

FIR No. 126/20

PS Moti Nagar

State Vs. Vivek Mishra

U/s 419/420 r/w 66C/66D IT Act

07.08. 2020

Present: Ld. APP for the State.

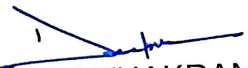
Sh. Vishal Arun Mishra Ld. Counsel for accused.

This is a bail application U/s 437 Cr.PC whereby the accused seeks extension of interim bail already granted to him on 30.03.2020,12.05.2020 and thereafter on 27.06.2020. It is submitted in the application that accused has been falsely implicated in the present case and his case falls under the directions given by Hon'ble Supreme Court of India in Writ Petition (c) no. 1/2020 in RE: Contagion of Covid-19 virus in prisons and Hon'ble High Court of Delhi in Writ Petition no. 2945/2020. Considering the fact that accused is already on interim bail for 45 days and time and again it was extended, the same is further extended for further period of 45 days w.e.f. 07.08.2020.

Full signed duplicate of this order be sent to jail superintendent concerned, which shall also be treated as release warrant upon the acceptance of personal bond.

Application stands disposed of.

Copy of this order be given dasti, as prayed for.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

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FIR No. 366/20

PS Mundka

U/s 308/34 IPC

State Vs. Naveen

07.08. 2020

Present: Ld. APP for the State.

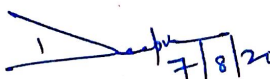
Sh. Anuj Arya Id. Counsel for accused with surety of accused.

Vide order dt. 05.08.2020, Ms. Archana Sinha, Ld.ASJ, West District has granted bail to accused Naveen subject to furnishing of personal and surety bonds to tune of Rs.30,000/-. In compliance of said order bailbonds are furnished and accepted. The original ID poof and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 506/20

PS Punjabi Bagh

State Vs. Harpreet Singh @ Sunny

U/s 356/379/34 IPC

07.08. 2020

Present: Ld. APP for the State.

Sh. Anil Kumar Mishra Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Harpreet Singh @ Sunny in the above mentioned case FIR wherein it is submitted that applicant is in JC since 04.06.2020. It is further stated that accused is innocent and falsely implicated in the present case. It is further submitted that accused belongs to respectable family and nothing incriminating has been recovered from the possession of accused. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that accused has made discloser statement in kalandra vide DD no. 8 about his involvement in the present case. With this, prayer of dismissal of present application is made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear

Reply.

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before IO and Court as and when required and directed.

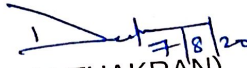
3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.

Accordingly, the application stands disposed of.

Copy of this order be given to the Id. Counsel for accused.

Record be sent back to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 89/2020

PS Patel Nagar

State Vs. Gannu Sahani

U/s 33/38 Delhi Excise Act.

07.08. 2020

Present: Ld. APP for the State.

Sh. Prince Sharma Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Gannu Sahani in the above mentioned case FIR wherein it is submitted that applicant is in JC since 22.03.2020. It is further stated that accused is innocent and falsely implicated in the present case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused and accused has no permanent address of Delhi and he can jump the bail. It is further submitted that he is involved in two other similar cases also. With this, prayer of dismissal of present application is made.


Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he

changes the same.

4. He will not commit the same or similar offence in future.
Accordingly, the application stands disposed of.
Copy of this order be given to the Id. Counsel for accused.
Record be sent back to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist. THC, Delhi
07.08.2020.

FIR No. 78/20

PS Tilak Nagar

State Vs. Monu @ AK @Akash

U/s 392/397/452/34 IPC & 25/27 Arms Act

07.08. 2020

Present: Ld. APP for the State.

