

FIR No. 502/20

PS Hari Nagar

U/s 354/354B/509 IPC

State Vs. Sanjay Mehta

25.08.2020

Present: Ld. APP for the State.

Sh. Neeraj Kumar Ld. Counsel for accused.

This bail application has been filed on behalf of accused Sanjay Mehta in the above mentioned case FIR wherein it is submitted that the present FIR is false and fabricated and is an outcome of family dispute outburst by the mother of victim i.e. wife of accused. It is further stated that the victim has filed the present FIR at the instigation of her mother with whom accused is not having cordial relations for last few years. It is further stated that accused is an agent in footwear business and in the past more than six months the business of accused came down due to which accused is facing financial problems due to which accused wanted to mortgage his house which is objected by the his wife, victim and her brother which has finally culminated in the filing of this FIR. It is further stated that accused is to take care of his old age parents i.e. father aged 85 years and mother aged 78 years who are also having several medical problems. It is further stated that accused is not required for custodial interrogation by police. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that accused is also involved in another case which was registered on the complaint of his wife. It is further stated that if he is enlarged on bail he may threat the complainant and her mother. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody no recovery is to be effected from the applicant for which his custody is required by the police. The apprehension of the complainant as to the threats can be done away with by imposing the conditions on the applicant while enlarging him on bail. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal

FIR No. 502/20  
PS Hari Nagar  
U/s 354/354B/509 IPC  
State Vs. Sanjay Mehta

bond and surety bond in the sum of Rs. 25,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the same.
4. He will not commit the same offence in future.

Bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

Ahlmad is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

Challan No. DL-20933200726181554  
PS Model Town

25.08.2020

Present : Ld. APP for State.

None for party.

Put up for purpose fixed on 01.09.2020.

(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi





FIR No.800/2020  
PS: Nihal Vihar  
State Vs. Ravi & Ors.  
U/s 336 IPC & 25/27/54/59 Arms Act.

25.08.2020


Present : Ld. APP for State.

Sh. Akshay Kumar Id. Counsel for applicant.

Twice reply has been called, however, no reply is being filed.

Let strict directions be given to the IO to file the reply before the court failing which the present application shall be heard without the reply.

Put up for 26.08.2020.

  
(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020

FIR No.015381/2020  
PS : Maya Puri  
State Vs. Sagar Rai

25.08.2020

Present : Ld. APP for State.

Mr. Fahim Alam Id. Counsel for applicant (through VC).

Report/Reply was already called, however, no reply filed.

Let IO/SHO be again directed to file the report/reply for

26.08.2020.

(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020

FIR No. 017077/20

PS Paschim Vihar West

U/s 379 IPC

State Vs. Sourabh Singh

25.08.2020

Present: Ld. APP for the State.

Sh. Amit Nayyar and Sunil Kumar Ld. Counsels for accused.

This bail application has been filed on behalf of accused Sourabh Singh in the above mentioned case FIR wherein it is submitted that accused has been falsely implicated in the present case and he is in JC since 17.08.2020. It is further stated that accused was not arrested at Tarang Banquet Hall Picket, Gazipur but he was arrested from his home. It is further stated that nothing has to be recovered at the instance of accused. It is further stated that no purpose will be served by keeping the accused in custody. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that during the investigation of case FIR no. 220/20, PS Pahargang stolen motorcycle with fake number plate was recovered from the possession of accused which was driven by one Akash and accused is a pillion rider. It is further stated that if he is enlarged on bail he may jump the bail as he is residing on rent. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he

FIR No. 017077/20  
PS Paschim Vihar West  
U/s 379 IPC  
State Vs. Sourabh Singh  
25.08.2020


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changes the same.

4. He will not commit the same offence in future.  
Bailbonds are furnished and accepted. Original ID and solvency  
proof of surety seen and returned. Accordingly, the accused is directed to be  
released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent  
concerned for attestation of signature thereupon and the same be returned after  
doing the needful to the concerned court.

