

FIR No. 69/2001
PS Sadar Bazar

12.01.2021

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.

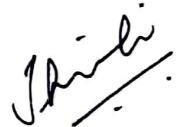
Present : Sh. Vikram Dubey, Ld. APP for the State (through V.C.).
Mr. Mehraj Chaudhary, Ld. Counsel for applicant alongwith applicant has joined through V.C.

Report has been filed by HC Nishant stating that no record of the present FIR pursuant to charge-sheet being filed is available in the PS.

In view of the same, Ahlmad is directed to trace out the said file. Ahlmad seeks 15 days time to do the same.

Accordingly, put up on **27.01.2021**.

One copy of order be uploaded on CIS.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/12.01.2021

12.01.2021

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 for releasing of vehicle bearing No. DL-6SM-7693 on superdari filed by applicant/ registered owner Sh. Aziz Ahmad.

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

Sh. S.M. Jamal, Ld. Counsel for applicant alongwith applicant joined through V.C.

IO ASI Davinder has also joined through V.C.

Reply filed by the IO. Same is take on record. As per the reply of IO, he has verified the ownership of the vehicle in question and 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.

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

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 Crl. 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-6SM-7693** be released to the applicant/rightful owner/registered owner 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/12.01.2021

12.01.2021

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 for releasing of vehicle bearing No. DL-3S-CH-7700 on superdari filed by applicant/ registered owner Sh. Atikur Rehman.

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

Sh. Atikur Rehman, applicant joined through V.C.

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.

For the purpose of identity, scanned copy of R/C of applicant is also sent alongwith the application.

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 Crl. 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-CH-7700** be released to the applicant/rightful owner/registered owner 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/12.01.2021

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

12.01.2021

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.

Present : Sh. Vikram Dubey, Ld. APP for the State (through V.C.).
None on behalf of applicant has joined through V.C.

Reply has been filed by SI Vijay Kumar in compliance of previous order. Concerned Naib Court submits that report could not be filed / forwarded by SHO since he is on medical rest and thus, deputed SHO marked the application to SI Vijay Kumar.

Perusal of report filed by SI Vijay Kumar reveals that charge-sheet in the present matter has already been filed and case is pending trial before this Court. It is further stated that role of complainant is also doubtful in the present matter, hence, IO has opposed release of the said amount on superdari to the applicant until completion of trial.

In view of the report filed, the present application seeking release of amount of Rs. 2,05,000/- stands dismissed.

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/12.01.2021

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

12.01.2021

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.

Joined through Video Conferencing on Cisco Webex.

Present : Sh. Vikram Dubey, Ld. APP for the State (through V.C.).
Sh. Jitender Tiwari, Ld. Counsel for applicant has joined through
V.C.

An application for withdrawal of surety has been filed on behalf of
the applicant/ surety by Ld. Counsel.

Ld. Counsel for the applicant/surety requests for an adjournment.

Heard. Request is allowed.

At request, put up on **18.01.2021.**

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


(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/12.01.2021

12.01.2021

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 for releasing of vehicle bearing No. DL-2SQ-5264 on superdari filed by applicant Mohd. Akbar.

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

Sh. Shiva Nand Sharma, Ld. Counsel for applicant has joined through V.C.

Reply filed by the IO. Same is take on record. As per the reply of IO, he has verified the ownership of the vehicle in question and he has no objection in releasing the same to the its real owner i.e. Mohd. Afzal as it is stated that the vehicle in question is no more required for the purpose of investigation.

At this stage, Ld. Counsel for applicant wants to withdraw the present application.

Heard. Request stands allowed. At request of Ld. Counsel for applicant, the present application stands dismissed as withdrawn.

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/12.01.2021

State Vs. Rahul
FIR No. 11/2021
PS Civil Lines
U/s 25/54/59 Arms Act

12.01.2021

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.

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 Rahul s/o Sh. Umesh.

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

Mr. Akshat Sharma, Id. Counsel for applicant/accused (through V.C).

Reply to the present bail application has been filed by IO electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. The same is taken on record.

At this stage, Ld. Counsel for applicant/accused wants to withdraw the present application.

Heard. Request stands allowed. At request of Ld. Counsel for applicant/accused, the present bail application stands dismissed as withdrawn.

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/12.01.2021

12.01.2021

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 for releasing of vehicle bearing No. DL-8S-CK-7304 on superdari filed by applicant/ registered owner Mohd. Rizwan.

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

Sh. Rajpal Singh, Ld. Counsel for applicant has joined through V.C.

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.

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

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 Crl. 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-8S-CK-7304** be released to the applicant/rightful owner/registered owner 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/12.01.2021

State Vs. Mohd. Babar
FIR No. 668/15
PS Sadar Bazar
U/s 420/467/468/471/120B/34 IPC

12.01.2021

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.

Joined through Video Conferencing on Cisco Webex.

Present : Sh. Vikram Dubey, Ld. APP for the State (through V.C.).

SI Renu has also joined through V.C. on Cisco Webex.

IO has moved an application for issuance of process u/s 82 Cr.P.C. against accused Mohd. Babar s/o Mohd. Samim r/o 411, 4th Floor, Zakir Nagar (West), Okhla, New Delhi.

Heard on the application. Case file perused.

Perusal of record reveals that this Court vide order dated 22.12.2020 issued process u/s 82 Cr.P.C. against accused Mohd. Babar, returnable for 30.01.2021. However, IO submits that inadvertently process u/s 82 Cr.P.C. was issued against co-accused Saadat instead of accused Mohd. Babar.

Let report be filed by Assistant Ahlmad.

At 03.00 pm:

At this stage, report has been filed by Assistant Ahlmad, as per which inadvertently she had issued process u/s 82 Cr.P.C. against co-accused Saadat instead of accused Mohd. Babar. Assistant Ahlmad is warned to remained careful in future.

In view of the present application and report filed by Assistant Ahlmad, the present application stands allowed. Let **process u/s 82 Cr.P.C. be issued against accused Mohd. Babar for 19.02.2021.**

Process issued u/s 82 Cr.P.C. against accused Saadat hereby stands canceled.


(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/12.01.2021

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

12.01.2021

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 **30.01.2021**.

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



(SHIVLI TALWAR)
MM-06(C)/THC/Delhi/12.01.2021