Sh. S.A. Rajput Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Monu @ AK @Akash in the above mentioned case FIR wherein it is submitted that applicant is in JC since 12.06.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further submitted that nothing incriminating has been recovered from the accused. It is further stated that applicant is a young boy and he is sole bread earner of his family. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged looted credit card and RC of motorcycle was recovered at the instance of accused and he has three other involvements. It is further submitted that in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the

FIR No.
PS Tilak Nagar
State Vs. M
U/s 392/30
07.08.20
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witnesses.

2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.

3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.

Application in hand is disposed of.

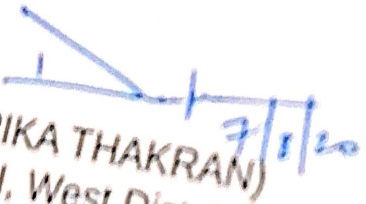
Copy of order be given dasti to Ld. Counsel for applicant/

Record be sent back to concerned court.

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(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 354/2020

PS Patel Nagar

State Vs. Bharat Bhushan Sharma and Irfan

U/s 33/38 Delhi Excise Act

07.08. 2020

Present: Ld. APP for the State.

Sh. R.K. Gupta and Sh. Ramesh Punia Ld. Counsels for
accused persons/ applicants.

The present bail application has been filed on behalf of accused Bharat Bhushan Sharma and Irfan in the above mentioned case FIR wherein it is submitted that applicants are in JC since 01.08.2020. It is further stated that the accused persons are falsely implicated in the present case and nothing has been recovered from the possession of accused persons and the alleged recovery is planted one. It is further submitted that accused persons are sole bread earner of their family. It is further submitted that no purpose will be served by keeping the accused persons in JC. Hence, present application seeking bail of accused persons is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused Bharat Bhusnan and accused Irfan is the owner of alleged vehicle. It is further mentioned that both the accused persons are drug addict. With this, prayer of dismissal of present application is made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicants for which their custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused persons are admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- each with one surety in the like amount subject to

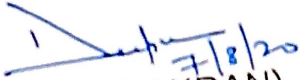
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... mobile SIM (Airtel)
... facts and circumstances and law laid down
... no objection of the State, seized items i.e. one State
... Naveen Khatri, Rs.18000/-, one mobile
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FIR No. 354/2020
PS Patel Nagar
State Vs. Bhr
U/s 33/39
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following conditions:-

1. They will not tamper the evidence or intimidate any of the witnesses.
 2. They shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
 3. They will furnish their fresh address on record as and when he changes the same.
 4. They will not commit the same or similar offence in future.
- Application in hand is disposed of.
Copy of order be given dasti to Ld. Counsel for applicant/
accused.
Record be sent back to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 385/20

PS Mundka

State Vs. Ashok Kumar

U/s 33/38 Delhi Excise Act.

07.08. 2020

Present: Ld. APP for the State.

Sh. Roz Malik Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Ashok Kumar in the above mentioned case FIR wherein it is submitted that applicant is in JC since 03.08. 2020. It is further stated that accused is innocent and falsely implicated in the present case. It is further submitted that alleged recovery has already been effected and investigation is completed. It is further submitted that accused is the sole bread earner of his family. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused and he can jump the bail. It is further submitted that he is involved in one other similar case also. With this, prayer of dismissal of present application is made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.

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FIR No. 385/20
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State Vs. Ashok Kumar
U/s 33/38 Delhi Excise Act
07.08.2020
Present:

Ld. APP for the
Sh. Roz Malik Ld.
The present bail
accused Ashok Kumar in the ab
submitted that applicant is in JC since
accused is innocent and falsely implic
submitted that alleged recovery h
investigation is completed. It is further s
bread earner of his family. Hence, pres
accused is filed.

Reply to this application was s
that the alleged recovery has been effected in
jump the bail. It is further submitted that he is in
case also. With this, prayer of dismissal of
Consideration

3. He will furnish his fresh address on record as and when he changes the same.
4. He will not commit the same or similar offence in future. Accordingly, the application stands disposed of. Copy of this order be given to the Id. Counsel for accused. Record be sent back to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 348/2020

PS Kirti Nagar

State Vs. Sushil Manchanda @ Rinku

U/s 323/354/354B/506/509 IPC

07.08. 2020

Present: Ld. APP for the State.

