

One copy be also sent to IO/SHO concerned through email, for

  
19/09/2020.

information and compliance.

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

  
(RISHABH KAPOOR)  
MM-03(Central), THC, Delhi  
19.09.2020

Scanned copy of this order be sent to the Ld. LAC for applicant through email. One copy be also sent to concerned Jail Superintendent, through email, 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  
19.09.2020

e-EIR No. 11742/20  
State Vs. Gopesh @ Gopi  
PS Rajender Nagar

19.09.2020

(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. N.K. Saraswat, Ld. LAC for applicant/accused.

IO/ASI Jaiveer in person

The present urgent application was filed on behalf of the applicant  
on email id of this court.

Scanned copy of reply of under the signatures of IO/Jaiveer, is  
received through email id of the court. Copy of same is already supplied to LAC for  
applicant/accused, through email.

The present application has been moved on behalf of  
applicant/accused Gopesh @ Gopi for modification of order dt. 29.07.2020 passed  
by Ld. PO/MACT-02 and for waiving the conditions of furnishing the surety bonds  
by the accused.

As per reply filed by IO, the bail bonds furnished on behalf of  
accused has already been accepted on 01.08.2020 by Ld. Duty MM.

The perusal of main case file would also reveal that the bail bonds  
furnished on behalf of the accused stands accepted by Ld. Duty MM on 01.08.2020.

In such circumstances, concerned Jail Superintendent is directed to  
file the report explaining the circumstances in which the accused has not been  
released despite the issuance of release orders in the present case, within one day of  
receipt of this order. The concerned Jail Superintendent is also directed to release  
the accused forthwith, if his custody is not required in any other process of law.

In the light of discussion made above, the present application stands  
dismissed as infructuous.

The concerned Ahlmad is directed to separately put up the report of  
concerned Jail Superintendent for further directions.

The application is accordingly disposed off.

  
19/09/2020

FIR No. 180/20  
State Vs. Rafiq Ali  
PS I.P. Estate

19.09.2020

(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. Pratap Singh, Ld. counsel for applicant/accused.

IO absent.

The present urgent application was filed on behalf of the applicant  
on email id of this court.

Scanned copy of reply of under the signatures of IO/SI Narender, is received  
through email id of the court. Copy of same is already supplied to counsel for  
applicant/accused, through email.

Naib Court informs that IO has sought exemption from appearing  
today as he is held up in connection with some other case at Central Jail Tihar.

Part arguments heard.

Certain clarifications are required from IO.

Accordingly, issue notice to IO for 21.09.2020.

List for remaining arguments on date fixed.

The parties shall join the hearing through VC at 12:00 pm on date  
fixed.

Scanned copy of this order be sent to the Ld. Counsel for applicant  
through email. One copy be also sent to IO/SHO concerned, through email, for  
necessary information.

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

19.09.2020