

**DD No.63A/2020 dated 17.08.2020**  
**U/s 41 (D) CrPC & 102 CrPC**  
**PS Moti Nagar**  
**State Vs. Anuj**

19.08.2020

Present: None for the State.  
Mr. Amit Kaushal, Ld. Counsel for applicant/accused Anuj S/o  
Braham Pal R/o Village Gangnoli PS Doghat District Baghpat, UP.

This is an application u/s 437 CrPC for grant of bail of accused  
Anuj Rathi.

IO ASI Naresh Kumar has submitted a reply objecting to the  
release of the accused on the ground that the information regarding stolen  
motorcycle and the arrested accused was intimated to PS Sahibabad,  
Ghaziabad, UP in DD No.33 and accused is yet to appear/arrested in that  
case.

**Let reply be called from PS Sahibabad, Ghaziabad, UP in  
the said DD No.33 regarding the above accused Anuj for the next date  
of hearing failing which accused shall be liable to be released in the  
present DD No.63A/2020.**

**Let the above reply be called through PS Moti Nagar, from  
PS Sahibabad, Ghaziabad, UP on 20.08.2020.**



**(Aakanksha)**

**Duty MM/West/Delhi/19.08.2020**



**FIR No.558/2020**  
**u/s 182/408/120B IPC**  
**PS Moti Nagar**  
**State Vs. Mumtaj Alam**

19.08.2020

Present: None for the State.  
Mr. Yogesh Sharma, Ld. Counsel for applicant/Accused Mumtaj Alam S/o Husnain R/o 3/21, Veena Enclave, Nangloi, Delhi.

This is an application u/s 437 CrPC for grant of bail of accused Mumtaj Alam.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, he is in JC since 13.08.2020, he was doing a private job of collecting money from debtors/traders of his employer, in this sequence on 13.08.2020 after collecting Rs.2 Lakhs from the debtors, he was returning to his employer but in the mid way he stayed at the residence of his *jija* where two boys came to meet him and thereafter he found his bag containing the aforesaid money missing, he instantly informed the police who registered the FIR against him, he is the sole bread earner of his family, co-accused has been granted bail vide order dated 18.08.2020 and that he be released on bail.

On the other hand, IO SI Krishan Kumar in his reply has objected to the release of accused on the ground that during investigation accused had stated that he made a false call of the missing money, instead he admitted that he gave the bag containing Rs.2.5 Lakh to his *jija* as he was under debt, the amount has been recovered from his *jija*.

Contd...2/-



Heard. Perused.

Keeping in view the overall facts & circumstances of the case as well as the fact that accused has no previous criminal record, bail application is allowed. **Accused Mumtaj Alam is admitted to bail on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount** subject to conditions that :

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond furnished and accepted.**

**Copy of this order be sent to Jail Superintendent concerned.**

Let a copy of this order be given dasti.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.531/2020**  
**u/s 356/379/411/34 IPC**  
**PS Moti Nagar**  
**State Vs. Rakesh**

19.08.2020 (through VC)

Present: None for the State.

Mr. Jitender Kumar, Ld. Counsel for applicant/accused Rakesh S/o Rajender Prasad R/o C-393, Second Floor, J. J. Colony, Wazirpur, Ashok Vihar, Delhi and H. No.49, Rama Road, Inst. Area, Moti Nagar, Delhi.

This is an application u/s 437 CrPC for grant of bail of accused Rakesh.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, he is in JC since 05.08.2020, he was arrested on the spot and that why would he go on the bike with other two persons if he had to do the snatching, that he has clear antecedents, and that he be released on bail.

On the other hand, IO ASI Jaswant Singh in his reply has objected to the release of accused on the ground that he alongwith two co-accused snatched the purse of complainant and was apprehended on the spot, he is also involved in other criminal cases.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as well as the fact that accused has been involved in two other similar cases, this is not a fit case to grant bail. Hence, bail application is dismissed.

Accordingly, bail application is disposed of.