Sh. Nishan Singh Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Sushil Manchanda @ Rinku in the above mentioned case FIR wherein it is submitted that applicant is in JC since 27.07.2020. It is further stated that the complainant is residing at rent on the ground floor of accused at property no. J-69, Bandar Gali Khui, Ramesh Nagar, Delhi. It is further submitted that on 26.07.2020 accused visited the ground floor and asked the brother of the complainant that there are dues of rent of three months against them and they should pay the same in easy installments and some heated arguments and manhandling took place with each other and hence complainant falsely implicated the accused in the present case. It is further submitted that accused is innocent and falsely implicated in the present case. It is further submitted that accused is a sole bread earner of his family. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the accused is the son of owner of property where the complainant is residing on rent and he can threat the complainant. With this, prayer of dismissal of present application is made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of

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FIR No. 3
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State Vs. S
U/s 323/354
07.08.2020
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the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 15,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the same.
4. He will not commit the same or similar offence in future.

Bailbonds are furnished and accepted. The original ID poof and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

Record be sent back to concerned court.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No.743/20
PS Ranhola
U/s 33/38/58 D E Act.

07.08.2020

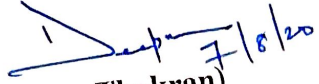
This is an application for release of items on superdari, seized by the investigation officer moved by applicant.

Present: Ld. APP for State.
Sh. Shamindra Kadyan Ld. Counsel (through VC)
IO/ASI Surinder Kumar in person.

Documents as to the ownership of items shown.
Report perused. As per report filed by the IO, state has no objection in releasing the items i.e. one State Bank of India ATM card in the name of Naveen Khatri, Rs.18000/-, one mobile phone make redmi Y-1, Driving license of applicant Naveen Khatri & one mobile SIM (Airtel) of bearing number 819902372.

Considering the facts and circumstances and law laid down by higher courts and observing no objection of the State, seized items i.e. one State Bank of India ATM card in the name of Naveen Khatri, Rs.18000/-, one mobile phone make redmi Y-1, Driving license of applicant Naveen Khatri & one mobile SIM (Airtel) of bearing number 819902372 be released to the owner against proper identification and receipt. IO is directed to take the photographs of these articles and to note down the serial no. of the currency notes etc. prior to releasing the same to the applicant as per directions of Hon'ble High Court in case titled Manjit Singh Vs. State.

Copy of the order be sent via email to ld. Counsel (dasti copy)
Copy of the order be sent to the SHO concerned.
Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.


(Deepika Thakran)
Duty MM-II(Mahila Court-04)
West/ THC/Delhi/07.08.2020

FIR No. WD-KN-000248/2020

PS Kirti Nagar

State Vs. Dilshad

07.08. 2020

Present: Ld. APP for the State.

Sh. Sachinder Solanki Ld. Counsel for accused/ applicant.

At request put up for consideration on 09.08.2020 (date is given on choice).

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 403/2020

PS Tilak Nagar

State Vs. Harpreet Singh @ Sunny


07.08. 2020

Present: Ld. APP for the State.

Sh.Anil Kumar Mishra Ld. Counsel for accused/ applicant.

Vide separate statement made by Ld. Counsel for accused on the face of application, present application is disposed of as withdrawn.

Record be sent to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 602/20

PS Punjabi Bagh

07.08. 2020

Present: Ld. APP for the State.

Sh. Rahul Verma Ld. LAC for accused/ applicant.

Reply not filed.

Let reply be called from IO for 10.08.2020, if no reply is filed,

IO is directed to remain present in person on next date.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 10576/20

PS Tilak Nagar

07.08. 2020

Present: Ld. APP for the State.

