

FIR No.: 139/2020  
PS- Sadar Bazar  
State Vs. Sanjeev  
U/s 33/38/58 Delhi Excise Act

16.07.2020

(Through Video Conferencing at 11.40 am)

*This is an application for grant of bail U/s 437 Cr.P.C. moved on behalf of accused Sanjeev.*

Present : Ld. APP for the State joined through Cisco Webex.

Mr. Lalit Ohlan, Id. Counsel for applicant/accused joined through Cisco Webex.

This is an application for grant of bail to the applicant/accused Sanjeev. Ld. Counsel for accused has argued that applicant/accused was arrested on 12.07.2020. Ld. Counsel further argued that accused is a young man of 24 years of age and not previously involved in any other case. He further argued that accused has been falsely implicated in the present case. Therefore, it has been prayed that the accused be released on bail.

Reply of IO has been filed electronically. Perusal of reply shows that a huge quantity of illicit liquor got recovered from the vehicle bearing No. HR-63-D5291 which was being driven by the accused.

Submissions heard. Perused.

The investigation is at initial stage as owner of the vehicle not joined the investigation yet. Huge quantity of illicit liquor got recovered from the abovesaid vehicle being driven by accused. So, at this stage, I am not inclined to grant bail at this stage. The present bail application stands dismissed.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHIO PS Civil Lines/Sadar Bazar and Ld. Counsel for applicant/accused. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/16.07.2020

FIR No.: 184/18  
PS- Sadar Bazar

16.07.2020

(Through Video Conferencing at 11.25 am)

*This is an application for handing over the case file for re-investigate the matter.*

Present : Ld. APP for the State joined through Cisco Webex.

IO HC Pardeep joined through Cisco Webex.

Vide order dated 07.03.2020, reinvestigation was ordered in the present case. IO HC Pradeep has been deputed for the purpose of reinvestigate the matter. So, present application of IO stands allowed.

Case file be handed over to the IO against proper acknowledgment.

One copy of the order be uploaded on Delhi District Court Website.

Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/16.07.2020

DD No.: 18A dt: 01.05.2001  
PS- Sadar Bazar

**16.07.2020**

**(Through Video Conferencing at 11.45 am)**

***This is an application seeking permission for disposal of case property.***

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through  
CISCO webex.

None for the claimant.

This Court does not exercise jurisdiction in Trade Mark cases.

At this stage, MHC(m) seeks permission to withdraw the same  
submitting that he will move fresh application before concerned Court.

Heard. Application stands dismissed as withdrawn.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the  
application and order be kept for records.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/16.07.2020

DD No.: 66B dt: 20.06.2001  
PS- Sadar Bazar

16.07.2020

(Through Video Conferencing at 11.45 am)

*This is an application seeking permission for disposal of case property.*

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through  
CISCO webex.

None for the claimant.

This Court does not exercise jurisdiction in Trade Mark cases.

At this stage, MHC(m) seeks permission to withdraw the same  
submitting that he will move fresh application before concerned Court.

Heard. Application stands dismissed as withdrawn.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the  
application and order be kept for records.

(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16.07.2020

DD No.: 16A dt: 03.01.2001  
PS- Sadar Bazar

**16.07.2020**

(Through Video Conferencing at 11.45 am)

*This is an application seeking permission for disposal of case property.*

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through  
CISCO webex.

None for the claimant.

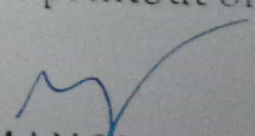
This Court does not exercise jurisdiction in Trade Mark cases.

At this stage, MHC(m) seeks permission to withdraw the same  
submitting that he will move fresh application before concerned Court.

Heard. Application stands dismissed as withdrawn.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the  
application and order be kept for records.

  
(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16,07.2020

FIR No.: 130/2001  
PS- Sadar Bazar

**16.07.2020**

**(Through Video Conferencing at 11.45 am)**

***This is an application seeking permission for disposal of case property.***

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through  
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District  
Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the  
application and order be kept for records.

(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16,07.2020

FIR No.: 375/2000  
PS- Sadar Bazar

16.07.2020

(Through Video Conferencing at 11.45 am)

*This is an application seeking permission for disposal of case property.*

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through  
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

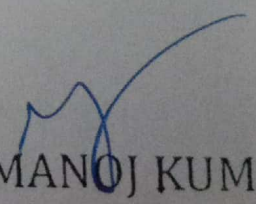
Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the  
application and order be kept for records.

  
(MANOJ KUMAR)

MM-6(C)/THC/Delhi/16.07.2020

FIR No.: 39330/19  
PS- Sadar Bazar

16.07.2020

(Through Video Conferencing at 11.30 am)

*This is an application for calling the status report.*

Present : Ld. APP for the State joined through Cisco Webex.

Mr. S.P.Sharma, Id. Counsel for applicant joined through Cisco Webex.

