

Case No. 2947/17
FIR No. 683/13
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Previous order dated 15.11.2019 be complied afresh for next date.

Be put up for appearance of accused/ purpose fixed on 27.03.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 3918/17
FIR No. 186/17
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused persons.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

In the interest of justice, accused persons be summoned for next date.

Be put up for appearance of accused persons/ purpose fixed on 19.04.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 5362/19
FIR No. 97/16
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Both the accused persons are stated to be in JC but not produced.

Reader, Ahlmad, Naib Court and the stenographer.

All the above joined through Video Conferencing.

It is informed by Reader/ Ahlmad that UTPs are not being produced on account of COVID-19 outbreak as they are being remanded for jail itself.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Be put up on 27.10.2020.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No.7989/19
FIR No. 451/19
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused persons.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Previous order dated 13.01.2020 be complied afresh for next date.

Be put up for appearance of accused/ purpose fixed on 02.03.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

**Case No. 8263/19
E FIR No. 8566/19
PS RG**

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Accused is stated to be on court bail but not appearing.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Previous order dated 14.01.2020 be complied afresh for next date.

Be put up for appearance of accused/ purpose fixed on 28.04.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 149/20
FIR No. 303/19
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Accused is stated to be on court bail but not appearing.

Heard. File is perused.

I take cognizance of the offence (s)

Issue summons to accused for next date i.e. 22.03.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 3787/20
FIR No. 363/20
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Both the accused persons are stated to be in JC but not produced.

Some clarifications required qua the recovery effected.

Issue notice to IO HC Neeraj Singh for the aforesaid purpose.

Be put up for aforesaid purpose/ FP on 16.09.2020.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 60004/16
FIR No. 734/07
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Be put up for SA/ furnishing of bail bonds u/s 437-A CrPC on 29.10.2020.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 5237/16
PS RG

15.09.2020

Hearing through VC

Present : None for complainant.

Proceedings against accused Kamlesh Kumari already stands abated.

Accused Harbhagwan Ahluwalia is permanently exempted through his counsel.

Ms. Anju Garg, on behalf of the complainant.

Ms. Komal Chibbar, on behalf of accused.

None for remaining accused persons.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Be put up for appearance of both the parties/ purpose fixed i.e. remaining post notice evidence on 07.01.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 67493/16
FIR No. 630/13
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Be put up for appearance of accused/ purpose fixed i.e. PE/ FP on 29.03.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 67078/16
FIR No. 904/14
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused persons.

In view of the restricted functioning of the court, matter stands adjourned for purpose fixed.

Be put up for appearance of accused/ purpose fixed i.e. PE on 16.02.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 9384/19
FIR No. 363/19
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for accused.

It is informed by Reader/ Ahlmad that on being contacted, accused was stated to be in hospital.

In view of the above submissions and in the interest of justice, no adverse order is being passed. Matter stands adjourned for today.

Be put up for appearance of accused/ FP on 11.01.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

**FIR No.652/2020
PS RG
State Vs. Ajay @ Makhan
u/s 25/54/59 Arms Act**

15.09.2020

Hearing through VC

Fresh application for grant of bail to accused Ajay @ Makhan received on the official E-Mail ID of the Court.

Present : Ld. APP for the State.

Sh. Syed Ajmal Hasan, Ld. LAC for accused Ajay @ Makhan.

IO ASI Hari Ram, Reader, Ahlmad, Naib Court and the stenographer.

All the above joined through VC.

This is an application for grant of bail to accused Ajay @ Makhan forwarded by the Jail Authority Concerned. Reply filed by IO.

Heard. File perused. Accused is stated to be in JC since **21.07.2020**. Recovery is stated to have been already effected. No fruitful purpose shall be served by keeping the accused behind the bars. Considering the facts and circumstances of the case, accused is admitted to bail on his furnishing personal bond in the sum of Rs. 10,000/-with one surety of the like amount and further subject to the condition that accused shall not contact the complainant/ witnesses in any manner and desist from doing anything which may hamper the due process of law.

Bail application disposed off accordingly.

A copy of this order be given dasti to Ld. LAC for accused as prayed for. **A copy of the order be also sent to the jail superintendent concerned on the given E mail ID as well as through proper channel for the intimation to the accused.**

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

**FIR No. 36/2020
PS RG
State Vs. Raj Kumar
u/s 392/411/34 IPC**

15.09.2020

Hearing through VC

Fresh application for grant of bail to accused Raj Kumar received on the official E-Mail ID of the Court.

Present : Ld. APP for the State.

Sh. Syed Ajmal Hasan, Ld. LAC for accused Raj Kumar.

Reader, Ahlmad, Naib Court and the stenographer.

All the above joined through VC.

IO SI Vikash Fageria on behalf of IO is present.

