

FIR No.220/2020
PS Ranjeet Nagar

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused (through CISCO (Webex).

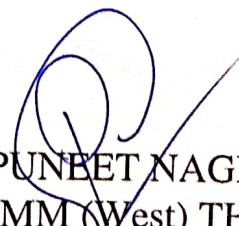
This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Prakash @ Ashu wherein it has been submitted that the accused person is in JC since 31.05.2020.

IO of this case has filed reply. Perusal of reply shows that there is allegation of under Section 379/356/411/34 IPC against the accused and investigation is still pending.

Considering the fact that the accused was apprehended from the spot by the complainant himself with the help of Beat Constable Mukesh when he had snatched the mobile phone of the complainant and the fact that apart from the instant FIR, the accused has been involved in numerous cases of similar nature, I am not inclined to grant the concession of bail, especially when the investigation is still pending.

Consequently, present application stands dismissed.

Copy of the order be sent to Ld. Counsel for accused by way of e-mail on the e-mail address to be furnished by the Ld. Counsel for accused.


(PUNBET NAGPAL)
DMM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.DL-4SCX-1700.

Present: Ld. APP for the State (through CISCO Webex).

Applicant in person with counsel.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

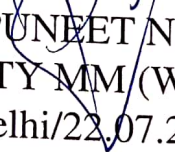
59. *The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.*

60. *The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.*

61. *The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.*

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL- 4SCX-1700** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

Received

1/20

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.DL-SSBS-2431.

Present: Ld. APP for the State (through CISCO Webex).
AR of the registered owner namely Sh.Arun Nirwan.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-


"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

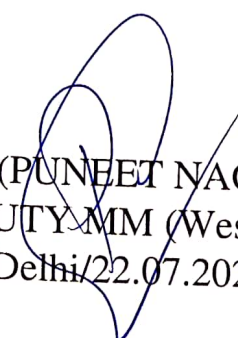
60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-8SBS-2431** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


ARUN NIRWANI


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.**DL-6SAZ-7946**.

Present: Ld. APP for the State (through CISCO Webex).

Applicant Ms. Shweta Chugh/wife of deceased owner in person.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

“59. The valuable articles seized by the police may be released to the person, who , in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-6SAZ-7946** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

Order received
Shruti
22/7/2020

(RUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. **Vehicle bearing No.HR-79-4932.**

Present : Ld. APP for the State (through CISCO Webex).

Applicant in person.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -


"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **Vehicle bearing No.HR-79-4932** as per seizure memo be released to the applicant, *on verification of insurance certificate of the vehicle and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

Wingh
order Recd.
KARAN SINGH
22/7/20

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.**DL-10SG-6376**.

Present: Ld. APP for the State (through CISCO Webex).
Applicant in person.

IO has filed his reply. Same is taken on record.

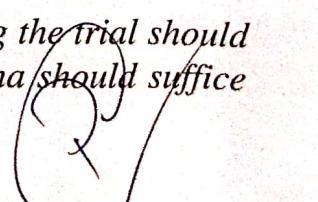
Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.


61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.



Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-10SG-6376** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and *on furnishing a valid third party insurance certificate* and on security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

Handwritten signature


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused/applicant (through CISCO (Webex).

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Gaurav Kumar @ Mandu S/o Sh. Jai Bhagwan wherein it has been submitted that the accused was arrested in FIR No.621/20, PS Najafgarh and was lodged in JC. Subsequently, the accused was formally arrested in the instant FIR on 15.07.2020. Ld. Counsel for accused submits that the instant case has been planted upon the accused and that the accused is having no concern with the crime in question.

IO of this case has filed reply. Perusal of reply shows that there is allegation of under Section 379/411/34 IPC against the accused.

Heard.

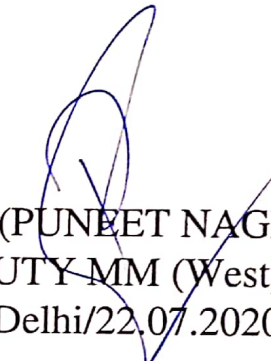
Considering the fact that the accused was formally arrested in the instant FIR, when he was already lodged in JC in FIR No.621/20, PS Najafgarh, that the recovery has already been effected and that the accused is in custody since 11.07.2020, accused Gaurav Kumar @ Mandu S/o Sh. Jai Bhagwan is admitted to bail subject to furnishing of Bail Bond and Surety Bond in the sum of Rs.20,000/- each and further subject to the following conditions :-

1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in

any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

Copy of the order be sent to Ld. Counsel for accused through e-mail on the e-mail ID to be furnished by Ld. Counsel for accused.



