

अजय सिंह परिहार  
AJAY SINGH PARIHAR  
महानगर दफ्तर, दिल्ली (एन आई एच-04), (परिवर्तन)  
Metropolitan Magistrate (NI Act-64) West  
कमरा नं. 178, तीस हजारी न्यायालय  
Room No 178, Tis Hazari Court  
दिल्ली  
Delhi

To Cmm

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 721/2019  
PS : Paschim Vihar  
State Vs. Sagar Mishra  
U/s 457/380/411 IPC  
28.08.2020

A clarificatory letter has been received dated 28.08.2020 from Deputy Superintendent Central Jail No. 1 wherein the Deputy Superintendent has sought clarification and further direction regarding interim bail of UTP Sagar Mishra in case FIR No. 721/2019.

Hon'ble High court of Delhi in writ petition (c) 2020 in matter of court on its own motion Vs. Govt. of NCT of Delhi and another dated 04.08.2020 has further extended interim bail for another 45 days from the expiry of respective interim bails.

A copy of that order dated 04.08.2020 was also directed to be sent to the DG Prison by Hon'ble High Court, however, time and again letters have been received from Jail Superintendent regarding unnecessary clarification of interim bail of the accused persons who have been released under the guidelines of Hon'ble high power committee.

The above order dated 04.08.2020 is very much self explanatory that interim bails were further extended for 45 days.

Let the copy of this order be sent to the office of Ld. CMM for necessary information and onward transmission to DG Prison for further circulation to all Deputy Superintendents so that unnecessary clarificatory letters regarding interim bail may not be sent to the court.



(AJAY SINGH PARIHAR)  
Duty Metropolitan Magistrate, West Dist, THC, Delhi  
28.08.2020  
Delhi

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST DISTRICT,  
TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 404/2020  
U/s 188 IPC  
PS Paschim Vihar (West)

28.08.2020  
Fresh application for release of vehicle bearing no. DL-8S-AY-8834 on  
superdari moved on behalf of applicant.

**Present:** Ld. APP for the State.  
None for the applicant.

No reply filed.

The vehicle No. **DL-8S-AY-8834** may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-


*"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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-8S-AY-8834** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-8S-AY-8834** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed off accordingly.  
Copy of the order be given dasti as prayed.

  
(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 0134/2020  
PS : Anand Parbat  
U/s 307/34 IPC  
State Vs. Guddu

28.08.2020

Present : Ld. APP for the State.

Ld. Counsel for the applicant/accused.

Ld. Counsel has sought permission to withdraw the  
application.

Application stands withdrawn.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

eFIR No. OD-PCW-000864  
U/s 379 IPC  
PS Paschim Vihar (West)

28.08.2020

Fresh application for release of Mobile Phone Redmi Note-5 on  
superdari moved on behalf of applicant.

**Present:** Ld. APP for the State.  
None for the applicant.

No reply is filed.

The **Mobile Phone Redmi Note-5** may be released if IO has  
no objection in releasing the mobile and the same is not required in further  
investigation.

Application perused. Submissions heard.

The mobile phone be released as per the directions of Hon'ble  
Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of  
Gujarat, 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 **Manjeet Singh vs.  
State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. **Mobile Phone Redmi Note-5** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **Mobile Phone Redmi Note-5** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

**(AJAY SINGH PARIHAR)**  
**Duty MM-I, West Dist., THC, Delhi**  
**28.08.2020**

**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST DISTRICT,  
TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar**

**FIR No. 009850/2020  
U/s 379 IPC  
PS Nihal Vihar**

**28.08.2020**

**Fresh application for release of vehicle bearing no. DL-4S-CL-4569 on superdari moved on behalf of applicant.**

**Present:** Ld. APP for the State.  
None for the applicant.

No reply filed.

The vehicle No. **DL-4S-CL-4569** may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-4S-CL-4569** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-4S-CL-4569** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed off accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020



IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 29723/2019  
PS : Rajouri Garden  
U/s 379 IPC  
State Vs. Harpreet @ Hunny @ London

28.08.2020

Present : Ld. APP for the State.