This is an application for grant of bail to accused Raj Kumar forwarded by the Jail Authority Concerned. Reply filed by IO.

The present bail application under section 437 Cr.P.C. seeking regular bail has been filed on behalf of accused and it is submitted that he is in custody since **13.01.2020**. It is further argued that accused has been falsely implicated in the present case. It is requested that accused be released on bail.

The bail application has been opposed by the State and it is submitted that accused has committed serious offence which cannot be over looked.

Heard. Record perused. There are serious allegation against the accused. Court has to strike a balance between personal liberty of the accused and safety and security of the publica large. Considering the facts and circumstances of the case and the gravity of allegations, this court is not inclined to grant bail to accused. The bail application is hereby dismissed.

Bail application disposed off accordingly.

A copy of this order be given dasti to Ld. LAC for accused as prayed for. A copy of this order be given dasti to Ld. LAC for accused as prayed for. **A copy of the order be also sent to the jail superintendent concerned on the given E mail ID as well as through proper channel for the intimation to the accused.**

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

15.09.2020

Hearing through VC

Fresh application for release of vehicle bearing no. DL-4SCJ-9042 received on the official E-Mail ID of the Court.

Present : Ld. APP for the state.

Sh. Monu, applicant with counsel Sh. N.K. Dhama.

Report has been filed on behalf of IO. Same be taken on record. Heard. Perused.

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 Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :

"1. 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.

2. 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.

3. 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.

4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

5. 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.

6. 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 No. **DL-4SCJ-9042** in question be released to the **rightful/registered owner** 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.

Panchnama and valuation report shall be filed in the court alongwith charge sheet. Copy of this order be given dasti to applicant.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

FIR No. 443/2020
PS RG

15.09.2020

Hearing through VC

Fresh application for release of vehicle bearing no. DL-4SBD-9632 received on the official E-Mail ID of the Court.

Present : Ld. APP for the State.

None for applicant.

It is informed by Ahlmad that despite due intimation, none has appeared on behalf of the applicant through VC.

In the interest of justice, one more opportunity is given.

Be put up for consideration on 18.09.2020 at 11.00 am.

Applicant/ his counsel be informed qua next date on their E-Mail ID/ Mobile Number through proper channel.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

15.09.2020

Hearing through VC

Fresh application for release of vehicle bearing no. DL-4SBD-9632 received on the official E-Mail ID of the Court.

Present : Ld. APP for the State.

Sh. Shafeek, applicant/ AR of the owner of the stolen property is present.

IO ASI Ramkesh is present.

Report has been filed on behalf of IO. Same be taken on record. Heard. Perused.

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 Delhi High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :

"1. 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.

2. 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.

3. 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.

4. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

5. 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.

6. 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 No. **DL-4SBD-9632** in question be released to the **rightful/registered owner** 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.

Panchnama and valuation report shall be filed in the court alongwith charge sheet. Copy of this order be given dasti to applicant.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

Case No. 1932/18
FIR No. 478/17
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Sh. A.K. Sharma, counsel for accused.

Counsel for accused seeks adjournment by submitting that despite efforts, accused could not be contacted.

In view of the above submissions and in the interest of justice, no adverse order is being passed. Matter stands adjourned for today.

Be put up for appearance of accused/ FP on 19.02.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

FIR No. 777/20
PS RG

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

None for applicant.

IO/ SI Vikash Fageria has filed the reply to the present superdari application and be tagged with the present application.

Be put up for 18.09.2020 at 11.00 am.

Applicant/ his counsel be informed qua next date on their E-Mail ID/ Mobile Number through proper channel.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

**FIR No. 722/20
PS RG
State Vs. Vipin @ Vipu
u/s 25/54/59 Arms Act**

15.09.2020

Hearing through VC

Present : Ld. APP for the State.

Sh. Ayub Khan, counsel for accused.

This is an application for grant of bail to accused filed on behalf of the accused. Reply filed by IO.

Heard. File perused. Accused is stated to be in JC since 15.08.2020. Recovery is stated to have been already effected. No fruitful purpose shall be served by keeping the accused behind the bars. Considering the facts and circumstances of the case, accused is admitted to bail on his furnishing personal bond in the sum of Rs. 10,000/-with one surety of the like amount and further subject to the condition that accused shall not contact the complainant/ witnesses in any manner and desist from doing anything which may hamper the due process of law.

Bail application disposed off accordingly.

A copy of this order be given dasti to Ld. counsel for accused as prayed for.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020

FIR No. 775/14
PS RG

15.09.2020

Hearing through VC

Fresh cancellation report filed. It be checked and registered as per rules.

Present : Ld. APP for the State.

IO Inspector Atar Singh is present.

Notice be issued to complainant for next date.

Be put up for consideration on 29.01.2021.

(Deepak Kumar-I)
MM (West)/THC/Delhi
15.09.2020