(PUNEET NAGPAL)
DUTY-MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.**DL-4SCF-8191**.

Present: Ld. APP for the State (through CISCO Webex).

Applicant in person with counsel.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-4SCF-8191** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

Copy of order
Received

Surinder Singh

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused / applicant.

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Rajender S/o Sh. Durga Prasad wherein it has been submitted that the accused person is in JC since 11.07.2020 and that the recovery of the illicit liquor has already been effected.

IO of this case has filed reply. Perusal of reply shows that there is allegation of under Section 33/38/58 of Delhi Excise Act against the accused.

Heard.

Considering the fact that the accused is having clean antecedent, that the recovery of the illicit liquor has already been effected and that the accused is in custody since 11.07.2020, accused Rajender S/o Sh. Durga Prasad is admitted to bail subject to furnishing of Bail Bond and Surety Bond (*local surety*) in the sum of Rs.25,000/- each and further subject to the following conditions :-

1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

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1/22/20

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

12

FIR No. 429/2020
PS Ranhola

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).

None for accused/applicant.

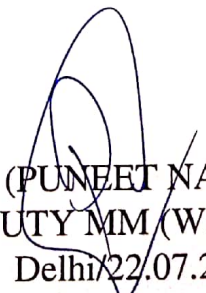
An application has been received from DLSA (Jail Section, Tihar Complex, Delhi), duly forwarded by Deputy Superintendent, Jail No.5, Tihar, Delhi on behalf of the accused namely Ankit S/o Sh. Hari Shankar for grant of interim bail.

Despite numerous opportunities, the IO has failed to file a reply to the instant bail application. It seems, that the State is not having any objection, in case, the accused is enlarged on interim bail.

In view of the recommendation passed by the Hon'ble High Powered Committee headed by Ms. Justice Ms. Hima Kohli, the accused is directed to be enlarged on interim bail of 45 days on furnishing personal bond in the sum of Rs.10,000/- to be furnished before Jail Superintendent, Tihar, Delhi.

Copy of the order be sent to concerned jail superintendent for compliance.

Jail Superintendent is directed to get the address of the accused verified after he furnishes personal bond and thereafter, release the accused on bail after the verification of the address of the accused is done.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

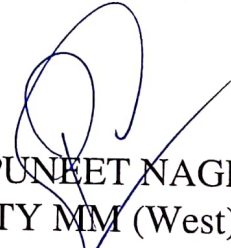
FIR No.343/2020
PS Mundka

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused (through CISCO (Webex).

Report received whereby IO submits that he has no objection if the articles i.e. one Mobile Phone (make TECHNO) and Rs.300/- cash are released. Heard on the application. Let the said articles which were seized during the personal search of the accused, mentioned above be released to him as per personal search memo after completion of necessary formalities.

Copy be given dasti as prayed.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.DL-12-SG-0114.

Present: Ld. APP for the State (through CISCO Webex).
Applicant in person.

IO has filed his reply. Same is taken on record.

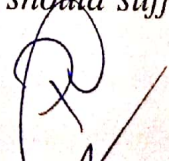
Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

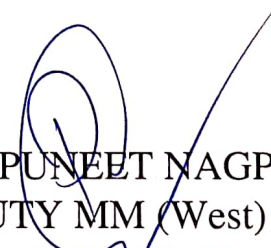
60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.



Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-12-SG-0114** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and *on verification of the documents of the case property/vehicle* and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22/07.2020

Sambelkar

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for accused / applicant (through CISCO Webex).

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Madhvi @ Madhuri D/o Sh. Shera wherein it has been submitted that the accused person is in JC since 04.07.2020 and that the alleged recovery of illicit liquor has been planted upon the accused.

IO of this case has filed reply. Perusal of reply shows that there is allegation of under Section 33/38 of Delhi Excise Act against the accused and that the accused wherein along with co-accused Aasha were apprehended along with two bags containing 200 pouch of illicit liquor.

Heard.

Considering the fact that the accused is a female and is having clean antecedent, that the recovery of illicit liquor has already been effected and that the accused is in custody since 04.07.2020, accused Madhvi @ Madhuri D/o Sh. Shera is admitted to bail subject to furnishing of Bail Bond and Surety Bond in the sum of Rs.25,000/- each and further subject to the following conditions :-

1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).

