

eFIR No. 14316/20

PS Tilak Nagar

05.08.2020

Present: Ld. APP for State.  
None for accused/applicant.

Reply not yet filed by IO.

Same be filed positively filed by IO on NDOH.

Put up on 07.08.2020.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

eFIR No. 01311/20  
u/s 379/411/34 IPC  
PS Ranhola

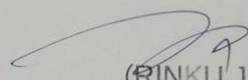
05.08.2020

Present: Ld. APP for State.

None for applicant despite repeated calls.

Report filed by IO. Same is taken on record.

Put up for acceptance of bail bonds on 06.08.2020

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

FIR No. 60220  
PS Punjabi Bagh  
u/s 25/54/59 Arms Act.

05.08.2020

Present: Ld. APP for State.

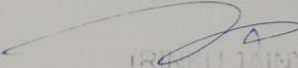
Ld.LAC.Sh. Anil Kumar Sharma for accused.

The present application is an application for regular bail and only previous conviction/ involvement report has been filed by the IO.

No reply has been filed.

Same be filed by NDOH.

Put up for 07.08.2020.

  
(RAKESH JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

State Vs. Prakash  
FIR No. 220/20  
PS Ranjit Nagar  
u/s 379/356/411/34 IPC

05.08.2020

Present: Ld. APP for State.  
Ld.LAC.Sh. Anil Kumar Sharma for accused.

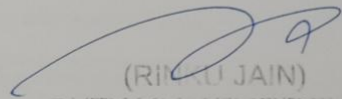
Reply filed on behalf of IO. Same is taken on record.  
Heard. Perused.

Allegations in the present FIR are serious in nature.  
Accused is earlier involved in 21 other matters. He seems to be an  
habitual offender.

In view of the same, this Court is not inclined to grant  
bail to the accused.

The application stands disposed off as dismissed.

At request a copy of this order be given dasti to Id  
counsel

  
(RISHI K. JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

FIR No.129/20  
PS Tilak Nagar


05.08.2020

Present: Ld. APP for State.

Ld. Counsel for accused/applicant through VC.

The present application was filed for extension of interim bail granted on 27.04.2020. However, the same has been extended by the orders of Hon'ble Delhi High Court from time to time and no separate application is required for the same.

In view of the aforementioned, the present application stands disposed off as infructuous.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

e-FIR No.042324/19  
U/s 379 IPC  
PS Kirti Nagar  
Vehicle No. DL12S 5431

05.08.2020

**This is an application for releasing vehicle bearing no. DL12S 5431 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 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. 4495/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL12S 5431 be released to the registered owner after due **identity verification** and on furnishing security bond as per valuation report of the vehicle. IO shall verify **valid insurance certificate of the vehicle before releasing the same** 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 chargesheet

(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

copy of  
order feed.  
Vishal  
E/2455/10  
Advocate

29.07.2020

to be given  
Kirti Nagar

29/7/20

through

Sh. Japneet Singh s/o  
Gursharan Singh s/o  
Aashu, Ramesh s/o, s/o  
Vishal  
(counsel)

e-FIR No.11082/20  
U/s 379 IPC  
PS Moti Nagar  
Vehicle No. DLX/DL4SCC 8929

05.08.2020

**This is an application for releasing vehicle bearing no. DLX/DL4SCC 8929 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. DLX/DL4SCC 8929 be released to the registered owner after due **identity verification** and on furnishing security bond as per valuation report of the vehicle. IO shall verify the valid insurance certificate of the vehicle before releasing the same. 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 desti to applicant

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

Done  
Copy Received

(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

29.07.2020

to be given  
keshi Agr.  
29/7/20

through

Sh. Japneet Singh s/o  
Gursharan Singh s/o  
Rajesh, Ramesh  
Vishal  
(Counsel)

e-FIR No 380/20  
U/S 379/431 IPC  
PS Moti Nagar  
Vehicle No. DL 6SAV 3608

05.08.2020

*This is an application for releasing vehicle bearing no. DL 6SAV 3608 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 633 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 Cr. M.C. No. 4485/2013 dated 10.09.2014.

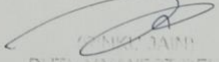
Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL 6SAV 3608 be released to the registered/rightful owner after due identity verification and on furnishing security bond as per valuation report of the vehicle. IO to verify the valid insurance certificate of the vehicle before releasing the same. 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 dasu to applicant

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

Recd order

HT

  
DUTY MAGISTRATE DELHI  
05.08.2020

for any further purpose.



