

State Vs. Yash
FIR No. 013743/20
PS Sadar Bazar
U/s 379/411/34 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

This is an application U/s 437 Cr.P.C. for grant of bail has been moved on behalf of applicant/accused namely, Yash s/o Sh. Rakesh.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.
Sh. Anil Kumar, Ld. Counsel for applicant/accused.

Issue notice to the IO concerned to file reply to the present bail application on **01.02.2021**.

One copy of the order be uploaded on Delhi District Court Website.
Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

State Vs. Yash
FIR No. 767/2020
PS Sadar Bazar
U/s 379/411/34 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

This is an application U/s 437 Cr.P.C. for grant of bail has been moved on behalf of applicant/accused namely, Yash s/o Sh. Rakesh.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

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

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that applicant/accused has been apprehended on the basis of disclosure statement. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 21.12.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a young boy aged about 19 years and is the sole bread earner of his family. It is further submitted that applicant/accused is a permanent resident of Delhi. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the case property i.e. stolen mobile phone has been recovered from the possession of applicant/accused. It is further stated that applicant/accused is previously involved in similar cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property i.e. stolen mobile phone has been recovered from the

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possession of the applicant/accused. It is submitted that the accused/accused has previous involvement in many criminal cases and he may commit similar offences again, if released on bail. Thus, it is prayed that the applicant/accused shall not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that applicant/accused is in J/C since 21.12.2020 and recovery has already been effected, this Court is of the considered view that no fruitful purpose would be served by keeping the applicant/accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 15,000/- with one surety of like amount, to the satisfaction of this Court / Ld. Duty MM as per prevailing roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

State Vs. Suraj
FIR No. 74/19
PS Civil Lines

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None on behalf of applicant/ surety.

Put up for consideration on the present application on **17.02.2021.**

One copy of the order be uploaded on Delhi District Court Website.

Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.

(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

State Vs. Mohd. Kamil
e-FIR No. 000019/21
PS Sadar Bazar
U/s 379/411 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Mohd. Kamil s/o Mohd. Jamil Ahmed.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.
Sh. Lokesh Ahlawat, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is a young boy and is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that case property i.e. stolen mobile phone has been recovered from the possession of applicant/accused. It is further stated that applicant/accused is previously involved in criminal cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property i.e. stolen mobile phone has been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous involvement in three other cases of a like nature and he may commit similar offences again, if released on bail. Therefore, it is prayed that the



applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that recovery has already been effected and applicant/accused is no more required for any custodial interrogation, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Ld. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off. Copy of this order be given dasti to Ld. Counsel for applicant/accused. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

State Vs. Mohd. Kamil
e-FIR No. 000009/21
PS Sadar Bazar
U/s 379/411 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Mohd. Kamil s/o Mohd. Jamil Ahmed.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. Lokesh Ahlawat, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 01.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a young boy and is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that case property i.e. stolen mobile phone has been recovered from the possession of applicant/accused. It is further stated that applicant/accused is previously involved in criminal cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property i.e. stolen mobile phone has been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous involvement in three other cases of a like nature and he may commit similar offences again, if released on bail. Therefore, it is prayed that the

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applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that recovery has already been effected and applicant/accused is no more required for any custodial interrogation, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Ld. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off. Copy of this order be given dasti to Ld. Counsel for applicant/accused. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

State Vs. Mohd. Kamil
e-FIR No. 000008/21
PS Sadar Bazar
U/s 379/411 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Mohd. Kamil s/o Mohd. Jamil Ahmed.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for State.

Sh. Lokesh Ahlawat, Ld. Counsel for applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 01.01.2021 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a young boy and is the sole bread earner of his family. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that case property i.e. stolen mobile phone has been recovered from the possession of applicant/accused. It is further stated that applicant/accused is previously involved in criminal cases.

Ld. Substitute APP for the State has opposed the bail application on the ground that the case property i.e. stolen mobile phone has been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous involvement in three other cases of a like nature and he may commit similar offences again, if released on bail. Therefore, it is prayed that the

applicant/accused should not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Considering the submissions made and the circumstances that recovery has already been effected and applicant/accused is no more required for any custodial interrogation, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount, to the satisfaction of Ld. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off. Copy of this order be given dasti to Ld. Counsel for applicant/accused. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

FIR No. 139/16, 278/16, 405/16, 111/17, 117/17, 275/17, 285/17, 301/18 & 62/16
PS Sadar Bazar

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

This is an application seeking permission for disposal of the case property.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None on behalf of MHC(M).

Since none has appeared on behalf of MHC(M), the above said application be put up for consideration on **22.02.2021**.

Let notice be issued to concerned MHC(M) to appear in person before the Court for the NDOH.

One copy of the order be uploaded on Delhi District Court Website.
Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

State Vs. Avinash
e-FIR No. (MVT) 031436/2020
PS Sadar Bazar

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Praveen Garg, Ld. Counsel for the applicant.

An application for calling of status report has been filed on behalf of applicant.

Status report has been filed by IO. Same is taken on record.

