

FIR No. 653/20

PS Ranhola

30.06.2020

Present: Ld. APP for State.
Ld Counsel Sh. R.S Thakur for accused / applicant.

At request of ld counse lfor accused/applicant, put up for 06.07.2020



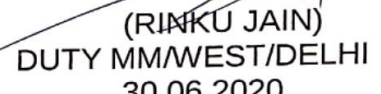
(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

Misc. Application
Bail Bond Mohd. Asif

30.06.2020

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

Original order not placed on record.
Be put up with original order.
Put up for purpose fixed on 09.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 137/20
PS Punjabi Bagh

30.06.2020

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

Reply not received from Jail Authority Let the same be called for NDOH.
To come up on 08.07.2020.



(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 187/2020
PS Rajouri Garden

30.06.2020

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

Reply not received from Jail Authority Let the same be alled for NDOH.
To come up on 06.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

2

12/3^a

FIR No. 002673/2020
PS Hari Nagar

30.06.2020

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

Reply not received from Jail Authority Let the same be alled for NDOH.
To come up on 06.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

State Vs. Suraj Kumar
FIR No.011219/2020
u/s 379 IPC
PS Paschim Vihar West

30.06.2020

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

It is submitted by Id counsel for accused that accused is in JC since 09.06.2020 and has been falsely implicated in the present case.

Per contra Id APP for state opposes the present application.

Heard. Record perused.

Considering the submissions made by Id counsel for accused that accused is in JC since 09.06.2020 and the recovery has already been effected from accused. Therefore, no fruitful purpose would be served by keeping the accused Suraj Kumar in custody.

In view of the same the accused Suraj Kumar is granted bail subject to furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount. At request of Id counsel for accused, put up for furnishing of bail bonds on 01.07.2020.



(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020



e-FIR No. 116/2020
PS Paschim Vihar West

30.06.2020

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

Reply of IO not received.

Issue C/N be issued to the IO/SHO concerned for NDOH.

To come up for consideration on 02.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 011270
PS:Tilak Nagar
Vehicle No. DLISS-2671

30.06.2020

This is an application for releasing vehicle bearing no. DLISS-2671 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

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

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

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

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DLISS-2671 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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

Order ready
Rinku Jain
20.06.20



(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

State Vs. Dharmender
FIR No. 311/20
u/s 171/419/420/471/482 IPC
PS Mundka

30.06.2020

Present: Ld. APP for State.
Ld counsel for accused/applicant.

At request of ld counsel for accused/applicant, IO to remain present in person
on 01.07.2020 at 01.00 p.m.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

30.06.2020

This is an application for releasing vehicle bearing no. DL4SCT-9524 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

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

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

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

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL4SCT-9524 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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

Ashish Kumar
30/06/2020

Received order
copy.

(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

30.06.2020

This is an application for releasing vehicle bearing no. DL6SAU-5353 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

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

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

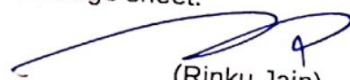
73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL6SAU-5353 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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


(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

Copy

FIR NO.664/19
PS Tilak Nagar

30.06.2020

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

Put up for 10.07.2020.


(RINKU JAIN)
DUTY MMWEST/DELHI
30.06.2020

State Vs. Mohd. Kasim
FIR No. 320/2020
u/s 379/411 IPC
PS Mundka

30.06.2020

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

At request of ld counsel for accused/applicant, put up for 06.07.2020 through
VC at 12.30 p.m.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

State Vs. Vijay Dhandpani

FIR No. 185/17

u/s 420/406 IPC

PS EOW

30.06.2020

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

Reply of IO not received.

Issue C/N be issued to the IO/SHO concerned for NDOH.

To come up for consideration on 07.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 439/2020
PS: Moti Nagar
Vehicle No. DL 155

State Vs. Sumit Sharma
FIR No. 712/2020
PS Nangloi
u/s 25/54/59 Arms Act

30.06.2020

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

Reply of IO not received.

Issue C/N be issued to the IO/SHO concerned for NDOH.

To come up for consideration on 07.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

State Vs. Sumit Sharma
FIR No. 712/2020
PS Nangloi
u/s 25/54/59 Arms Act

30.06.2020

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

Reply of IO not received.
Issue C/N be issued to the IO/SHO concerned for NDOH.
To come up for consideration on 07.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 439/2020
PS: Moti Nagar
Vehicle No. DL1PC-4860

30.06.2020

This is an application for releasing vehicle bearing no. DL1PC-4860 on Superdari.

Present:- Ld. APP for the State.

Ld. counsel for applicant.

IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

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

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

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

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL1PC-4860 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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

Panel Order
Sunder
30/06/2020

(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

e-FIR No.0053/2020
PS: Punjabi Bagh
Vehicle No. DL3SDW-8332

30.06.2020

This is an application for releasing vehicle bearing no. DL3SDW-8332 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

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

72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

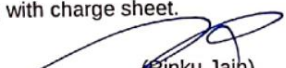
73. *If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL3SDW-8332 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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


(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

गौरी कौपी प्रकाशी
गौरी

FIR No. 000270/20
PS Ranhola

30.06.2020

Present: Ld. APP for State.
Ld Counsel Sh. R.S Thakur for accused / applicant.

