

This is an application for releasing vehicle bearing no. DL-4SCX-3869 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for the applicant/registered owner in person.

IO has filed his reply. Taken on record.

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** wherein it has been held that:

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 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 reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**



COUNSEL

CHAUHAN & ASSOCIATES

Scanned with CamScanner

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. **DL-4SCX-3869** be released to the applicant on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

The applicant is directed to abide by the lock-down imposed by the Government of India henceforth.

Copy of this order be given Dasti to applicant, as prayed for.

Panchnama and valuation report shall be filed in the court along with charge sheet.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

Copy Received
Shankar
Adm.
14/5/2020

This is an application for releasing vehicle bearing no. HR-26CZ-0222 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant/registered owner in person.
IO has filed his reply. Taken on record.

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** wherein it has been held that:

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 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 reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**



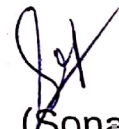
encl
copy
by
Nursing
Selanki
14/5/20

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. **HR-26CZ-0222** be released to the applicant on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

The applicant is directed to abide by the lock-down imposed by the Government of India henceforth.

Copy of this order be given Dasti to applicant, as prayed for.

Panchnama and valuation report shall be filed in the court along with charge sheet.



(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No. 376/2020
PS Rajouri Garden
U/s 379/511/34/188/269 IPC
14.05.2020

Present: Ld. APP for the State.
Sh. Vinit Malhotra , Ld. LAC for accused Sunny.

Argument heard on the bail application U/s 437 Cr.P.C. filed on behalf of the accused. It is stated that the accused is in JC since 25.04.2020 for the offence U/s 379/511/34/188/269 IPC.

Keeping in view the fact that the accused is in custody since 25.04.2020 and considering the health emergency on account of COVID-19 outbreak, he is admitted to interim bail of 45 days on his personal bond to the satisfaction of jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Accused shall surrender before the Jail Authority concerned after expiry of interim bail for the period of 45 days.

Copy of this order be sent to jail Superintendent concerned, which shall also be treated as release warrant.

Copy of this order be also given dasti, as prayed for.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

*copy to DSA cl,
copy to jail sub,
sent*

FIR No. 144/2019
PS : Mundka
U/S 379/411/34 IPC

14.05.2020

This is an application for bail U/s 437 Cr.P.C. of Vishal.

Present:- Ld. APP for the state.

Sh. A.K. Sharma, Ld Counsel for the accused Vishal.

An application U/s 437 Cr.P.C. filed on behalf of accused Vishal wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 06.12.2019 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report charge sheet has already been filed in the present case.

Heard. Perused.

Considering the aforesaid as charge sheet has already been filed and no useful purpose shall be served by keeping the accused in custody, accused Vishal is admitted to bail on furnishing bail bond in the sum of Rs. 10,000/- with one surety in the like amount.

Application is disposed off accordingly.

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

(SONAM GUPTA)

Duty MM, West, THC, Delhi 14.05.2020

Order Copy
Received
Akshat Sharma
14/5/20

FIR No. 548/2020
PS : Punjabi Bagh
U/S 188/392/411/34 IPC & 3 Epidemic Act

14.05.2020

This is an application for bail U/s 437 Cr.P.C. of Ravi Kant.
Present:- Ld. APP for the state.
Sh. A.K. Sharma, Ld Counsel for the accused Ravi Kant.

An application U/s 437 Cr.P.C. filed on behalf of accused Ravi Kant, wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 10.05.2020 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report recovery is already effected in the present case.

Heard. Perused.

Considering the aforesaid as recovery has already been effected from the accused and no useful purpose shall be served by keeping the accused in custody, accused Ravi Kant is admitted to bail on furnishing bail bond in the sum of Rs. 10,000/- with one surety in the like amount.

Application is disposed off accordingly.

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


(SONAM GUPTA)

Duty MM, West, THC, Delhi 14.05.2020

*Order copy
Received
Sh. A.K. Sharma
14/5/2020*

FIR No. 103/2020
PS : Nangloi
U/S 364A/387/506/120B/34 IPC

14.05.2020

Present:- This is an application for bail U/s 437 Cr.P.C. of Sher Singh.
Ld. APP for the state.
Sh. C.P. Dubey, Ld Counsel for the accused Sher Singh.

An application U/s 437 Cr.P.C. filed on behalf of accused Sher Singh wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC since 07.02.2020 and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report charge sheet has already been filed in the present case.

Heard. Perused.

Considering the aforesaid as investigation is complete and no useful purpose shall be served by keeping the accused in custody, accused Sher Singh is admitted to bail on furnishing bail bond in the sum of Rs. 20,000/- with one surety in the like amount.

Application is disposed off accordingly.