Let a copy of this order be sent to Ld. Counsel for the accused via email (jkdhamaadvocate@gmail.com)/whatsapp (9350194399).

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.332/2020**  
**u/s 380 IPC**  
**PS Patel Nagar**  
**State Vs. Md. Firoz**

19.08.2020 (through VC)

Present: None for the State.

Mr. Vaibhav Kumar, Ld. Counsel for applicant/accused Md. Firoz @  
Rocky S/o Md. Khurshid Miyan R/o Jhuggi Shiv Basti, Rama Road  
Moti Nagar, Delhi.

This is an application u/s 437 CrPC for grant of bail of accused  
Md. Firoz.

Ld. Counsel for the applicant/accused has submitted that  
accused has been falsely implicated in the present case, he is in JC since  
15.07.2020, he is the sole bread earner, he has no previous criminal  
involvement and that he be released on bail.

On the other hand, IO ASI Ved Prakash in his reply has objected  
to the release of accused.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as  
well as the fact that accused has no previous criminal record, bail  
application is allowed. **Accused Md. Firoz is admitted to bail on  
furnishing personal bond in the sum of Rs.20,000/- with one surety in the  
like amount to the satisfaction of Jail Superintendent concerned/Ld.  
Duty MM subject to conditions that :**

1. He shall not threaten or influence the witnesses.

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2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond not furnished.**

**Copy of this order be sent to Jail Superintendent concerned.**

Let a copy of this order be sent to Ld. Counsel for the accused via email (vaibhavkumarnlu@gmail.com)/whatsapp (8527838384).



**(Aakanksha)**

**Duty MM/West/Delhi/19.08.2020**



**e-FIR No.15984/2020**  
**U/s 379/411/34 IPC**  
**PS Ranjit Nagar**  
**State Vs. Vikash @ Sundar**

19.08.2020 (through VC)

Present: None for the State.

Mr. Ayub Ahmad Qureshi, Ld. Counsel for applicant/accused Vikash @ Sundar S/o Late Sh. Rajesh Kumar R/o Flat No.D8, DDA Flats, D Block, Third Floor, New Ranjit Nagar, New Delhi-08.

**This is an application u/s 437 CrPC for grant of bail of accused Vikash @ Sundar.**

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case only on the basis of a CCTV footage where he could be seen passing through, he has no role in the above offence, he himself surrendered before Ld. Duty MM and is in custody since 12.08.2020, stolen property was recovered from other co-accused, accused belongs to a respectable family and has no previous criminal involvement and that he be released on bail.

On the other hand, IO ASI Balmiki Mishra in his reply has objected to the release of accused.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as well as the fact that accused has no previous criminal record, bail application is allowed. **Accused Vikash @ Sundar is admitted to bail on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount to the satisfaction of Jail Superintendent concerned/Ld. Duty MM subject to conditions that :**



1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond not furnished.**

**Copy of this order be sent to Jail Superintendent concerned.**

**Let a copy of this order be sent to Ld. Counsel for the accused via email ([ayyub2239@gmail.com](mailto:ayyub2239@gmail.com))/whatsapp (9911597432).**



**(Aakanksha)**

**Duty MM/West/Delhi/19.08.2020**



**FIR No.13247/20**  
**U/s 379/411/34 IPC**  
**PS Patel Nagar**  
**State Vs. Sanjay**

19.08.2020

Present: None for the State.  
Mr. A. K. Jha, Ld. LAC for applicant/accused Sanjay S/o  
Shyam.

An application for grant of interim bail has been moved on behalf of applicant/accused Sanjay.

Reply to the above application has been filed by IO ASI Rohtash Maan, who has objected to release of accused.

Ld. LAC for accused has submitted that the accused is running into JC since 25.07.2020, he has been falsely implicated, case property has already been recovered and that he is not involved in any other criminal case and that he be released on interim bail for a period of 45 days.

Heard. Perused.

