


FIR No.3853/2020
PS Mundka

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).

None for applicant.

Put up on 27.07.2020.


BY THE ORDER OF THE
COURT OF SH. PUNEET
NAGPAL, LD. MM-07
(West) THC, Delhi
26.07.2020

FIR No.010011/2020
PS Ranhola

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).

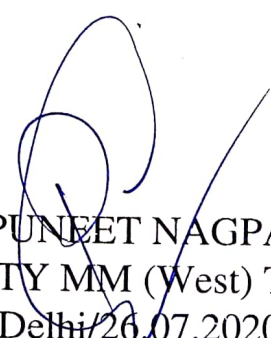
None for the applicant/accused.

An application seeking release of vehicle has been filed by the applicant namely Ankit S/o Sh. Kuldeep Singh through his counsel.

IO has filed the reply on the official e-mail ID of the Court. Perusal of same reveals that the charge sheet/final report in the instant FIR has already been filed in the Court concerned.

In view of the *Para No.05 of office order No.1139-1192/CMM(W)/DR/2020 dated 15.07.2020, issued by office of Ld. CMM(West),THC, Delhi*, let the instant application be sent to the concerned Court having jurisdiction over PS Ranhola for next date of hearing.

To come up on 27.07.2020.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

FIR No.02111/2019
PS Punjabi Bagh

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).
None for the applicant/accused.

An application seeking release of vehicle has been filed by the applicant namely Ankit S/o Sh. Kuldeep Singh through his counsel.

IO has filed the reply on the official e-mail ID of the Court. Perusal of same reveals that the charge sheet/final report in the instant FIR has already been filed in the Court concerned.

In view of the *Para No.05 of office order No.1139-1192/CMM(W)/DR/2020 dated 15.07.2020, issued by office of Ld. CMM(West),THC, Delhi*, let the instant application be sent to the concerned Court having jurisdiction over PS Punjabi Bagh for next date of hearing.

To come up on 27.07.2020.

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

FIR No.157/2020
PS Ranhona

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused (through CISCO (Webex)).
IO is absent.

Fresh C/N be issued to the IO of the instant FIR for personal appearance for NDOH.

In case, the IO is not available, SHO is directed to depute as substitute IO for the instant FIR and the said substitute IO shall appear before the court on NDOH.

To come up on **28.07.2020.**

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

FIR No.008489/2020
PS Tilak Nagar

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).
None for accused.

Letter has been received from the office of Deputy Superintendent, Central Jail No.10, Rohini, Delhi.

Perusal of same reveals that the accused namely Pawan Kapoor was admitted to interim bail for a period of 45 days by the Court of Ld. Duty MM dated 01.07.2020. It has been mentioned that as per the directions passed by Ld. Duty MM, the address of accused was required to be verified prior to his release from custody on interim bail.

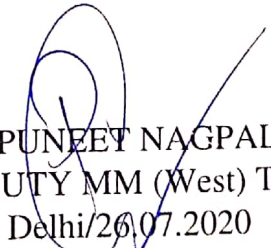
In compliance of the same, the concerned Jail Superintendent has sent a wireless message to concerned SHO, PS Tilak Nagar for verification of the address of accused. It has been mentioned that on verification, it was found out that the wife of the accused namely Ms. Chetna Kapoor is residing at the address. However, she was not able to produce any documentary proof/ID proof. At the same time on inquiry from the neighbours, nothing could be ascertained regarding the accused.

Therefore, the accused is yet to be released from custody in compliance of the order dated 01.07.2020 and the Jail Superintendent has requested for passing of necessary directions for the release of the accused.

Report was called from IO/SHO, PS Tilak Nagar. Same has been received and perused. Perusal of same reveals that the wife of the accused has furnished copy of her Aadhar Card and a copy of D/L of the accused. Both these IDs bear the address of New Mahabir Nagar, New Delhi.

In view of the same, let fresh Court Notice be issued to HC Sumer Singh, PS Tilak Nagar, who had gone to residence of the accused for verification of the New Mahabir Nagar address of the accused for next date of hearing

To come up on 28.07.2020.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

FIR No.13451/2020
PS Ranhola

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused (through CISCO (Webex)).

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Sahil S/o Sh. Vilok Aggrawal wherein it has been submitted that the accused person is in JC since 11.07.2020 and that the alleged recovery of the stolen property has been planted on the accused.

IO of this case has filed reply. Perusal of reply shows that there is allegation of under Section 379/411 IPC against the accused.

Heard.

Considering the fact that recovery has already been effected and that the accused is in custody since 11.07.2020, accused Sahil S/o Sh. Vilok Aggrawal is admitted to bail subject to furnishing of Bail Bond and Surety Bond in the sum of Rs.20,000/- each and further subject to the following conditions :-

1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

26.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Counsel for accused / applicant.

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Jagjeet Singh S/o Sh. Surjeet Singh wherein it has been submitted that the accused person is in JC since 22.07.2020 and that the alleged recovery has been planted on the accused. At the same time, it has been submitted that the only allegations against the accused is that of having received stolen property from co-accused Pooja Gupta.

IO of this case has filed reply. Perusal of reply shows that the FIR in the instant case has been lodged in respect of offence punishable under sections 381/411/34 IPC against the accused and that the allegations against the accused is that one pair of gold ear rings, which is alleged to have been stolen by accused Pooja Gupta has been recovered from the possession of accused.

Heard.

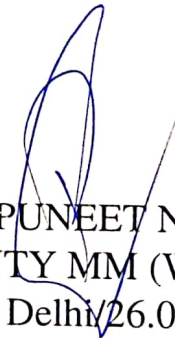
Considering the fact that the accused is having clean antecedent, that prima facie the allegations against the accused are in respect of offence punishable under section 411 IPC only and that the recovery of stolen property has already been effected and that the accused is in custody since 22.07.2020, accused Jagjeet Singh S/o Sh. Surjeet Singh is admitted to bail subject to furnishing of Bail Bond and Surety Bond (local surety) in the sum of Rs.25,000/- each and further subject to the following conditions :-



1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

Copy Received



(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020

26.07.2020

This is an application for releasing articles i.e. **Vehicle bearing No.DL-6SAX-3525.**

Present: Ld. APP for the State (through CISCO Webex).

Brother of the registered owner of the vehicle namely Sh. Harish Rathor

IO has filed his reply. Same is taken on record.

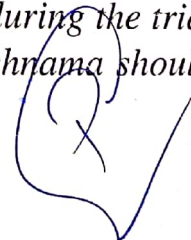
Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

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.

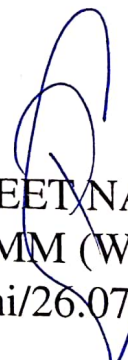
60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

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 in question i.e. **Vehicle bearing No.DL-6SAX-3525** as per seizure memo, *if the same is no longer required for the investigation of the present case, be released to the registered owner* on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article 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.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07/2020

26.07.2020

This is an application for releasing articles i.e. **one LED TV (50 inch)**.

Present: Ld. APP for the State (through CISCO Webex).

None for applicant.

IO has filed his reply on the official e-mail ID of the Court. Same has been perused.

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.

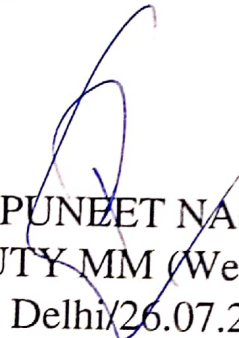
Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (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 in question i.e. **one LED TV (50 inch)** as per seizure memo, *if the same is no longer required for the investigation of the present case* be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article 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.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/26.07.2020