Ld. Counsel for accused/applicant along with mother of accused.

This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Sonu S/o Sh. Dilip wherein it has been submitted that the accused person is in JC since 18.11.2019 and that charge sheet has already been filed.

Heard.

Considering the fact that due to the ongoing pandemic of Covid-19, the trial of the accused shall take considerable time and that the charge sheet / final report has already been filed, no purpose would be served in keeping the accused behind bars. Consequently, accused Sonu S/o Sh. Dilip is admitted to bail subject to furnishing of Bail Bond and Surety Bond in the sum of Rs.25,000/- each and further subject to the following conditions :-

1. that accused person (s) shall attend the Court as per conditions of bond to be executed ;
2. that accused person (s) shall not commit similar offence and ;
3. that accused person (s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Bail bond and Surety Bond would be accepted **only after verification** through IO of this case.

Received
by
Counsel
22/07/20

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. **Vehicle bearing No.DL-4SDC-1372.**

Present: Ld. APP for the State (through CISCO Webex).
Applicant in person.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

"59. The valuable articles seized by the police may be released to the person, who , in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.


60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **Vehicle bearing No.DL-4SDC-1372** as per seizure memo be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

21 JOT 2/5


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

e-FIR No.000013/2020
PS Tilak Nagar

22.07.2020

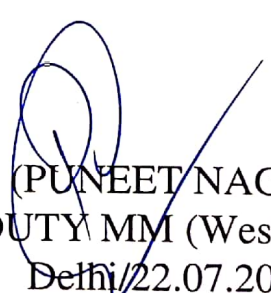
Present: Ld. APP for the State (through CISCO Webex).
None for applicant.

Reply has been received from IO concerned to the effect that the instant FIR has since been transferred to PS Hari Nagar.

In view of the same, applicant is directed to approach PS Hari Nagar for getting the stolen property released.

Application stands disposed of.

Record of application be consigned to record room as per rules.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

e-FIR No.8916/2020
PS Tilak Nagar

22.07.2020

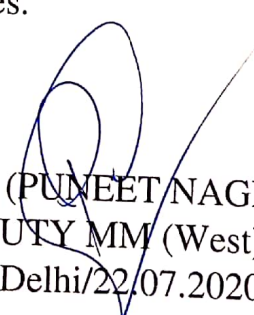
Present: Ld. APP for the State (through CISCO Webex).
None for applicant.

Report has been received from the IO. Taken on record.

Perusal of same reveals that the untrace report has been filed in the instant FIR before the Court and the said report has already been accepted by Ld. Duty MM on 22.06.2020. At the same time, it has been revealed that the copy of the untrace report has already been supplied to the complainant/owner of stolen property.

In view of the same, nothing remains to be done. Application stands disposed of.

Record be consigned to record room as per rules.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22/07.2020

22.07.2020

This is an application for releasing articles i.e. **Two Mobile Phones (Make OPPO, Brand New Phones sealed in the box).**

Present: Ld. APP for the State (through CISCO Webex).

Applicant Sh. Mushahid Khan, Proprietor of M.K.Telecom in person.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **Two Mobile Phones (Make OPPO, Brand New Phones sealed in the box)** as per seizure memo be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

Copy Received
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(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehilce bearing No.DL-4SCK-7860.

Present: Ld. APP for the State (through CISCO Webex).

Applicant in person with Counsel.

IO has filed his reply. Same is taken on record.

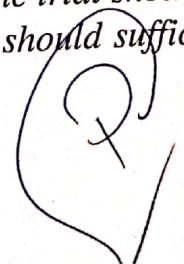
Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.



Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-4SCK-7860** as per seizure memo be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

Copy sent
22/7/2022

(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for the accused.

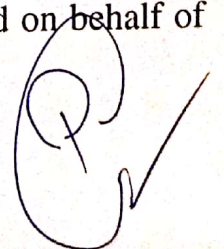
This is an application under Section 437 of Cr.P.C on behalf of applicant/accused Amaan Ali S/o Sh. Inaam Ali wherein it has been submitted that the accused person is in JC since 12.07.2020 and that the challan in the instant FIR had already been filed.

Application perused. Submissions heard.