Keeping in view the facts and circumstances and the fact that the accused is not involved in any other criminal case, though in the application it is mentioned that the accused is not covered in any guidelines issued by HPC, Ld. Counsel for accused submits that the same is a typographical mistake. Accused seems to be covered within the minutes of High Powered Committee dated 18.05.2020 and 28.03.2020, this is a fit case to grant interim bail to accused.

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*Compd  
A.K.Jha  
19.8.20*

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Applicant/accused Sanjay is released on interim bail for a period of 45 days on furnishing personal bond in the sum of Rs.10,000/- subject 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.

Applicant/accused Sanjay shall surrender before the Jail Authority Concerned after expiry of interim bail for the period of 45 days. Application stands disposed of accordingly.

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 as prayed for.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.315/20**  
**U/s 356/379/411/34 IPC**  
**PS Mundka**  
**State Vs. Sonu**

19.08.2020

Present: None for the State.

Mr. A. K. Jha, Ld. LAC for applicant/accused Sonu S/o Virender.

An application for grant of interim bail has been moved on behalf of applicant/accused Sonu.

Reply to the above application has been filed by IO HC Sunil, who has objected to release of accused on the ground that mobile phone has been recovered from his possession, he refused participating TIP proceedings.

Ld. LAC for accused has submitted that the accused is running into JC since 21.06.2020, he has been falsely implicated in the present case as well as other three cases and was arrested on the same date in all the four cases and that he be released on interim bail for a period of 45 days.

Heard. Perused.

Keeping in view the facts and circumstances, the application mentions the fact that the accused is not covered by guidelines issued by HPC, previous involvement report has been submitted by IO, according to which accused is involved in three other cases relating to theft. Ld. LAC for accused has submitted that accused has been falsely implicated in all the four cases and accused was arrested in all the four cases on the same date. However, as per reply of IO the case property has also been recovered from his possession. In the opinion of this Court, this case is not a fit case to grant interim bail and the same is dismissed.

Copy of this order be sent to Jail Superintendent concerned.

Copy of this order be given dasti as prayed for.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**

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*AGH*

*19.8.20*

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19.08.2020

Present: None for the State.  
Mr. A. K. Jha, Ld. LAC for applicant/accused Sonu S/o Virender.

An application for grant of interim bail has been moved on behalf of applicant/accused Sonu.

Reply to the above application has been filed by IO HC Ashok Kumar, who has objected to release of accused on the ground that the complainant was ready to identify the accused, during investigation efforts were made to trace him but he could not be found and that after receiving information from HC Pradeep Rangi that accused has been arrested, he refused TIP, he did not cooperate in the investigation and he is involved in three other cases.

Ld. LAC for accused has submitted that the accused is running into JC since 21.06.2020, he has been falsely implicated in the present case as well as other three cases and was arrested on the same date in all the four cases and that he be released on interim bail for a period of 45 days.

Heard. Perused.

Keeping in view the facts and circumstances, the application mentions the fact that the accused is not covered by guidelines issued by HPC, previous involvement report has been submitted by IO, according to which accused is involved in three other cases relating to theft. Ld. LAC for accused has submitted that accused has been falsely implicated in all the four cases and accused was arrested in all the four cases on the same date. In the opinion of this Court, this case is not a fit case to grant interim bail and the same is dismissed.

Copy of this order be sent to Jail Superintendent concerned.

Copy of this order be given dasti as prayed for.

(Aakanksha)

Duty MM/West/Delhi/19.08.2020

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A.K. Jha  
19.8.20



19.08.2020

Present: None for the State.  
Mr. A. K. Jha, Ld. LAC for applicant/accused Rajeev @ Kalu  
S/o Brij Pal.

An application for grant of bail u/s 437 CrPC has been moved on behalf of applicant/accused Rajeev @ Kalu.

Reply to the above application has been filed by IO HC Chhaju Ram, who has stated that accused has been released vide order dated 30.06.2020 passed by Ld. Duty MM, Tihar Court Complex.

Ld. LAC for accused has submitted that the accused is running into JC since 14.06.2020, he has been falsely implicated in the present case, nothing incriminating has been recovered from his possession, case is not covered by guidelines of HPC and that he be released on regular bail.