FIR No. 37/2020  
u/s 356/379/411/34 IPC  
PS Mundka

05.08.2020

This is an application for releasing article i.e. Mobile Phone made Oppo F15 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 Crl. M.C. No. 4485/2013 dated 10.09.2014.

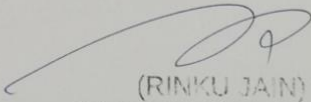
*Hon'ble High Court of Delhi* in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavra 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 MMWEST/DELHI  
05.08.2020

State Vs. Vishal  
FIR No. 383/20  
U/s 33 Delhi Excise Act  
PS Mundka.

05.08.2020

Present: Ld. APP for state.

Ld. Counsel Sh. Upender Singh for applicant/accused.

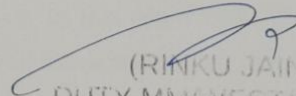
Reply filed on behalf of IO. Same is taken on record.

Heard. Perused.

Accused was in JC since 02.08.2020. Investigation is in initial stages only. Allegations are serious in nature. In view of the same, this Court is not inclined to grant bail to the accused.

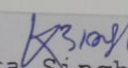
Accordingly, the present application stands disposed off as dismissed.

At request a copy of this order be given dasti to ld counsel.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

Dated .

through

  
Upendra Singh

Counsel M.

State Vs. Fakira Sahni  
FIR No. 384/20  
U/s 33, 38 Delhi Excise Act  
PS Mundka

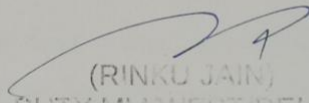
05.08.2020

Present: Ld. APP for state.

Ld. Counsel Sh. Upender Singh for applicant/accused.

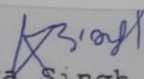
Ld. Counsel for accused/applicant wishes to withdraw  
the present application.

In view of the submission of ld counsel for  
accused/application, the present application stands disposed off  
as withdrawn.

  
(RINKU JAIN)  
DUTY MM WEST DELHI  
05.08.2020

Dated : 4/8/20

Through

  
Upendra Singh

Counsel. mob-

Challan dt. 05.08.2020  
TC/STA  
U/s 13(7)/179/146/182 MVA  
Vehicle No. DLIRV 3728

05.08.2020

*This is an application for releasing vehicle bearing no. DLIRV 3728 on Superdari.*

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

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 Shai Ambalal Desai Vs. State of Gujrat**, AIR 2003 SC 636 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 room 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. DLIRV 3728 be released to the registered owner after due **identity verification and if the IO/SHO has no objection in release of the aforesaid vehicle and the same is not required any further for investigation of the present case 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 dashi to applicant.

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

(RUPALI TAIN)  
DUTY MAGISTRATE/DELHI  
05.08.2020

Prince Sharma (Advocate)  
Enroll No. D/941/2018  
Behind Room No. 42, Criminal Wing,  
Jai Hazari Court, Delhi-110054  
Mobile No. 8586862245

State Vs. Deepak  
e-FIR No.00241/20  
U/s 379/411 IPC  
PS Punjabi Bagh

05.08.2020

Present: Ld. APP for state.

Ld. Counsel for applicant/accused through VC.

An application for bail u/s 437 Cr. P. C is filed on behalf of accused/applicant.

Reply filed. Same is taken on record.

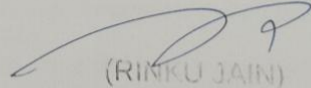
Heard. Perused.

Accused is in JC since 17.07.2020. Recovery has already been effected from accused. No fruitful purpose would be served by keeping the accused in custody.

In view of the same, the application of the applicant/accused namely Deepak is allowed and accused is admitted to bail on furnishing of personal bond in the sum of Rs. 10,000/- with one surety in the like amount.

Bail bond and surety bond would be accepted only after verification through IO of this case.

Bail bond and surety bond not furnished. The application stands disposed off accordingly.