Copy of status report has been supplied to the Ld. Counsel for applicant.

In view of same, the present application stands disposed off.

One copy of the order be uploaded on Delhi District Court Website.
Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

30.01.2021

Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up today physically.

This is an application for releasing of vehicle bearing No. DL-3S-CD-3313 on superdari filed by applicant Sh. Mohd. Azam.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Anis Ur Rehman, AR alongwith Ld. Counsel Sh. M.Z. Qureshi.

Reply filed by the IO. Same is take on record. As per the reply of IO, he has no objection in releasing the same to the applicant as it is stated that the vehicle in question is no more required for the purpose of investigation.

Ld. Counsel for applicant has filed on record an authority letter issued by the applicant in favour of AR/ his nephew Sh. Anis Ur Rehman. For the purpose of identity, scanned copy of AADHAR card of applicant as well as AR is also filed alongwith the application. Statement of AR as well as Ld. Counsel for applicant has been recorded separately.

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.**"

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble High Court of Delhi 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 bearing registration No. **DL-3S-CD-3313 be released to the AR** on furnishing security bond/indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant/rightful owner/registered owner as per directions of Hon'ble Supreme Court. Coloured photographs and punchnama of vehicle in question be conducted as per above mentioned judgments.

Copy of this order be given dasti to the applicant. Punchnama alongwith photographs, valuation report etc shall be filed in the Court alongwith final report. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

State Vs. Mohd. Raza
FIR No. 185/20
PS Sadar Bazar
Case No. 8120/20

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. Shakeel Ahmed, Ld. Counsel for the accused and surety in person.

Bail bond verification report has been filed by the IO concerned. As per which, IO seeks further time to verify the bail bonds of the accused since he is busy in law and order arrangement.

In view of same, the bail bond and surety bond furnished on behalf of accused Mohd. Raza on 19.12.2020 are accepted till 08.02.2021.

The bond be verified through IO/ SHO concerned by 08.02.2021 positively. Issue notice to the accused as well as his surety with direction to appear in person before the Court on 08.02.2021.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.


(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/30.01.2021

State Vs. Amit
FIR No. 501/2020
PS Civil Lines
U/s 279/337 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Sachet Sharma, Ld. Counsel for the applicant.

At request of Ld. Counsel for the applicant, put up for consideration on the present application on **01.02.2021**.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

Mangal Jain VS Preeti Jain
Case No. 13915/18
PS Sadar Bazar

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.

File taken up today on the application for withdrawal of the present complaint.

Present : Complainant in person with Ld. Counsel, Sh. Aditya Kala.

It is stated by the complainant that he no longer wants to pursue his complaint u/s 200 Cr.P.C. any further and seeks permission to withdraw this case.

Heard. Statement of the complainant has been recorded separately to that effect. In view of the statement of complainant, the application as well as complaint stands dismissed as Withdrawn. Original documents if impounded, be returned back to the rightful claimant after canceling endorsement.

Earlier date fixed i.e. 01.04.2021 stands canceled.

File be consigned to Record Room.

At request, copy of this order be given dasti to the complainant.

One copy of the order be uploaded on Delhi District Court Website.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021

State V/s Sahil Kapoor
FIR No. 521/20
P.S. Civil Lines
U/s 377 IPC

30.01.2021

Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically. The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Sahil Kapoor s/o Late Ashwani Kapoor.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Mr. Ajay Khatana, Ld. Counsel for applicant/accused.

Complainant in person with Ld. Counsel from DCWA.

It is submitted by Ld. Counsel for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused is a young boy, his past antecedents are clean and he is not a previous convict. It is further submitted that the allegations in the FIR pertain to the year 2018 and 2019 whereas the complainant lodged the FIR in the month of November, 2020 as a counter-blast to the complaint filed by applicant/accused. It is further submitted that no injury was reported in MLC of the complainant. It is further submitted that the applicant/accused is in J/C since 26.11.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused has no role to play in the present offence. It is further submitted that charge-sheet has already been filed in the present matter. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the allegations in FIR have been corroborated by statement of victim recorded u/s 164 Cr.P.C. It is further stated that the applicant/accused has not been previously involved in any other criminal case.

Contd:-



Ld. Substitute APP for the State has opposed the bail application on the ground that allegations against the applicant/accused are grave and serious in nature. It is further submitted that allegations in FIR have been corroborated by statement of victim recorded u/s 164 Cr.P.C. It is further submitted that no injury was reported in the MLC as the MLC was conducted more than one year after the alleged incident. It is further submitted that bail application of applicant/accused has already been dismissed by this Court on 09.12.2020.

The bail application moved on behalf of applicant/accused is also highly opposed by the complainant.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Allegations against the applicant/accused are grave and serious in nature. Allegation pertains to offence u/s 377 IPC which is punishable with up to imprisonment for life. Considering the seriousness of the allegation and gravity of alleged offence, this Court does not deem it fit to grant bail to the applicant/accused. Hence, bail application of applicant/accused stands dismissed.

Accordingly, the present application is disposed off. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/30.01.2021