Heard. Perused.

Keeping in view the facts and circumstances, it appears that accused Rajeev @ Kalu was released from custody in FIR No.450/20 u/s 387/506 IPC but was not directed to be released in any other case. In view of the facts and circumstances of the case, bail application is allowed. **Accused Rajeev @ Kalu is admitted to bail on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount** to the satisfaction of Ld. Duty MM/Jail Superintendent concerned.

Accordingly, bail application is disposed of

Bail bonds not furnished.

Copy of this order be given dasti as prayed for.

  
(Aakanksha)

Duty MM/West/Delhi/19.08.2020

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A.K. Jha  
19.8.20



**FIR No.357/2020**  
**U/s 451/380/411 IPC**  
**PS Kirti Nagar**  
**State Vs. Arman**

19.08.2020

Present: None for the State.  
Mr. P. N. Singh, Ld. Counsel for applicant/complainant/owner  
Suraj Verma.

This is an application for release of vehicle and three mobile phones on superdari filed on behalf of applicant/owner Suraj Verma

No objection to the release of vehicle bearing registration no. **DL 10SW 8252 (Scooty Honda Activa) and three mobile phones i.e. one Samsung, one Vivo and one Mi phone** is tendered on behalf of the IO/SI Rajiv Ranjan togetherwith an application by applicant Suraj Verma regarding cancellation of e-FIR No.19281 and including it in FIR No.357/20.

Application perused.

Instead of releasing the above mentioned vehicle and three mobile phones on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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, articles in question i.e. vehicle bearing no. **DL 10SW 8252 (Scooty Honda Activa)** and **three mobile phones i.e. one Samsung, one Vivo and one Mi phone** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 10SW 8252 (Scooty Honda Activa)** and **three mobile phones i.e. one Samsung, one Vivo and one Mi phone** 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.

(Aakanksha)

Duty MM/West/Delhi/19.08.2020

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19/08/20

REMARKS & PRO  
BY JUDGE CAMERA



19.08.2020

Present: None for the State.  
Mr. A. K. Jha, Ld. LAC for applicant/accused Sonu S/o Virender.

An application for grant of interim bail has been moved on behalf of applicant/accused Sonu.

Reply to the above application has been filed by IO HC Kuldeep Singh, who has objected to release of accused on the ground that during investigation efforts were made to accused and when he was arrested by HC Pradeep Rangi, he disclosed his involvement in other theft cases, mobile phone has been recovered from his possession.

Ld. LAC for accused has submitted that the accused is running into JC since 21.06.2020, he has been falsely implicated in the present case as well as other three cases and was arrested on the same date in all the four cases and that he be released on interim bail for a period of 45 days.

Heard. Perused.

Keeping in view the facts and circumstances, the application mentions the fact that the accused is not covered by guidelines issued by HPC, previous involvement report has been submitted by IO, according to which accused is involved in three other cases relating to theft. Ld. LAC for accused has submitted that accused has been falsely implicated in all the four cases and accused was arrested in all the four cases on the same date. However, as per reply of IO the case property has also been recovered from his possession. In the opinion of this Court, this case is not a fit case to grant interim bail and the same is dismissed.

Copy of this order be sent to Jail Superintendent concerned.

Copy of this order be given dasti as prayed for.

  
(Aakanksha)

Duty MM/West/Delhi/19.08.2020

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FIR No.119/20  
U/s 379/411/34 IPC  
PS Mundka  
State Vs. Sonu

19.08.2020

Present: None for the State.  
Mr. A. K. Jha, Ld. LAC for applicant/accused Sonu S/o Virender.

An application for grant of interim bail has been moved on behalf of applicant/accused Sonu.

Reply to the above application has been filed by IO HC Jai Kishan, who has objected to release of accused on the ground that during investigation efforts were made to trace the accused and when he was arrested by HC Pradeep Rangi he disclosed his involvement in three other cases and case property was recovered from his possession.