  
(RINKU JAIN)  
DUTY MM/VEST/DELHI  
05.08.2020

FIR No. 329/20  
U/s 307/596/34 IPC r/w 25/27 Arms Act  
PS Patel Nagar  
Vehicle No. DL-1Z B3561

05.08.2020

***This is an application for releasing vehicle bearing no.DL-1Z B3561 on Superdari.***

Present: Ld. APP for State.  
None 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. DL-1Z B3561 be released to the registered owner after due **identity verification and on furnishing security bond** as per valuation report of the vehicle. IO is directed to **verify the valid insurance certificate of the vehicle before releasing the same.** After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

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

(RINKU JAIN) 9  
DUTY MM/WEST/DELHI  
05.08.2020

State Vs. Sandeep & Ors  
FIR No. 351/20  
U/s 302/34/506/120B IPC  
PS Mundka  
Vehicle / Scooty bearing No. DL-8SCR-7282

05.08.2020

*This is an application for releasing vehicle bearing no. DL-8SCR-7282 on Superdari.*

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

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.*

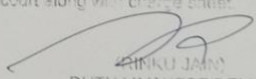
*73. If a vehicle is reply not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."*

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-8SCR-7282 be released to the registered owner after due identity verification and if the IO/SHO has no objection in release of the abovesaid vehicle and the same is not required any further for investigation of the present case on furnishing security bond as per valuation report of the vehicle. IO is directed to release the vehicle after verifying valid insurance certificate of the abovesaid vehicle on the date of its release 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 JAIS  
DUTY MM/WEST/DELHI  
05.08.2020

✓

FIR No. WD-MN-000276/2020  
U/s 379 IPC  
PS Moti Nagar

05.08.2020

This is an application for releasing article i.e. Mobile Phone make Redmi 8A on superdari.

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

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.

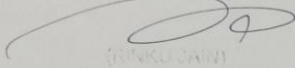
*Hon'ble High Court of Delhi* in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (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*, mobile phone in question as per seizure memo be released to the applicant by IO (if the same is not required for further investigation of the case and IO has no objection in releasing the said mobile phone to the applicant) 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 valuation report.

  
(MM VES)  
DUTY MM VES DELHI  
05.08.2020



State Vs. Sonu Kumar  
FIR No. 520/20  
U/s 379/411/34 IPC  
PS Moti Nagar

05.08.2020


Present: Ld. APP for state.

Ld. Counsel Sh. Manish Kumar for applicant/accused.

Ld counsel for accused/applicant wishes to withdraw  
the present application.

Heard.

In view of submission the present application stands  
disposed off as withdrawn.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

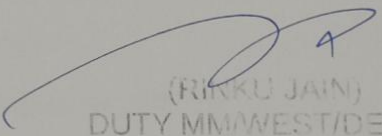
e-FIR No. 15157/20  
U/s 411/34 IPC  
PS Tilak Nagar

05.08.2020

Fresh challan received by way of assignment. It be  
checked and registered.

Present: Ld. APP for state.  
IO/HC Rajesh in person.

Put up for consideration before concerned Court on  
10.08.2020.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

Model Town Traffic Circle  
U/s 3/181 M.V Act  
Vehicle No. DL 1LY 2902

05.08.2020

*This is an application for releasing vehicle bearing no. DL 1LY 2902 on Superdari.*

Present: Ld. APP for state.  
None 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 1LY 2902, be released to the registered owner after due **identity verification and on furnishing security bond** as per valuation report of the vehicle. IO shall **verify the valid insurance certificate** of the vehicle before releasing the same after preparation of panchnama of the vehicle and furnishing of security bond. As per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

Panchnama and valuation report shall be filed in the court along with charge sheet.  
The application stands disposed off.

(RANU JAIN)  
DUTY MMW/EST/DELHI  
05.08.2020

*cause prepared in the signs of the applicant*

State Vs. Ravi  
e-FIR No. 11101/20  
U/s 379/411/34 IPC  
PS Tilak Nagar

05.08.2020

Present: Ld. APP for state.  
Ld. Counsel Sh.Ravi Shukla for applicant/accused  
through VC.

An application for bail u/s 437 Cr. P. C has been filed  
on behalf of accused/applicant.

Reply filed. Same is taken on record.

Heard. Perused.

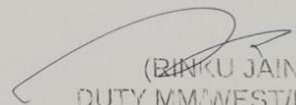
Accused is in JC since 05.07.2020. Recovery has  
already been effected from accused. No fruitful purpose would be  
served by keeping the accused in custody.

In view of the same, the application of the  
applicant/accused namely Ravi @ Manish is allowed and accused  
is admitted to bail on furnishing of personal bond in the sum of Rs.  
10,000/- with one surety in the like amount.

Bail bond and surety bond would be accepted only  
after verification through IO of this case.

Bail bond/surety bond not filed.

The application stands disposed off.