Shri K.K. Singh, Ld. LAC for the applicant.

Ld. LAC has moved an application for releasing the accused on personal bond. Ld. LAC has submitted that the accused was released on bail on 20.07.2020 and since then accused has not been able to arrange for surety.

Ld. Counsel has further submitted that the condition of surety may be released and personal bond may be accepted.

Seeing the facts and circumstances of the case, the condition of surety is relaxed, let the accused be released on personal bond for an amount of Rs. 20,000/-.

Application stands disposed off.

Copy of the order be given dasti, as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 516/2020  
U/s 356/379/34 IPC  
PS Paschim Vihar (East)

28.08.2020

Fresh application for release of Mobile Phone Samsung J-7 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.  
Ld. Counsel for the applicant through VC.

No reply is filed.

The **Mobile Phone Samsung J-7** may be released if IO has no objection in releasing the mobile and the same is not required in further investigation.

Application perused. Submissions heard.

The mobile phone be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. **Mobile Phone Samsung J-7** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **Mobile Phone Samsung J-7** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 0055/2020  
PS : Anand Parbat  
State Vs. Mohd. Javed  
U/s 380 IPC

28.08.2020

Present : Ld. APP for the State.  
Ld. Counsel for the accused/applicant.

Ld. Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the above case and there is no recovery has been made.

Reply of the IO perused.

Ld. APP is vehemently opposed the application.

In the present case alleged recovery has already been effected, no fruitful purpose will be served by keeping the accused in custody, hence, he is released on bail subject to furnishing a bail bond to the sum of Rs. 10,000/- with one surety of the like amount.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original FD of Rs. 10,000/- dated 28.08.2020 Central Bank of India be retained on record.

**The accused Mohd. Javed S/o Mohd. Kesar shall be released from the custody forthwith, if not required in any other case.**

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

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

eFIR No. 18604/2020  
PS : Paschim Vihar East  
State Vs. Rahul  
U/s 379/411 IPC

28.08.2020

Present : Ld. APP for the State.  
Ld. Counsel for the accused/applicant.

Ld. Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the above case and the recovery has been effected.

Reply of the IO perused.

Ld. APP is vehemently opposed the application.

In the present case alleged recovery has already been effected, no fruitful purpose will be served by keeping the accused in custody, hence, he is released on bail subject to furnishing a bail bond to the sum of Rs. 10,000/- with one surety of the like amount.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original FD of Rs. 15,000/- dated 13.08.2020 State Bank of India be retained on record.

**The accused Rahul Kumar @ Sachin @ Anil S/o Shri Murari Lal @ Sanjay shall be released from the custody forthwith, if not required in any other case.**

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

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

FIR No. 292/2019  
PS : Khyala  
State Vs. Amit Kumar  
U/s 302/498A/34 IPC

28.08.2020

Present : Ld. APP for the State.  
Shri Hemraj Murmu, Ld. Counsel for the  
accused/applicant.

Ld. Counsel has submitted that vide order dated 26.08.2020 of the Hon'ble High Court of Delhi, accused has been granted bail subject to furnishing bail bond.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original FD of Rs. 64,000/- dated 20.07.2017 Oriental Bank of Commerce be retained on record.

**The accused Amit Kumar S/o Late Sudhir Kumar shall be released from the custody forthwith, if not required in any other case.**

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

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST DISTRICT,  
TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 013309/2020  
U/s 379 IPC  
PS Hari Nagar (West)

28.08.2020

Fresh application for release of vehicle bearing no. DL-8SBP-5737 on superdari moved on behalf of applicant.

Present: Ld. APP for the State.  
None for the applicant.

No reply filed.

The vehicle No. ~~DL-8SBP-5737~~ may be released if IO has no objection in releasing the vehicle and the same is not required in further investigation. IO shall release the vehicle only after verification of valid Insurance Certificate of the vehicle.

Application perused. Submissions heard.