Ld. LAC for accused has submitted that the accused is running into JC since 21.06.2020, he has been falsely implicated in the present case as well as other three cases and was arrested on the same date in all the four cases and that he be released on interim bail for a period of 45 days.

Heard. Perused.

Keeping in view the facts and circumstances, the application mentions the fact that the accused is not covered by guidelines issued by HPC, previous involvement report has been submitted by IO, according to which accused is involved in three other cases relating to theft. Ld. LAC for accused has submitted that accused has been falsely implicated in all the four cases and accused was arrested in all the four cases on the same date. However, as per reply of IO the case property has also been recovered from his possession. In the opinion of this Court, this case is not a fit case to grant interim bail and the same is dismissed.

Copy of this order be sent to Jail Superintendent concerned.  
Copy of this order be given dasti as prayed for.

(Aakanksha)

Duty MM/West/Delhi/19.08.2020

Copy sent  
A.K. Jha  
19-8-20



**FIR No.700/2020**  
**U/s 279/337 IPC**  
**PS Punjabi Bagh**  
**State Vs. Unknown**

19.08.2020

Present: None.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Manisha.

No objection to the release of vehicle bearing registration no. **HR 46C 6859 (Truck)** is tendered on behalf of the IO/SI Sumit Dhankar.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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. **HR 46C 6859 (Truck)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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. **HR 46C 6859 (Truck)** 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.

Let a copy of this order be sent to Ld. Counsel for the accused via email/whatsapp.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**

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**FIR No.293/2020**  
**u/s 380/411/34 IPC**  
**PS Ranjit Nagar**  
**State Vs. Shubham Pal**

19.08.2020 (through VC)

Present: None for the State.

Mr. Manish Kumar, Ld. Counsel for applicant/Accused  
Shubham Pal @ Golu S/o Late Sh. Rattan Pal R/o TC-197, Gali  
No.6, Pandav Nagar, Delhi.

This is an application u/s 437 CrPC for grant of bail of accused  
Shubham Pal @ Golu.

Ld. Counsel for the applicant/accused has submitted that  
accused has been falsely implicated in the present case, he is in JC since  
09.08.2020, he is aged about 23 years, he has been falsely implicated  
merely due to a small altercation at a Pan Shop, the main accused Tushar  
has been released on bail vide order dated 15.08.2020 and that he be also  
released on bail.

On the other hand, IO ASI Jal Singh in his reply has objected to  
the release of accused on the ground that he has been involved in other  
cases as well.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as  
well as the fact that accused has not been involved in any similar offences  
but has been involved in other cases under Delhi Excise Act, however,

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taking in view the age of the accused, bail application is allowed. **Accused Shubham Pal @ Golu is admitted to bail** on furnishing personal bond in the sum of **Rs.20,000/-** with one surety in the like amount to the satisfaction of **Jail Superintendent concerned/Ld. Duty MM** subject to conditions that :

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond not furnished.**

**Copy of this order be sent to Jail Superintendent concerned.**

Let a copy of this order be sent to Ld. Counsel for the accused via email/whatsapp.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.247/2020**  
**u/s 381/411/120B/34 IPC**  
**PS Ranjit Nagar**  
**State Vs. Pankaj**

19.08.2020

Present: None for the State.  
Mr. A. K. Sharma, Ld. Counsel for applicant/Accused Pankaj S/o  
Ram Kumar Ray R/o Village Yusufpur, Ladi, PS Gayghad, District  
Muzzafarpur, Bihar.

This is an application u/s 437 CrPC for grant of bail of accused  
Pankaj.

Ld. Counsel for the applicant/accused has submitted that  
accused has been falsely implicated in the present case, he is in JC since  
01.07.2020, he is the sole bread earner and is permanent resident of Delhi,  
even otherwise allegations against him are only with respect to Section 411  
IPC and he has no previous criminal antecedents and that he be released on  
bail.