Before advertng to decide the instant bail application filed on behalf of accused, it is pertinent to mention that the accused herein was admitted to interim bail vide order dated 06.12.2019 and the accused was directed to surrender himself before the Court on 14.12.19. Despite the same, the accused, after being enlarged on bail, failed to comply with the condition of bail and failed to surrender on the designated date. Thereafter, NBWs were directed to be issued against the accused vide order dated 07.01.2020 and 31.01.2020. Thereafter, the accused approached the "*Hon'ble High Court of Delhi*" for quashing the order dated 07.01.2020 and 31.01.2020.

Vide order dated 08.07.2020, passed by "*Hon'ble High Court of Delhi*", the accused was directed to surrender himself and in compliance of the same, the accused surrendered himself before the Ld. Jail Visiting Duty MM on 12.07.2020.

It is at this stage, the instant bail application has been filed on behalf of the accused.



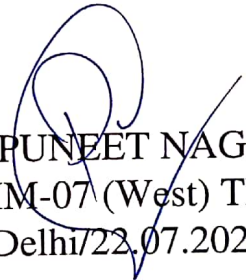
Keeping in view of the previous conduct of the accused, it cannot be assumed that the accused shall duly comply with the conditions of bail, in case, he is enlarged on bail. In my opinion, there is every possibility of the accused fleeing from the justice, in case, he is released on bail.

In view of the same, I am not inclined to grant the concession of bail to the accused at this stage.

Consequently, present application stands dismissed.

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

Copy kind of
order. (Dasti)
G. K. Kulkarni
22/7/20.
D/780/01.


(PUNEET NAGPAL)
MM-07 (West) THC,
Delhi/22.07.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.**DL-9-SBX-0931**.

Present: Ld. APP for the State (through CISCO Webex).

Applicant in person.

IO has filed his reply. Same is taken on record.

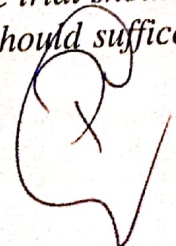
Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of **Hon'ble High Court of Delhi** in matter of "**Manjit Singh Vs. State**" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of **Hon'ble Supreme Court of India** in matter of "**Sunderbhai Ambalal Desai Vs. State of Gujarat**", AIR 2003 SUPREME COURT 638, "**General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.**" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "**Basavva Kom Dyamangouda Patil Vs. State of Mysore**", (1977) 4 SCC 358 has held : -

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

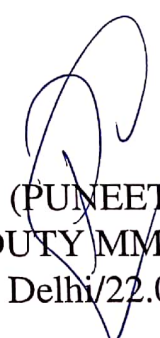
60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.



Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-9-SBX-0931** as per seizure memo be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020


Puneet Nagpal
22/7/20

22.07.2020

This is an application for releasing articles i.e **vehicle bearing No.DL-4SCY-2056.**

Present: Ld. APP for the State (through CISCO Webex).

Applicant in person with Counsel.

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.



Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **vehicle bearing No.DL-4SCY-2056** as per seizure memo be released to the applicant on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.

(PUNEET NAGPAL)
DUFY MM (West) THC,
Delhi/22.07.2020

PUNEET NAGPAL
22.7.2020

22.07.2020

This is an application for releasing articles i.e. Vehicle bearing No.**DL-8SCM-8737**.

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for applicant (through CISCO Webex).

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No. 4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -


"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, article in question i.e. **DL-8SCM-8737** as per seizure memo be released to the applicant, if the vehicle is *no longer required for the investigation of the instant FIR*, and on furnishing security bond as per valuation report of article and after preparation of panchnama and taking photographs of article as per directions of *Hon'ble High of Delhi* in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of *Hon'ble High Court of Delhi*. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Dasti copy of order be given as prayed for.


(PUNEET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020

FIR No.22/2018
PS Punjabi Bagh

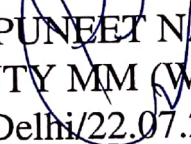
22.07.2020

Present: Ld. APP for the State (through CISCO Webex).
Ld. Counsel for complainant.
None for accused.

Reply not received on behalf of the IO/SHO.

Perusal of record reveals that the instant application has been filed seeking cancellation of bail on behalf of the complainant. However, the copy of the instant application is yet to be served on the accused. In view of the same, fresh notice along with copy of application be sent to the accused by way of e-mail/whatsapp forthwith.

To come up on 25.07.2020.


(PUNET NAGPAL)
DUTY MM (West) THC,
Delhi/22.07.2020