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


(SONAM GUPTA)
Duty MM, West, THC, Delhi 14.05.2020

E-FIR No. WS-RG-000376/2020
PS : Tilak Nagar
U/S 379 IPC

14.05.2020

This is an application for bail U/s 437 Cr.P.C. of Vikas.

Present:- Ld. APP for the state.
Sh. R.K. Giri, Ld Counsel for the accused Vikas.

An application U/s 437 Cr.P.C. filed on behalf of accused Vikas wherein it is stated that he has been falsely implicated in the present case and is stated to be in JC and he has no role in the alleged offence and thus, it is prayed that the accused be enlarged on bail.

Report filed by the IO. As per the report recovery is already effected in the present case.

Heard. Perused.

Considering the aforesaid as recovery has already been effected from the accused and no useful purpose shall be served by keeping the accused in custody, accused is admitted to bail on furnishing bail bond in the sum of Rs. 20,000/- with one surety in the like amount.

Application is disposed off accordingly.

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


(SONAM GUPTA)

Duty MM, West, THC, Delhi 14.05.2020

FIR No. 166/17
PS : Crime Branch, Chanakya Puri
U/S 170/120-B/419/468/471 IPC

14.05.2020

Present:- Ld. APP for the state.
None.

Vide this order I shall decide the application U/s 437Cr.P.C seeking bail of applicant/accused Sukash @ Sukesh Chander Shekhar.

Arguments heard.

It is stated in the application that the applicant/accused has been in JC since 23.05.2018. It is further stated that the accused has been out on custody parole and have never flouted the order. It is further stated that charge sheet has already been filed and no recovery is to be effected from the accused. It is further stated that the applicant/accused is ready to abide by any condition imposed upon him.

Reply has been filed by the IO wherein it is stated that there are numerous cases pending against the applicant/accused and he may tamper with the evidence and influence and pressurize the witnesses.

I have heard the rival contentions. The present is the third bail application filed by the applicant/accused. The allegations levelled against the accused are serious in nature and there are a number of cases which are pending against the applicant/accused throughout India. There is every likelihood of accused fleeing from justice if he is enlarged on bail. Accordingly, I am not inclined to grant the bail to the accused at this stage. Hence, the application is dismissed.

Copy of the order be uploaded forthwith.


(SONAM GUPTA)
Duty MM, West, THC, Delhi 14.05.2020

CC No. 2910/18
U/s 138 NI Act
Saravjeet Singh Vs. Sampati Developer.

14.05.2020

This is an application for bail U/s 437 Cr.P.C seeking bail of applicant/accused Shanti Swaroop Satija.

Present:- Ld. APP for the state.
None for complainant.
Sh. Ujjwal Puri, Ld Counsel for applicant/accused through Cisco Webex.

A perusal of the bail application filed reveals that no detail/information with respect to the present case has been given. The only ground taken in the present application is that applicant is a senior citizen of 71 years old and suffering from various ailments.

Nevertheless a perusal of the file reveals that the applicant/accused has not been sent to JC in the present case. No production warrants have been issued against the applicant/accused. Keeping in view the same applicant/accused is enlarged on bail in the sum of Rs.10,000/- with one surety in the like amount.

The present application is disposed of accordingly.


(SONAM GUPTA)

Duty MM, West, THC, Delhi 14.05.2020

CC No. 12020/2018
PS : Patel Nagar
Saravjeet Singh Vs. Sampatu Developer.

13.05.2020

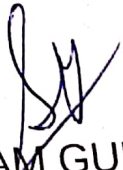
This is an application for bail U/s 437 Cr.P.C seeking bail of applicant/accused Shanti Swaroop Satija.

Present:- Ld. APP for the state.
None for complainant.
Sh. Ujjwal Puri, Ld Counsel for applicant/accused through Cisco Webex.

A perusal of the bail application filed reveals that no detail/information with respect to the present case has been given. The only ground taken in the present application is that applicant is a senior citizen of 71 years old and suffering from various ailments.

Nevertheless a perusal of the file reveals that the applicant/accused has not been sent to JC in the present case. No production warrants have been issued against the applicant/accused. Keeping in view the same applicant/accused is enlarged on bail in the sum of Rs.10,000/- with one surety in the like amount.

The present application is disposed of accordingly.


(SONAM GUPTA)
Duty MM, West, THC, Delhi 13.05.2020

CC No. 13192/18
PS Hari Nagar
Kawaljeet Kaur Vs. Shanti Swaroop

14.05.2020

This is an application for bail U/s 437 Cr.P.C seeking bail of applicant/accused Shanti Swaroop Satija.

Present:- Ld. APP for the state.
None for complainant.
Sh. Ujjwal Puri, Ld Counsel for applicant/accused through
Cisco Webex.

A perusal of the bail application filed reveals that no detail/information with respect to the present case has been given. The only ground taken in the present application is that applicant is a senior citizen of 71 years old and suffering from various ailments.