Sh. Rahul Verma Ld. LAC for accused/ applicant.

Reply not filed.

Let reply be called from IO for 10.08.2020, if no reply is filed,

IO is directed to remain present in person on next date.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No.687/20
U/s 279/337
PS Punjabi Bagh
Vehicle No.DL-1Z D 0152

07.08.2020

This is an application for release of vehicle i.e. Vehicle No. DL-1Z D 0152 moved by registered owner.

Present: Ld. APP for State.

Applicant/ registered owner in person.

Document as to the ownership of Vehicle No. Vehicle No. DL- 1Z D 0152 shown.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014 wherein it has been held that :-

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number Vehicle No. DL-1Z D 0152 be released to the registered owner on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.



(Deepika Thakran)

Duty MM-II(Mahila Court-04)

West/ THC/Delhi

07.08.2020

FIR No. 10576/20

PS Tilak Nagar

07.08. 2020

Present: Ld. APP for the State.
Sh. Rahul Verma Ld. LAC for accused/ applicant.

Reply not filed.

Let reply be called from IO for 10.08.2020, if no reply is filed,
IO is directed to remain present in person on next date.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 00562/20

PS Punjabi Bagh

07.08. 2020

Present: Ld. APP for the State.

Sh. Rahul Verma Ld. LAC for accused/ applicant.

Reply not filed.

Let reply be called from IO for 10.08.2020, if no reply is filed,
IO is directed to remain present in person on next date.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 345/2020
PS Patel Nagar

31.07.2020

This is an application for grant of bail to accused Bholu Gupta.

Present : Ld. APP for the State.

None despite repeated calls.

Counsel for accused be informed on his mobile phone/
e-mail ID, if any through appropriate channel regarding the next date
of hearing.

Be put up before the court concerned for 06.08.2020.

(Deepak Kumar-I)
Duty MM (West/THC/Delhi)
31.07.2020

Dt. 06/08/20

Fr:- None
No reply received from P.S.
Let reply be called from P.S.
Advocate Intimated by call
Put up for Reply on 7/8/20

Metropolitan Magistrate
Tis Hazari Court, Delhi

07-8-2020

Fr - Sh. S. K. Sh arma Id. CL. through electronic
reply not received.
be called for 08-8-2020
positively.

D
महानगर दण्डाधिकारी, महिला कोर्ट-04
Metropolitan Magistrate, Mahila Court-04
07-8-2020

FIR No. 387/20

PS Mundka

State Vs. Ashu

07.08. 2020

Present: Ld. APP for the State.

Sh. Manu Bhatia Ld. Counsel for accused/ applicant.

Reply not filed.

Let reply be called for 09.08.2020, if no reply is filed, IO is directed to remain present in person on next date.

(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

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Sub:-

Application for calling the status of the complaint moved by Iaxmi
D/o Rajender Kumar @ W/o Rakesh Manik Aggarwal R/o H. No. 254-
C, Janta Flats, Paschim Vihar Extn., Delhi.

Sir,

It is submitted that the complainant is resident of area of PS Punjabi
Bagh and the said complaint sent to Police Station Punjabi Bagh, West District
vide dated 18.07.2020 through ACP/PV. Hence, a further correspondence in this
regard may be had from Police Station Punjabi Bagh, West District.

Submitted please

SHO
PS/Paschim Vihar East
30.07.2020

6/8/20.

Pr. None IO/SHO to report for 7/8/20.
Be put up on 7/8/20.

DM-II
8/8/20.

Application received at 4:30 PM.

By me undersigned since the jurisdiction
of Reserve Police Station Concord lies
with duty mm-II. Reply be called through

Scanned with CamScanner

IO/SNO for 10-08-2020

Duty mm-II

25

FIR No. 387/20

PS Mundka

State Vs. Krishan Kumar

U/s 279/337 IPC and 33/38 Delhi Excise Act

07.08.2020

Present: Ld. APP for the State.