At request of ld counse lfor accused/applicant, put up for 06.07.2020


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 709/2020
PS: Nangoli
U/s 56/379/411/34

30.06.2020

This is an application for releasing articles on superdari.

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

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles 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 : -

"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 circumstances and law laid down by **Hon'ble High Court of Delhi**, mobile phone in question as per seizure memo be released to the applicant by IO on furnishing ownership proof, security bond as per valuation report of mobile phone and after preparation of panchnama and taking photographs of mobile phone including its IMEI numbers as per above directions of **Hon'ble High Court of Delhi** in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Dasti copy of order be given as prayed for.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020





State Vs. Rakesh & Ors.

FIR No. 548/2020

PS Punjabi Bagh

u/s 392/411/188/34 IPC

30.06.2020

Fresh Charge Sheet filed. It be checked and registered.

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

Put up for consideration on 04.07.2020.



(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

FIR No. 556/20
u/s 392/397/411/120B IPC &
section 25/27 Arms Act dt. 16.06.2020
PS Rajouri Garden

30.06.2020

Present: Ld. APP for State.
Complainant Sh. Amit Kumar in person.
Ld. Counsel Sh. Nizamuddin for accused/applicant.

It is submitted on behalf of ld counsel for accused/applicant that accused/applicant has been falsely implicated in the present case and he is in no way connected or involved in the present offence.

Per contra reply was filed on behalf of IO.

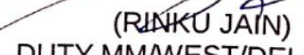
Ld. APP for state opposes the bail application.

Heard. Perused.

It is pertinent to mention that an affidavit has been filed by the complainant to the effect that accused namely Nahid Hussain has been falsely implicated in the present case and accused Nahid Hussain is his very close friend from the last ten years.

Upon inquiry by the Court from the complainant, complainant has apprised the Court that the affidavit has been filed by him voluntarily and without any undue influence, coercion, force, fear or threat.

In view of the affidavit filed by the complainant and also the inquiry made by this Court it appears that prima facie no case is made out against accused Nahid Hussain under section 397 IPC. As far as other offences are concerned no fruitful purpose would be served by keeping the accused in custody. Therefore, the present application is allowed and accused Nahid Hussain granted bail subject to furnishing personal bond in the sum of Rs. 25,000/- and one surety in the like amount.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

State Vs. Ravi & Ors
FIR No. 0186/2020
PS: Khyala
U/s 380/411 IPC

30.06.2020

This is an application for releasing articles on superdari.

Present : Ld. APP for the State.
Sh. Raj Kumar, Ld counsel for Applicant along with applicant in person..

IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles has to be released as per directions of **Hon'ble High Court of Delhi** in matter of "**Manjit Singh Vs. State**" in Crl. 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 : -

"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 circumstances and law laid down by **Hon'ble High Court of Delhi**, laptop along with charger, oppo mobile, cash sum of Rs. 40,000, seven pen drives, violet with Rs. 4500, Aadhar Card, Pin Card Voter ID, college ID card, Syndicate bank ATM Card and other documents etc. in question as per seizure memo be released to the applicant by IO on furnishing ownership proof, security bond as per valuation report of mobile phone and after preparation of panchnama and taking photographs of mobile phone including its IMEI numbers as per above directions of **Hon'ble High Court of Delhi** in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Dasti copy of order be given as prayed for.


(Adv.)

954052/1935

D/2925/2018


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

E-FIR No. 12747/2020
PS: Kirti Nagar
Vehicle No. DL-5SBG-3815

30.06.2020

This is an application for releasing vehicle bearing no. DL-5SBG-3815 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

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

72. If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

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

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-5SBG-3815 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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


(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

Received by
R Patel
30/06/2020

FIR No. E 034964/19
PS: Ranhola
Vehicle No. DL4SC-4834

30.06.2020

This is an application for releasing vehicle bearing no. DL4SC-4834 on Superdari.

Present:- Ld. APP for the State.
Ld. counsel for applicant.
IO has filed his reply. Taken on record.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** wherein it has been held that

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72. *If the vehicle is insured, the court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.*

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

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL4SC-4834 be released to the **registered owner after due identity verification** and on furnishing security bond as per valuation report of the vehicle. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Copy of this order be given dasti to applicant.

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


(Rinku Jain)
Duty MM/West/THC/Delhi
30.06.2020

Order copy
Rahul
Hassan
30/6/20

State Vs. Manjeet Singh @ Sunny & Ors.

FIR No. 193/20

PS Ranjeet Nagar

u/s 341/323/506/34 IPC

30.06.2020

Fresh Charge Sheet filed. It be checked and registered.

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

Put up for consideration on 04.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020

State Vs. Gaurav Kakkar

FIR No. 85/20

PS Patel Nagar

u/s 307/186/353/506/34 IPC & section 25/27 Arms Act

30.06.2020

Fresh Charge Sheet filed. It be checked and registered.

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

Put up for consideration on 04.07.2020.


(RINKU JAIN)
DUTY MM/WEST/DELHI
30.06.2020