Nevertheless a perusal of the file reveals that the applicant/accused has not been sent to JC in the present case. No production warrants have been issued against the applicant/accused. Keeping in view the same applicant/accused is enlarged on bail in the sum of Rs.10,000/- with one surety in the like amount.

The present application is disposed of accordingly.



(SONAM GUPTA)
Duty MM, West, THC, Delhi 14.05.2020

CC No. 6430/17
PS Khyala
Navin Kumar Vs. Sampati Developers & Ors.

14.05.2020

This is an application for bail U/s 437 Cr.P.C seeking bail of applicant/accused Shanti Swaroop Satija.

Present:- Ld. APP for the state.
None for complainant.
Sh. Ujjwal Puri, Ld Counsel for applicant/accused through
Cisco Webex.

A perusal of the bail application filed reveals that no detail/information with respect to the present case has been given. The only ground taken in the present application is that applicant is a senior citizen of 71 years old and suffering from various ailments.

Nevertheless a perusal of the file reveals that the applicant/accused has not been sent to JC in the present case. No production warrants have been issued against the applicant/accused. Keeping in view the same applicant/accused is enlarged on bail in the sum of Rs.10,000/- with one surety in the like amount.

The present application is disposed of accordingly.



(SONAM GUPTA)
Duty MM, West, THC, Delhi 14.05.2020

FIR No. 100/2020
PS Mundka
U/s 394/411/34 IPC
14.05.2020

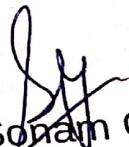
Fresh Charge-sheet filed.

Present: Ld. APP for the State.

IO in person.

Accused is stated to be in JC.

Put up before concerned court on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No. 127/2020
PS Khyala
U/s 302/307/34 IPC
14.05.2020

Fresh Charge-sheet filed.

Present:

Ld. APP for the State.

IO Inspector Arvind Kumar in person.

Accused is stated to be in JC.

Put up before concerned court on 22.05.2020.

(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

Received copy.
Akh
Insp. Arvind kr.

E-FIR No. 00346/20
PS Hari Nagar
U/s 356/379/34 IPC
14.05.2020

Fresh Charge-sheet filed.
Present: Ld. APP for the State.
IO in person.
Accused is stated to be in JC.

Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.106/20
PS Hari Nagar
U/s 356/379/411 IPC
14.05.2020

Fresh Charge-sheet filed.
Present: Ld. APP for the State.
IO in person.
Accused is stated to be in JC.

Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

E-FIR No.001555/19
PS Hari Nagar
U/s 411 IPC
14.05.2020

Fresh Charge-sheet filed.

Present: Ld. APP for the State.
IO in person.

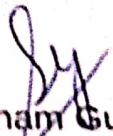
Put up for consideration on 22.05.2020.

(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.961/15
PS Hari Nagar
U/s 377/506/323 IPC
14.05.2020

Fresh Charge-sheet filed.
Present: Ld. APP for the State.
IO in person.

Put up for consideration on 22.05.2020.

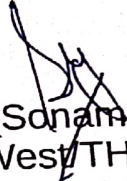

(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.23/16
PS Hari Nagar
U/s 308/323/34 IPC
14.05.2020

Fresh Charge-sheet filed.

Present: Ld. APP for the State.
IO in person.

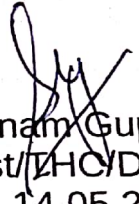
Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.186/2020
PS Punjabi Bagh
U/s 25 Arms Act
14.05.2020

Fresh Charge-sheet filed.
Present: Ld. APP for the State.
IO in person.

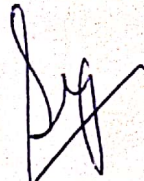
Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/ZHO/Delhi
14.05.2020

FIR No.158/2020
PS Nangoi
U/s 379/356/411/34 IPC
14.05.2020

Present: Fresh Charge-sheet filed.
Ld. APP for the State.
IO in person.
Accused is stated to be in JC.

Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.114/20
PS Patel Nagar
U/s 380/454/411 IPC
14.05.2020

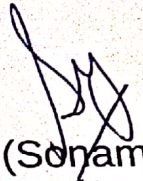
Fresh Charge-sheet filed.

Present: Ld. APP for the State.

IO in person.

Accused is stated to be in JC.

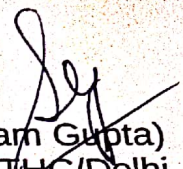
Put up for consideration on 22.05.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020

FIR No.349/17
PS Hari Nagar
U/s 498A/406/34 IPC
14.05.2020

Fresh Charge-sheet filed.
Present: Ld. APP for the State.
IO in person.

Put up for consideration on 09.06.2020.


(Sonam Gupta)
Duty MM/West/THC/Delhi
14.05.2020