Sh. Manu Bhatiya Ld. Counsel for accused/ applicant.

The present bail application has been filed on behalf of accused Krishan Kumar in the above mentioned case FIR wherein it is submitted that applicant is in JC since 05.08.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further submitted that accused is a sole bread earner of his family. It is further submitted that accused has clean past antecedents. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused and accused is involved in one other similar case. With this, prayer of dismissal of present application is made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused person and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear

before IO and Court as and when required and directed.


3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.

Application in hand is disposed of.

Copy of order be given dasti to Ld. Counsel for applicant/
accused.

Record be sent back to concerned court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

22

FIR No. 001315/19
PS Tilak Nagar


07.08. 2020

Present: Ld. APP for the State.

Sh. Praveen Singh Ld. Counsel for applicant (through VC)

Status report is received and it has come in the status report that whereabouts of the accused could not be traced out and therefore untrace report will be filed in the court in due course. Ld. Counsel has submitted that proper investigation has not been done and IO has not made any efforts to procure the CCTV footage etc.

Let IO be called for 11.08.20 alongwith case diary for perusal of the court.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 323/20

PS Mundka

State Vs. Pardeep

07.08. 2020

Present: Ld. APP for the State.

Ld. Counsel for accused / applicant (through VC).

This order shall dispose of the application seeking release of vehicle bearing no. DL-4SCZ-3470 on superdari to the registered owner/ applicant Pradeep.

IO in his reply has submitted that during investigation vehicle no. DL-4SCZ-3470 was seized and IO has also no objection qua the release of vehicle.

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :-

“68. 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.

IN THE COURT OF DUTY M.M., WEST DISTRICT, TIS HAZARI
COURT, DELHI

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number DL-4SCZ-3470 be released to the registered owner **subject to production of original documents i.e. RC etc to the IO and on furnishing security bond / indemnity bond as per valuation report of the vehicle.** IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be sent to applicant through email.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.



(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

Ld. Counsel for accused / applicant (through VC).

This order shall dispose of the application seeking release of vehicle bearing no. DL-4SCZ-3470 on superdari to the registered owner/ applicant Pradeep.

IO in his reply has submitted that during investigation vehicle no. DL-4SCZ-3470 was seized and IO has also no objection qua the release of vehicle.

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :-

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number DL-4SCZ-3470 be released to the registered owner **subject to production of original documents i.e. RC etc to the IO and on furnishing security bond / indemnity bond as per valuation report of the vehicle**. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be sent to applicant through email.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.



(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 247/20

PS Ranjit Nagar

U/s 381 IPC

State Vs. Sushil Sharma etc.

07.08. 2020

Present: Ld. APP for the State.

Sh. Prashant Diwan Ld. Counsel for applicant (through VC)

This is an application seeking release of recovered articles/ currency seized during investigation wherein it is mentioned that applicant/ complainant is involved in the business of money exchange having his office in Kanika Tour and Travels Pvt. Ltd. At shop no. 9, Mohan Singh Place, Connaught Place, Delhi. It is further stated that on 15.06.2020 applicant has withdrew Rs. 40,00,000/- in cash from ICICI Bank, Goal Market Branch and had separated Rs. 1,50,000/- for household expenditures and rest amount of Rs. 38,50,000/- were kept in almiraha. It is further stated that on 17.06.2020 he has not found the keys of that almirah and break open the lock of almirah and found that amount stolen and lodged the present FIR. It is further stated that during investigation police has recovered Rs. 7,80 Lakh from the accused persons and seized the various bank accounts. It is further stated that due to the pandemic of Covid 19 applicant is in urgent requirement of his hard earned money. Hence, this application filed.