The vehicle be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat**, AIR 2003 SC 635. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State**, (2014) 214 DLT 647 wherein it has been held that :-

*"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 or person whose theft, robbery or dacoity has taken place, after preparing detailed particulars of such articles; taking photographs of such articles and a security bond.*

*60. The photographs of such a thing should be attested or countersigned by the complainant, secured as well as by the person to whom the custody is given. In all other cases necessary, the Court may get the jewellery articles valued from a jeweller of approved value.*

Copy Received.

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 the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-8SBP-5737** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama, and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-8SBP-5737** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed off accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR  
Duty MM-I, West Dist. THC, Delh

28.08.2020



**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar**

**eFIR No. 011275/2020  
PS Nangloi  
U/s 379 IPC**

**28.08.2020**

**Fresh application for release of vehicle bearing no. DL-8S-CJ-1559 on superdari moved on behalf of applicant.**

**Present:** Ld. APP for the State.  
Ld. Counsel for the applicant alongwith applicant.

Reply has been filed. As per reply the present FIR has been transferred to PS Paschim Vihar West.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, I am of the considered view that the articles have to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 the circumstances and the law laid down by the higher courts, **PS Paschim Vihar West** is directed to release the article in question i.e. vehicle bearing no. **DL-8S-CJ-1559** to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-8S-CJ-1559** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed off accordingly.

Copy of the order be given dasti as prayed.

**(AJAY SINGH PARIHAR)**  
**Duty MM-I, West Dist., THC, Delhi**  
**28.08.2020**

**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar**

**FIR No. 0201/2020  
PS Paschim Vihar  
U/s 188 IPC**

**28.08.2020**

**Fresh application for release of vehicle bearing no. DL-8SCG-9450 on superdari moved on behalf of applicant.**

**Present:** Ld. APP for the State.  
Applicant in person.

No objection to the release of the vehicle of the applicant is tendered on behalf of the IO/ASI Mahavir Singh and State by Ld. APP.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, I am of the considered view that the articles have to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 shall suffice for the purposes of evidence."

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-8SCG-9450** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-8SCG-9450** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

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Mohali

28/8/20

IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. WD-RG-000365/2020  
PS Rajouri Garden  
U/s 380/411 IPC

28.08.2020

Fresh application for release of mobile phone i.e. Realme 5 on superdari moved on behalf of applicant.

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

No objection to the release of the mobile phone of the applicant is tendered on behalf of the IO/ASI Mohit Chahar and State by Ld. APP.

Application perused. Submissions heard.

The mobile phone i.e. Realme 5 be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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*

Intr

suffice for the purposes of evidence."

Considering the facts and the circumstances and the law laid down by the higher courts, article in question i.e. **mobile phone i.e. Realme 5** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **mobile phone i.e. Realme 5** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

Mahesh

**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar**

eFIR No. 017313/2020  
PS Nangloi  
U/s 379/411 IPC

**28.08.2020**

**Fresh application for release of vehicle bearing no. DL-9S-AJ-1167 on superdari moved on behalf of applicant.**

**Present:** Ld. APP for the State.  
Applicant in person.

No objection to the release of the vehicle of the applicant is tendered on behalf of the IO/HC Naresh Kumar and State by Ld. APP.

Application perused. Submissions heard.

Instead of releasing the above mentioned vehicle on superdari, I am of the considered view that the articles have to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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 the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **DL-9S-AJ-1167** be released to the applicant on verification of the particulars regarding ownership, insurance and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **DL-9S-AJ-1167** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

Order Copy Received  
Ajay Singh  
28/08/20

Case No. ST-1-10  
R.O. P



IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 724/2020  
PS : Rajouri Garden  
U/S 380/457/34 IPC  
State Vs. Nandlal @ Golu

28.08.2020

Present : Ld. APP for the State.

Shri Harsh Gupta, Ld. Counsel for applicant / accused.

IO/HC Om Prakash is present.

Ld. Counsel has submitted that the requirement of the accused is not necessary for further investigation. That the accused is in JC since 18.08.2020.

IO has already filed reply.

Clarification sought from the IO.

