

FIR No. 386/20 dt. 03.08.2020

PS: Mundka

U/s 307/34 IPC & 25,27,54,59 Act

29.08.2020

Present : Ld. APP for State.

IO/ASI Phool Kanwar in person.

This is an application filed for transferring the juvenile (name withheld) in the above mentioned case FIR to the Observation Home for Boys King's way camp Delhi(OBH). It is submitted in the application that accused was apprehended in the above mentioned case and he had disclosed his age to be 20 years at the time of his arrest and he did not furnish any age proof however, later his mother had furnished a school certificate whereupon the relevant record of pasting file from the school was obtained in which date of birth was mentioned to be 01.04.2003, however, in the birth certificate annexed thereto the date of birth of the juvenile/child in conflict with law (CCL) was found to be 28.08.2002 and now his present age is 17 years and 11 month however, he is lodged in Tihar Jail No.5. On perusal of the record and submission made prima facie it is observed that he is a juvenile and accordingly he is directed to be transferred from Tihar Jail no.5 to Observation Home for Boys (OBH) King's way camp, Delhi forthwith. The necessary provisions/rules in this regard and those provided under Juvenile Justice Act 2015 be adhered to.

Copy of this order be given to IO and be also sent to Jail Superintendent concerned for necessary compliance.


(Deepika Thakran)

Duty MM-I(Mahila Court-04)

West/ THC/Delhi

29.08.2020

सुश्री दीपिका ठाकरान
Ms. DEEPIKA THAKRAN
महानगर दण्डाधिकारी, महिला कोर्ट-04
Metropolitan Magistrate Malviya Court-04
पश्चिम जिला/West District
कमरा संख्या-252, द्वितीय तल
Room No. 252, 2nd Floor
तीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

FIR No.017516/2020
PS: Tilak Nagar
U/s 379 IPC
Vehicle No.DL-3S-CN-9632

29.08.2020

This is an application for release of vehicle i.e. Vehicle No.DL-3S-CN-9632 moved by registered owner.

Present: Ld. APP for State.

Sh. K.B Rao ld. Counsel for applicant (through VC).

Copy of document annexed, same is perused.

Reply not filed. Despite reply being called today.

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



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Ms DEEPIKA THAKRAN
Metropolitan Magistrate, Mahila Court-04
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कमरा संख्या 257, जजलॉर
Room No. 257, Jajalor
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Blue Hill, Delhi

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-3S-CN-9632 be released to SPA holder namely Baljeet Singh i.e. husband of the RC holder Smt. Gurvinder Kaur (registered owner) on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to release the vehicle only on showing the original documents pertaining to the vehicle and 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.

Copy of this order be sent via email to the Id. Counsel for applicant by the reader/ahlmad of this court.



(Deepika Thakran)

Duty MM-I(Mahila Court-04)

West/ THC/Delhi

29.08.2020
महानगर मजिस्ट्रेट, महिला कोर्ट-04
Metropolitan Magistrate, Mahila Court-04

FIR No.45/2020
PS : Moti Nagar
State Vs. Dharmender Kumar
U/s 363 IPC

29.08.2020

Present : Ld. APP for State.

Sh. Deepak Kumar Ld. Counsel for applicant (through VC).

Copy of FIR in the above mentioned case has been filed, however, nothing is apprised by the IO as to the status the Dharmender Kumar. Ld. Counsel submits that brother of the applicant namely Dharmender was arrested on 22.08.2020 by the police officials of PS Moti Nagar. Let the IO be called with the detailed reply as to the whereabouts of applicant Dharmender Kumar for tomorrow.

Put up on 30.08.2020.

Copy be sent to the IO for compliance.

IO is further directed to supply the copy of FIR to the applicant i.e. brother of Dharmender Kumar/counsel.



(Deepika Thakran)

Duty MM-I(Mahila Court-04)

West/ THC/Delhi

29.08.2020

FIR No.007716/2020
PS: Ranhola
U/s 379/411/34 IPC
State Vs. Deep Narayan

29.08.2020


Present : Ld. APP for State.