On the other hand, IO SI Gajender Singh in his reply has  
objected to the release of accused on the ground that on 17.06.2020, co-  
accused Sushil Kumar committed a theft of Rs.38,50,000/-, accused Pankaj  
also helped him and Rs.80,000/- in cash togetherwith a new scooty was  
recovered from his possession, he has deposited the amount in his different  
bank account which has been seized and Rs.4 Lakh is yet to be recovered.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as  
well as the fact that accused has no previous criminal record, bail

Contd...2/-



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application is allowed. **Accused Pankaj is admitted to bail** on furnishing personal bond **in the sum of Rs.30,000/- with one surety in the like amount to the satisfaction of Jail Superintendent concerned/Ld. Duty MM** subject to conditions that :

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond not furnished.**

**Copy of this order be sent to Jail Superintendent concerned.**

Let a copy of this order be given dasti.

*Aakanksha*  
19/8/2020

(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**e-FIR No.WD/MN-000246/20**  
**U/s 379/411 IPC**  
**PS Moti Nagar**  
**State Vs. Puneet**

19.08.2020

Present: None for the State.  
Md. Shamin, Ld. Counsel for applicant/accused Puneet S/o Ram  
Mehar R/o House No.2354/175, Ganesh Pura-B, Village Bahramkha  
Trinagar, Delhi.

**This is an application u/s 437 CrPC for grant of bail of accused Puneet.**

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case as he had purchased a mobile phone in good faith from someone who roams near Zakhira flyover, he was granted interim bail for a period of one week vide order dated 12.08.2020 with the condition that he shall cooperate with the IO in the investigation, the said period expired today, he cooperated with IO and tried to search the person from whom he had purchased the mobile but could not succeed, he did not met accused at the given address, it was disclosed by the said boy at the time of selling the mobile, he is not a previous convict or habitual offender, he shall abide by terms and condition imposed by this court and that he be released on bail.

On the other hand, IO HC Pappu Ram in his reply has objected to the release of accused on the ground that accused told him that he had purchased the said mobile phone near Zakhira flyover from an unnamed person whose address he does not know but he roams near Zakhira flyover, but no one could be found there.

Contd...2/-



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Heard. Perused.

Keeping in view the overall facts & circumstances of the case, this Court cannot reach to a conclusion that accused flouted the conditions of his interim bail. Also, accused has no previous criminal record. Hence, bail application is allowed. **Accused Puneet is admitted to bail on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount** subject to conditions that :

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Personal bond furnished and accepted. At request, previous surety bonds restored.**

**Copy of this order be given dasti.**

*Aakanksha*  
19/8/2020  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.26/20**  
**U/s 279/337 IPC**  
**PS Patel Nagar**  
**State Vs. Unknown**

19.08.2020

Present: None for the State.  
Mr. A. K. Sharma, Ld. Counsel for applicant/owner Harish.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Harish.

No objection to the release of vehicle bearing registration no. **DL 8S BQ8391 (Vespa)** is tendered on behalf of the IO/SI Manoj Kumar.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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 BQ8391 (Vespa)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 BQ8391 (Vespa)** 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.

  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**



**FIR No.379/2020**  
**U/s 356/379/34 IPC**  
**PS Mundka**  
**State Vs. Unknown**

19.08.2020

Present: None.

This is an application for release of mobile phone on superdari filed on behalf of applicant/owner Gaurav Vats.

No objection to the release of mobile phone **Real Me C-2 (blue colour)** is tendered on behalf of the IO/HC Kulbir Singh.

Application perused.

Instead of releasing the above mentioned mobile phone on superdari, this Court is of the considered view that the said article has 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.*

**P.T.O.**



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 **Real Me C-2 (blue colour)** be released to the applicant/rightful owner on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the article. It is further directed that the article i.e. mobile phone **Real Me C-2 (blue colour)** 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.

Let a copy of this order be sent to Ld. Counsel for the accused via email/whatsapp.

Resive  
कापी प्राप्त किया

(Aakanksha)

Duty MM/West/Delhi/19.08.2020



**FIR No.211/2020**  
**U/s 188/269 IPC & Section 3 Epidemic Disease Act**  
**PS Moti Nagar**  
**State Vs. Unknown**

19.08.2020

Present: None.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Ramesh Jay Swaal.

