

FIR No. 30/20

State Vs. Ankit & Ors. (through applicant Alok Dubey)

PS Rajender Nagar

22.09.2020

(Through Video Conferencing over Cisco Webex Meeting)

Case taken up in view of circular no. 23456-23616 DJ(HQ)/ Covid-19 Lockdown/Physical Courts Roster/2020 dt. 30.08.2020 directions issued by Ld. District & Sessions Judge (HQ).

Present: Ld. APP for the State.

Sh.Asha Ram, Ld. Counsel for applicant.

Pursuant directions issued on 18.09.2020, scanned copy of status report under the signature of SHO PS Rajender is received. Copy stands supplied to counsel for applicant, electronically.

Heard. Record perused.

This order shall dispose off application for release of vehicle DL 1SAD 6890, moved on behalf of applicant Alok Dubey.

In status report dt. 22.09.2020 received under the signatures of SHO PS Rajender Nagar, it has been stated that in connection with the present case FIR, scooty bearing no. DL 1SAD 6840 was seized from possession of accused Ankit and on receipt of the present application, the seized vehicle was verified from traffic department and on verification, its make, model and engine number did not match with the registration number. It is stated in the report that the vehicle no. DL 1SAD 6890 was again verified and on verification, its engine number, make, color and model matched with the seized scooty number DL 1SAD 6840. It is further stated in the report that the vehicle no. DL 1SAD 6890 has been registered in the name of applicant Alok Dubey. It is further reported that during verification the IO had found that the number plate attached with the scooty was different from that of original and the appropriate sections in this regarding will be added in the supplementary charge-sheet. No objection has been raised qua release of vehicle in question in favour of applicant.

The applicant has also sent the scanned copy of RC of vehicle alongwith present application.

On perusal of the report of SHO PS Rajender Nagar and documents appended with the application, the applicant Alok Dubey prima facie appears to be the person entitled for custody of vehicle in question. Further, as per the report the vehicle question is no more required for the purposes of investigation, therefore, no useful purpose shall be served in keeping in it police custody.

In these circumstances and 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, the aforesaid vehicle be released to the applicant / registered owner subject to the following conditions:-

1. Vehicle in question be released to applicant/registered owner only subject to furnishing of indemnity bonds as per the valuation of the vehicle, to the satisfaction of the concerned SHO/ IO subject to verification of documents.
2. IO shall prepare detailed panchnama mentioning the colour, Engine number, Chasis number, ownership and other necessary details of the vehicle.
3. IO shall take the colour photographs of the vehicle from different angles and also of the engine number and the chasis number of the vehicle.
4. The photographs should be attested and counter signed by the complainant/applicant and accused.
5. IO is directed to verify the RC and insurance of the vehicle in question and release the vehicle after getting it insured by the applicant if the same is not already insured.
6. IO shall also verify the identity proof of applicant and release the vehicle in question to applicant only subject to such verification. The self attested copy of the identity proof of applicant shall be retained by IO with a further direction to file be same alongwith detailed panchnama.

Scanned copy of this order be sent to Counsel for applicant and to IO/SHO concerned through email.

One copy be sent to Computer Branch, THC for uploading on Delhi District Court Website.

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signed by
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KAPOOR
Date:
2020.09.22
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+0530

(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
22.09.2020