Sh. Jubain Sharma Id. Counsel for applicant (through VC).

Reply not filed.

Let the reply be called forthwith from the IO/SHO
concerned.

Put up for further proceeding through VC for 01.09.2020 as
requested.


(Deepika Thakran)
Duty MM-I(Mahila Court-04)
West/ THC/Delhi
29.08.2020

e-FIR No.014903/2020
PS : Patel Nagar
State Vs. Vishal Choudhary
U/s: 379/411 IPC

29.08.2020

सुश्री दीपिका ठाकरान
Ms. DEEPIKA THAKRAN
महानगर दण्डाधिकारी, महिला को
Metropolitan Magistrate Mahila Court-04
पश्चिम जिला/West District
कमरा संख्या-252, द्वितीय सतह
Room No. 252, 2nd Floor
तीस हजारी न्यायालय, दिल्ली
The Hazari Courts, Del :

Present : Ld. APP for State.

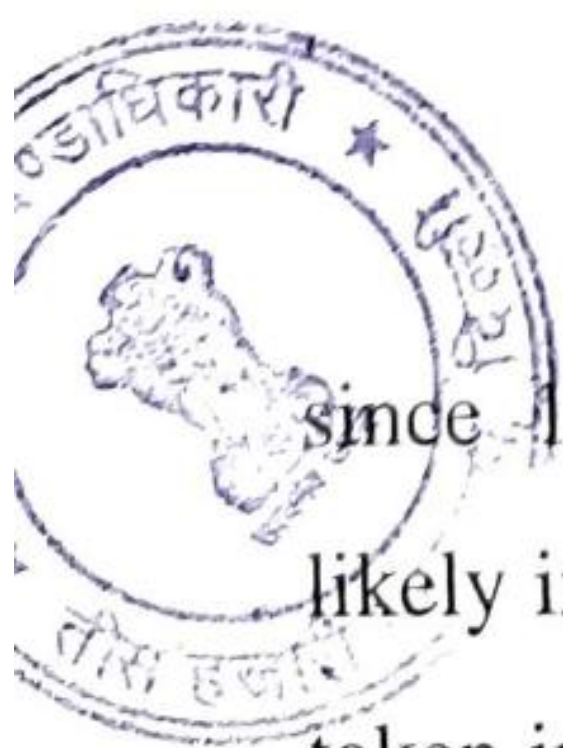
Sh. Chakravati Id. Counsel for the applicant/accused (through VC).

This bail application has been filed on behalf of accused Vishal Choudhary S/o Sh. Charan Singh Bhadora in the above mentioned case FIR wherein it is submitted that accused has been falsely implicated in the present case and he is in JC since 10.08.2020. It is further stated that Ashok Kumar S/o Lt. Sh. Ashok Kumar reported the theft of his vehicle make Royal Enfield bearing registration no.DL1SAA4918 which has been stolen from D block West patel nagar between 5:00 and 5:32 on 04.07.2020. It is further stated that the accused/applicant is innocent and has been falsely implicated in the present case. It is further stated that no purpose will be served by keeping the accused in custody. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that during the investigation the stolen motorcycle was recovered. It is further stated that accused was arrested on 10.08.2020 and sent to JC. 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 since 10.08.2020. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused 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.15,000/-



Ms. DEEPIKA THAKRAN
Metropolitan Magistrate, Mahila Court-04
West/THC/Delhi

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 offence in future.

Accordingly, the application stands disposed of.

Copy of this order be sent via email to the Id. Counsel for accused/applicant by the Reader/Ahlmad of this court.




(Deepika Thakran)
Duty MM-I(Mahila Court-04)
West/ THC/Delhi
29.08.2020
महानगर दण्डाधिकारी, महिला कोर्ट-04
Metropolitan Magistrate, Mahila Court-04