

State Vs. Nakul  
DD No. 66-A dt: 29.12.20  
PS Sadar Bazar  
U/s 41.1 (D) Cr.P.C.

07.01.2021

*Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.*

**The undersigned is working as Duty MM for the day.**

*Joined through Video Conferencing on Cisco Webex.*

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Nakul s/o Sh. Rajesh.***

Present : Ld. APP for the State through V.C.

Mr. Nagendra Singh, Id. Counsel for applicant/accused (through V.C).

HC Vikendra Kumar has also joined through V.C.

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 in J/C since 29.12.2020. Therefore, it is prayed that he 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.

IO submits that applicant/accused was arrested on the basis of suspicion u/s 41.1 (D) Cr.P.C. and 7 stolen phones were found in his possession. It is submitted that out of these stolen phones, one stolen mobile phone Apple I Phone has been recovered which was found to be stolen in e-FIR No. 220/20 U/s 379 IPC. IO concerned was informed about the arrest, however, since IO concerned did not come to take custody of applicant/accused, applicant/accused was remanded to J/C for 14 days by Ld. Duty MM. It is further stated that on the next day, concerned IO took remand of applicant/accused in e-FIR No. 220/20 U/s 379 IPC.

Ld. APP for the State has opposed the bail application on the ground that 7 stolen phones have been recovered from the possession of the applicant/accused. It is submitted that the applicant/accused has previous involvement in many criminal cases



and he may commit similar offences again, if 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.

Let notice be issued to IO concerned to file report regarding the status of remaining 6 stolen mobile phones and whether applicant/accused has been arrested by respective IOs in all the other cases on 08.01.2021.

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/07.01.2021

07.01.2021

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Present : None for the State.

Mr. Nikhil Yadav, Ld. LAC for accused (through V.C.).

An application has been moved electronically by Ld. LAC for the applicant/accused for release of applicant/accused on personal bond.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically.

In the absence of Ld. APP for the state, arguments on the above said application could not be heard. This Court is also working as Duty MM today and despite clear instructions in this regard, Ld. APP for the State was not present in the Court either physically or virtually. This is not the first instance when Ld. APP for the state has been absent from the Court.

Let a copy of this order be sent to Chief PP with direction to file report explaining absence of Ld. APP for the State in the Court.

Put up for arguments / consideration on the above said application on **08.01.2021.**

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

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/07.01.2021

State Vs. Shahdat @ Arman  
e-FIR No. 000405/18  
PS Sadar Bazar  
Case No. 1998/19  
U/s 379/411 IPC

07.01.2021

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*Joined through Video conferencing.*

Present : None for the State.

Mr. Shakeel Ahmed, Ld. Counsel for applicant has joined through V.C.

An application for sending the intimation to Jail Superintendent Boosihat Central Jail 24, North Pargana, West Bengal has been moved on behalf of applicant/accused electronically.

In the absence of Ld. APP for the state, arguments on the above said application could not be heard. This Court is also working as Duty MM today and despite clear instructions in this regard, Ld. APP for the State was not present in the Court either physically or virtually. This is not the first instance when Ld. APP for the state has been absent from the Court.

Let a copy of this order be sent to Chief PP with direction to file report explaining absence of Ld. APP for the State in the Court.

Put up for consideration on the above said application on **08.01.2021.**

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



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/07.01.2021

State V/s Shoaib  
FIR No. 211/20  
P.S. Sadar Bazar  
U/S 392/411 IPC

**07.01.2021**

Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.

**The undersigned is working as Duty MM for the day.**

Joined through Video conferencing.

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Shoaib s/o Sh. Riyasat Ali.***

Present : None for the State.

Mr. Iqbal Khan, Id. Counsel for applicant/accused has joined meeting through Cisco Webex.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically.

In the absence of Ld. APP for the state, arguments on the above said application could not be heard. This Court is also working as Duty MM today and despite clear instructions in this regard, Ld. APP for the State was not present in the Court either physically or virtually. This is not the first instance when Ld. APP for the state has been absent from the Court.

Let a copy of this order be sent to Chief PP with direction to file report explaining absence of Ld. APP for the State in the Court.

Put up for arguments on the above said application on **08.01.2021**.

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



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/07.01.2021

**07.01.2021**

*Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.*

**The undersigned is working as Duty MM for the day.**

*Joined through Video Conferencing on Cisco Webex.*

**This is an application for releasing of mobile make Oppo on superdari filed by applicant/ registered owner Sh. Raju Kumar.**

Present : Ld. APP for the State.

Sh. Raju Kumar, applicant has joined through V.C.

Reply on behalf of IO filed electronically. Same is taken on record. Copy of same has been sent to applicant electronically. As per the reply, it is stated that IO has no objection in releasing the mobile phone make **Oppo** to the applicant as it is no more required for the purpose of investigation.

For the purpose of identity, scanned copy of AADHAR card of applicant is also sent alongwith the application.

Instead of releasing the said mobile on superdari, I am of the considered view that the aforesaid mobile 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**", which has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State**".

Considering the facts and circumstances and law laid down by higher courts, mobile of make **Oppo** be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the aforesaid mobile. Accordingly, IO is directed to get the valuation done of the mobile phone prior to releasing the same to the applicant, as per directions of Hon'ble Supreme Court. Coloured photographs of the mobile phone be also taken as per rules.

Copy of this order be given dasti to Ld. Counsel for the applicant. 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/07.01.2021

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

07.01.2021

Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.

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

Present : Ld. APP for the State (through V.C.)

None on behalf of IO.

Since none on behalf of IO has joined through V.C., the above said application be put up for consideration on 12.01.2021.

One copy of order be uploaded on Delhi District Court website.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/07.01.2021

State Vs. Anuj  
FIR No. 342/20  
PS Civil Lines  
U/s 25/54/59 Arms Act

07.01.2021

*Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.*

**The undersigned is working as Duty MM for the day.**

*Joined through Video Conferencing on Cisco Webex.*

Present : Ld. App for the State (through V.C.).  
Sh. Prakash Sharma, Ld. Counsel for the applicant/accused through  
V.C.

An application for change of surety has been moved on behalf of  
applicant/accused Anuj electronically.

Ld. Counsel for applicant/accused seeks an adjournment for today.

At request of Ld. Counsel for applicant/accused, put up for

**11.01.2021 (physical hearing day).**

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

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/07.01.2021

State Vs. Faiz Mohammad Qureshi, etc.  
FIR No. 160/18  
PS Sadar Bazar  
Case No. 16668/18

07.01.2021

*Vide Office Order No. 1417/25841-991 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 23.12.2020, the cases are being taken up through Video Conferencing today.*

**The undersigned is working as Duty MM for the day.**

*None has joined through Video Conferencing on Cisco Webex.*

Present : Ld. APP for the State (through V.C.).

None on behalf of applicant has joined through V.C.

Ahlmad of this Court has not issued notice to IO in compliance of previous order, thus, no report has been filed on behalf of IO. Ahlmad is warned to be careful in future.

Concerned Naib Court submits that IO who prepared the charge-sheet in the present matter has been transferred.

Accordingly, let notice be issued to SHO to file the report in compliance of previous order on **12.01.2021.**

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/07.01.2021