IO filed his reply through E-mail.

Copy of same has been sent to the counsel for the applicant. So, the present application stands disposed off.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16.07.2020



FIR No.: 135/19  
PS- Civil Lines  
Case No. 10827/19

16.07.2020

File taken up today in pursuance to the order No. 8188-8348/DJ/Covid  
19/Lockdown/pronouncements/2020 dated 06.05.2020 regarding  
pronouncement of judgments/orders.

Present : Ld. APP for the State.

None for accused.

As no vakalatanama has been filed on records, no effective  
hearing can take place.

Be put up for arguments on the point of charge on  
17.09.2020.

One copy of the order be uploaded on CIS. A printout of the  
order be tagged with the main case file.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/16.07.2020

16.07.2020

(Through Video Conferencing at 11.05 am)

This is an application for releasing of vehicle bearing No. DL 8S CK 6803 on superdari.

Present : Ld. APP for the State joined in Cisco Webex.

Mr. Atul Jaiswal, Ld. Counsel for applicant Elwin David joined on Cisco Webex.

IO has filed his reply electronically. Same is taken on record wherein it has been submitted that he has no objection, if vehicle is released to the applicant.

Instead of releasing the vehicle on superdari, this Court is of the view **that the vehicle** 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 :

"68. Vehicle 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 alongwith the valuation report should suffice for the purpose of evidence.

71. Return of vehicles and permission for the 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 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 the possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. 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 Hon'ble High Court of Delhi, vehicle in question bearing registration No. DL 8S CK 6803 be released to the applicant by IO, on furnishing security bond as per valuation report of the vehicle and after preparation of panchnama and taking photographs of vehicle as per directions of Hon'ble High of Delhi in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along with final report.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar. The printout out of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16.07.2020

FIR No.: 282/20  
PS- Civil Lines

**16.07.2020**

**(Through Video Conferencing at 11.15 am)**

**This is an application for releasing of vehicle bearing No. DL 8SCR 6468 on superdari.**

Present : Ld. APP for the State joined in Cisco Webex.

Mr. Atul Guglani, Ld. Counsel for applicant joined on Cisco Webex.

IO has filed his reply electronically. Same is taken on record wherein it has been submitted that he has no objection, if vehicle is released to the applicant.

Instead of releasing the vehicle on superdari this Court is of the view **that the vehicle** 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 :

"68. Vehicle 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 alongwith the valuation report should suffice for the purpose of evidence.

71. Return of vehicles and permission for the 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 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 the possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. 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 **Hon'ble High Court of Delhi, vehicle** in question bearing registration No. **DL 8SCR 6468** be released to the applicant by IO, on **furnishing security bond** as per valuation report of the vehicle and after preparation of **panchnama and taking photographs of vehicle** as per directions of *Hon'ble High of Delhi* in above cited paragraphs. Panchnama, photographs, **valuation report and security bond** shall be filed along with final report.

One copy of order be uploaded on Delhi District Court **website**. **Copy of order be also** sent to the e-mail of SHO PS Sadar Bazar. The printout out of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)  
MM-6(C)/THC/Delhi/16.07.2020

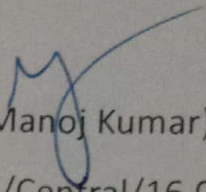
16.07.2020

*Fresh charge-sheet filed. Let, it be checked and registered.*

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

  
(Manoj Kumar)

MM-06/Central/16.07.2020

FIR No.68/20  
PS : Sadar Bazar  
CIS No.3357/20

16.07.2020

*Fresh charge-sheet filed. Let, it be checked and registered.*

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

(Manoj Kumar)

MM-06/Central/16.07.2020

FIR No.55/20  
PS : Sadar Bazar  
CIS No.3356/20

16.07.2020

*Fresh charge-sheet filed. Let, it be checked and registered.*

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

(Manoj Kumar)

MM-06/Central/16.07.2020



FIR No.124/20  
PS : Sadar Bazar  
CIS No.3373/20

16.07.2020

***Fresh charge-sheet filed. Let, it be checked and registered.***

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

(Manoj Kumar)

MM-06/Central/16.07.2020

FIR No.48/20  
PS : Sadar Bazar  
CIS No.3370/20

16.07.2020

*Fresh charge-sheet filed. Let, it be checked and registered.*

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

(Manoj Kumar)

MM-06/Centra/16.07.2020

16.07.2020

*Fresh charge-sheet filed. Let, it be checked and registered.*

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 30.07.2020.

(Mahoj Kumar)

MM-06/Central/16.07.2020

16.07.2020

***Fresh charge-sheet filed. Let, it be checked and registered.***

Present : Ld. APP for the State.

IO in person.

Be put up for consideration on charge-sheet/FP on 21.09.2020.

(Manoj Kumar)

MM-06/Central/16.07.2020