As per reply and clarification, still the case property has not been required and 3<sup>rd</sup> co-accused is yet to be traced.

IO has submitted that there is a CCTV footage, however, does not clear with respect to the presence seen in the footage.

Seeing the recovery and apprehension of co-accused, at this stage this court is not inclined to released the accused on bail.

Application stands dismissed.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 192/2020  
U/s 379/356/411/34 IPC  
PS Anand Parbat  
State Vs. Ajay

28.08.2020

Present : Ld. APP for the State.

Ld. Counsel for the applicant.

Ld. Counsel has submitted that the recovery effected from the accused has been planted. That the accused has been lifted from his house and implicated in this case.

IO has filed reply. Reply perused.

As per the reply the accused was apprehended on the spot and the recovery was effected.

At this stage, seeing the fact and circumstances, this court is not inclined to release on bail.

Application stands dismissed.

Copy of the order be given dasti, as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

**IN THE COURT OF METROPOLITAN MAGISTRATE -04 WEST  
DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar**

**FIR No. WD-TN-000639/2020  
U/s 379 IPC  
PS Tilak Nagar**

**28.08.2020**

**Fresh application for release of Mobile Phone Samsung A30 on superdari moved on behalf of applicant.**

**Present:** Ld. APP for the State.  
Applicant in person.

No reply is filed.

The Mobile **Mobile Phone Samsung A30** may be released if IO has no objection in releasing the mobile and the same is not required in further investigation.

Application perused. Submissions heard.

The mobile phone be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, 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 **Manjeet Singh vs. State, (2014) 214 DLT 646** wherein it has been held that :-

*"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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. **Mobile Phone Samsung A30** be released to the applicant on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the mobile. It is further directed that the article i.e. **Mobile Phone Samsung A30** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be given dasti as prayed.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist., THC, Delhi  
28.08.2020

Shab

copy received

Shab 28/8/2020

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 019621/2020

PS : Anand Parbat

State Vs. Rahul

U/s 379/34 IPC

28.08.2020

Present : Ld. APP for the State.  
Shri Ajay Kumar, Ld. Counsel for the accused/applicant.

Ld. Counsel for the applicant/accused has submitted that the applicant/accused has been falsely implicated in the above case and the recovery has been effected.

Reply of the IO perused.

Ld. APP is vehemently opposed the application.

In the present case alleged recovery has already been effected, no fruitful purpose will be served by keeping the accused in custody, hence, he is released on bail subject to furnishing a bail bond to the sum of Rs. 10,000/- with one surety of the like amount.

Bail bond not furnished.

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.

Copy Received  
Ajay Kumar Adv  
28/08/2020

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 340/2020  
PS : Nangloi  
State Vs. Vinod & Ors.  
U/s 392/394/397/411/34 IPC

28.08.2020

Present : Ld. APP for the State.  
Ld. Counsel for the accused/applicant.

Ld. Counsel has submitted that vide order dated 28.08.2020 of Shri Samar Vishal, Ld. ASJ-08 (West), accused has been granted bail subject to furnishing bail bond.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original RC be retained on record.

**The accused Vinod S/o Shri Chiranjee Lal shall be released from the custody forthwith, if not required in any other case.**

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

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM, West Dist, THC, Delhi  
28.08.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 814/2020  
PS : Nihal Vihar  
State Vs. Rohit Sharma  
U/s 379/411/34 IPC

28.08.2020

Present : Ld. APP for the State.  
Ld. Counsel for the accused/applicant.

Ld. Counsel has submitted that vide order dated 25.08.2020 of Ms. Deepika Thakran, Ld. MM, (West), accused has been granted bail subject to furnishing bail bond.

Ld. Counsel for the accused has furnished bail bond. Same is taken on record. Original RC be retained on record.

**The accused Tarun S/o Shri Likhi Ram shall be released from the custody forthwith, if not required in any other case.**

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

Copy of this order be given dasti to Ld. Advocate, as prayed for.

(AJAY SINGH PARIHAR)  
Duty MM-I, West Dist, THC, Delhi  
28.08.2020.