No objection to the release of vehicle bearing registration no. **DL 1LZ 3989 (three wheeler)** is tendered on behalf of the IO/HC Tej Pal Singh.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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 1LZ 3989** (three wheeler) be released to the applicant/registered owner on verification of the particulars regarding ownership 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 1LZ 3989** (three wheeler) 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.

Let a copy of this order be sent to Ld. Counsel for the accused via email/whatsapp.

रिजिस्ट्रार न्यायालय  
दिल्ली  
22/08/2020

(Aakanksha)

Duty MM/West/Delhi/19.08.2020



**e-FIR No.33534/17**  
**U/s 379 IPC**  
**PS Moti Nagar**  
**State Vs. Unknown**

19.08.2020

Present: None.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Ravinder Singh.

No objection to the release of vehicle bearing registration no. **DL 6SAS 6577 (Honda Activa)** is tendered on behalf of the IO/HC Ramdeen.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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 6SAS 6577 (Honda Activa)** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 6SAS 6577 (Honda Activa)** 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.

Let a copy of this order be sent to Ld. Counsel for the accused via email/whatsapp.



(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**

Reserved Copy  
Ravinder Singh



**FIR No.379/2020**  
**U/s 356/379/34 IPC**  
**PS Mundka**  
**State Vs. Rohit Kumar Mishra**

19.08.2020

Present: None for the State.  
Mr. Ayush Dua and Ms. Lavika Gupta, Ld. Counsels for  
applicant/Accused Rohit Kumar Mishra S/o Ghanshyam Mishra  
R/o House No.606, Tigri Village, Delhi-41.

**This is an application u/s 437 CrPC for grant of bail of  
accused Rohit Kumar Mishra.**

Ld. Counsel for the applicant/accused has submitted that  
accused has been falsely implicated in the present case, he is aged about 27  
years and he is a sole bread earner, he came from his village in July 2020  
and was working in Aqualite Company and has nothing to do with the  
alleged offence, he is in custody since 13.08.2020 and has no previous case  
pending against him, he undertakes to accept any condition imposed and  
that he be released on bail.

On the other hand, IO HC Kulbir singh in his reply has objected  
to the release of accused on the ground that TIP is yet to be conducted on  
29.08.2020.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case as  
well as the age of the accused and that he has no previous criminal  
involvement, also keeping in view the third proviso to Section 437 CrPC,  
the mere fact that accused is required for TIP it is not a sufficient ground to

Contd...2/-



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refuse bail if he is otherwise entitled to bail, the application is allowed. **Accused Rohit Kumar Mishra is admitted to bail** on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of jail Superintendent concerned/Ld. Duty MM subject to conditions that :

1. He shall not threaten or influence the witnesses, and he shall not come in contact with the complainant.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence and shall not make his face visible to the complainant till the TIP is conducted
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

**Bail bond/surety bond not furnished.**

**Copy of this order be given dasti.**

*Aakanksha*  
19/8/2020  
(Aakanksha)

**Duty MM/West/Delhi/19.08.2020**

Received copy  
Adv. Agush Dae



FIR No.40665/19  
U/s 379/411 IPC  
PS Moti Nagar  
State Vs. Rizwan

19.08.2020

Present: None for the State.  
Mr. Umesh Chadha/owner in person.

This is an application for release of vehicle on superdari filed on behalf of applicant/owner Umesh Chadha.

No objection to the release of vehicle bearing registration no. **DL 8SBS 2378** is tendered on behalf of the IO/HC Ram Chander.

Application perused.

Instead of releasing the above mentioned vehicle and three mobile phones on superdari, this Court is of the considered view that the vehicle has 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.*

**P.T.O.**



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 8SBS 2378** be released to the applicant/registered owner on verification of the particulars regarding ownership 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 8SBS 2378** 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.



(Aakanksha)

Duty MM/West/Delhi/19.08.2020

Received - the copy with  
thanks Umesh