  
(BINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

State Vs. Santosh  
FIR No. 135/20  
U/s 379/337 IPC  
PS Punjabi Bagh  
Vehicle No. DL-1LU 4298

05.08.2020

*This is an application for releasing vehicle bearing no. DL-1LU 4298 on Superdari.*

Present: Ld. APP for State.  
None 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. 4495/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration no. DL-1LU 4298 be released to the registered owner after due identity verification and on furnishing security bond as per valuation report of the vehicle. IO is directed to verify the valid insurance certificate of the vehicle before releasing the same. After preparation of panchnama of the vehicle and furnishing of security bond as per directions of Hon'ble Supreme Court, the vehicle shall be released by the IO.

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

(BANKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

investigation.

e-FIR No. 0202/20  
PS Tilak Nagar

05.08.2020

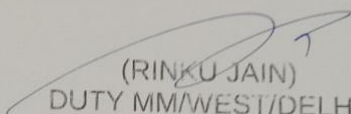
Present: Ld. APP for State.

Ld. Counsel for accused/applicant through VC.

It is submitted by ld counsel for accused/applicant that  
he wish to withdraw the present application.

Heard.

In view of submission of ld counsel for  
accused/applicant, the present application stands disposed off as  
withdrawn.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

State Vs. Avinash  
e-FIR No. 000706/20  
u/s 379 IPC  
PS Punjabi Bagh

05.08.2020

This is an application for releasing articles i.e Laptop & other on superdari.

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

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*, laptop & other articles in question as per seizure memo be released to the applicant by IO on furnishing ownership proof, security bond as per valuation report of laptop and after preparation of panchnama and taking photographs of laptop and other articles 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 IMMIGEST/DELHI  
05.08.2020

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State Vs. Shiva @ Shiv  
FIR No.186/2020  
U/s 25/54/59 Arms Act  
PS Punjabi Bagh

05.08.2020

Present: Ld. APP for State.

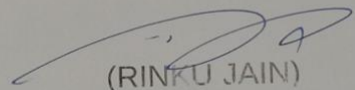
Ld. Counsel for accused/applicant through VC.

Reply not filed by the Jail Authority.

Same be positively filed by Jail Authority on

06.08.2020.

Put up on 06.08.2020.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

accused shiva not released for



FIR No.40/20  
u/s 3 DPDP Act  
PS Punjabi Bagh

05.08.2020

Fresh charge sheet is filed.

It be checked and registered as per rules.

Present: Ld. APP for the State.

Accused is stated to be on police bail.

Be put up for consideration on charge sheet on 02.09.2020.

before concerned Court.



(RINKU JAIN)

Duty MM(West)/THC:Delhi

05.08.2020

FIR No.673/2020  
U/s 33/38/58 Delhi Excise Act  
PS Ranhola


05.08.2020

Present: Ld. APP for State.

Vide order dt. 24.07.2020 passed by the Court of Duty Magistrate, West District, Dehi regular bail was granted to accused Rishab s/o late Sh. Raj Kumar. Pursuant to which release warrants of abovenamed accused was issued to Tihar Jail but as per the reply received from Tihar Jail, the accused has already been released on 24.07.2020 in compliance of order dt. 16.07.2020.

Nothing remains in the matter.

Accordingly, the same stands disposed off.

  
(RINKU JAIN)  
DUTY MM/WEST/DELHI  
05.08.2020

07/7/20

Tamanpreet Kaur Vs. Jitender @ Sonu @ Michael  
FIR No.640/20  
U/s 356/379/411/385/507/120B/34 IPC  
PS Punjabi Bagh

05.08.2020

Present: Ld. APP for state.

Ld. Counsel for applicant/accused.

An application for bail u/s 437 Cr. P. C has been filed on behalf of accused/applicant.

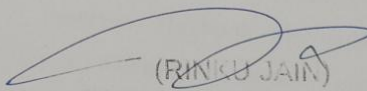
Reply filed. Same is taken on record.

Heard. Perused.

Accused is in JC since 01.07.2020. Allegations are serious in nature. Other co-accused are yet to be arrested and are absconding. Certain recovery is yet to be effected from the absconding co-accused.

In view of the same, this Court is not inclined to grant bail to the present accused. Accordingly, the application is disposed off as dismissed.

At request a copy of this order be given dasti to ld counsel for accused.

  
(RINKU JAIN)  
DUTY MMWEST/DELHI  
05 08 2020

application/accused.