Reply has been called from IO wherein it has come that total amount of Rs. 7,80,000/- has been recovered from the possession of the accused persons and apart from this a sum of Rs. 18,90,909/- has been transferred to several bank accounts which has been freezed already and further a scooty (activa) without number has been bought from the stolen amount of worth Rs. 83,485/-(including insurance). It has also been mentioned in the reply three mobile phones has also been purchased. It is observed that the IO has not clarified in his reply that whether those mobile phones has been taken into possession by the police or not.

Considering the submissions made qua the release of cash at this stage and further submission that application be kept pending till

clarification is received from the IO as to the other things, observing that there is no dispute as to the cash of Rs. 7.80 Lakh (7,80,000/-) and it has come in reply that said money belongs to the applicant, therefore in view of the same the cash amount of Rs.7.80 Lakh (7,80,000/-) lying in malkhana of PS Ranjit Nagar is directed to be released / given to the applicant Vijay Kumar S/o Sh. Dilbag Vij against proper receipt and identification. IO is directed to note down the details of currency notes before releasing the same and also directed to take the photographs thereof and file the same before the court alongwith negatives. However, the application is kept pending for order of remaining amount which is stated to be transferred to other bank accounts by accused persons and as to the remaining amount by which certain articles are alleged to have been purchased by the accused persons. It is also clarified that while releasing the sum of Rs. 7.80 Lakh to the applicant the directions given in the judgment passed by Hon'ble High Court of Delhi in case Manjit Singh Vs. State in Crl.MC. no. 4485/2013 dated 10.09.2014 be also adhered too.

Put up for said purpose on 17.08.2020, clarifications be called from the IO. Copy of this order be given dasti to Ld. Counsel for applicant via email.

Copy of order be also sent to SHO concerned for compliance and for filing fresh reply/ clarification.



(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 389/16

PS Mundka

U/s 363/366/376/34 IPC & Sect 6 of POCSO Act

State Vs. Roshan

07.08.2020

Present: Ld. APP for the State.

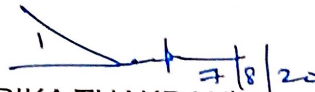
Vide order dt. 05.08.2020, Ms. Archana Sinha, Ld. Addl. Sessions Judge-06, West District has granted bail to accused Roshan subject to furnishing of personal and surety bonds to tune of Rs.35,000/-. In compliance of said order bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.



(DEEPIKA THAKRAN)

Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No. 11101/20

PS Tilak Nagar

U/s 379/411 IPC

State Vs. Ravi @ Manish

07.08.2020

Present: Ld. APP for the State.


Vide order dt. 05.08.2020, Sh. Rinku Jain, Ld. Duty MM, West District has granted bail to accused Ravi @ Manish subject to furnishing of personal and surety bonds to tune of Rs.10,000/- In compliance of said order bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist, THC, Delhi
07.08.2020.

FIR No: 126/20

PS Moti Nagar

State Vs. Vivek Mishra

U/s 419/420 r/w 66C/66D IT Act

07.08.2020

Present: Ld. APP for the State.


Sh. Vishal Arun Mehra Ld. Counsel for accused.

This is a bail application U/s 437 Cr.PC whereby the accused seeks extension of interim bail already granted to him on 30.03.2020, 12.05.2020 and thereafter on 27.06.2020. It is submitted in the application that accused has been falsely implicated in the present case and his case falls under the directions given by Hon'ble Supreme Court of India in Writ Petition (c) no. 1/2020 in RE: Contagion of Covid-19 virus in prisons and Hon'ble High Court of Delhi in Writ Petition no. 2945/2020. Considering the fact that accused is already on interim bail for 45 days and time and again it was extended, the same is further extended for further period of 45 days w.e.f. 07.08.2020.

Full signed duplicate of this order be sent to jail superintendent concerned, which shall also be treated as release warrant upon the acceptance of personal bond.

Application stands disposed of.

Copy of this order be given dasti, as prayed for.


(DEEPIKA THAKRAN)
Duty MM-II, West Dist. TnC, Delhi
07.08.2020.