Accordingly, the application stands disposed of.  
Copy of this order be given to the Id. Counsel for accused and  
copy of the same be also sent to jail superintendent for compliance.  
Ahlmad is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> West Distt. THC, Delhi  
25.08.2020.



FIR no. 814/20  
PS Nihal Vihar  
U/s 379/411/34 IPC  
State Vs. Tarun  
25.08.20

Present : Ld. APP for the State.

Sh.Sushant Kumar Ld. Counsel for applicant.

This bail application has been filed on behalf of accused Tarun in the above mentioned case FIR wherein it is submitted that the accused is in JC since 09.08.2020 and he has been falsely implicated in the present case. It is further stated that accused belongs to a poor society and he is sole bread earner of his family. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that stolen case property has been recovered from the possession of accused. It is further stated that accused is not a permanent resident of Delhi and if he is enlarged on bail he may jump the bail. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 15,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the same.
4. He will not commit the same offence in future.





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no. 814/20  
Nihal Vihar  
s 379/411/34 IPC  
ate Vs. Tarun  
5.08.2020

Accordingly, the application stands disposed of.  
Copy of this order be given to the Id. Counsel for accused.  
Ahlmad is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

25.08.2020

FIR No. 711/20  
PS Paschim Vihar West  
U/s 279/337 IPC  
State Vs. HR-30 T-2828  
25.08.2020

Present: Ld. APP for the State.

Sh. Rambir Singh Ld. Counsel for applicant with SPA holder Sh. Parvesh Shokeen.

Copy of SPA taken on record, original seen and returned. It is stated that RC and other documents of vehicle bearing no. HR-30T-2828 are lying in the possession of vehicle along with vehicle.

This order shall dispose of the application seeking release of vehicle bearing no. HR-30T-2828 on superdari to the Special power attorney holder Sh. Parvesh Shokeen.

IO in his reply has submitted that during investigation vehicle no. HR-30T-2828 was seized and IO has also no objection qua the release of vehicle.

Original ID proof SPA holder seen and returned. Copy thereof returned on record.

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014 wherein it has been held that :-

68. 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

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HR No. 711/20  
PS Paschim Vihar West  
U/s 279/337 IPC  
State Vs. HR-30 T-2828

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

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number HR-30T-2828 be released to the SPA Holder Sh. Parvesh Shokeen on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be given dasti to the applicant.  
Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.  
Record be sent back to court concerned.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> West Distt. THC, Delhi  
25.08.2020.

IR No. 411/20

PS Paschim Vihar East

U/s 379/411/34 IPC

25.08.2020

Present: Ld. APP for the State.

Sh. A.K. Sharma Ld. Counsel for applicant.

Applicant is directed to appear in person with original bill of mobile phone Redmi Note 4 on 27.08,2020

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

FIR No. 258/13

PS Nihal Vihar

State Vs. Rajdev

25.08.2020

Present: Ld. APP for the State.

None.

Let a report be called from concerned jail superintendent as to whether accused has surrendered himself or not as bail bond of accused person was accepted till today i.e. 25.08.2020.

Put up on 27.08.,.2020

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



FIR No. 000107/20

PS Anand Parbat

U/s 379 IPC

State Vs. unknown

25.08.2020

Present: Ld. APP for the State.

Applicant in person.

This order shall dispose of the application seeking release of mobile phone make VIVO Y12 AQUA Blue on superdari to the applicant.

Notice of this application was issued to IO. IO in his reply has submitted that he has also no objection qua the release of abovesaid mobile phone.

The articles has to be released as per directions of Hon'ble High Court in case titled as Manjit Singh Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014 wherein it has been held that :-

*"59. The valuable articles seized by the police may be released to the person, who, in the opinion of the Court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.*

*60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.*

*61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.*

Considering the facts and circumstances and law laid down by higher courts, articles in question as per seizure memo be released to the applicant/ complainant on furnishing security bond as per valuation report. IO/SHO is directed to get done the valuation as well as photographs of the same prior to the release the same to the applicant as per directions of Hon'ble High Court.

Panchnama and photographs shall be filed in the court alongwith the chargesheet.

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R No. 000107/20  
PS Anand Parbat  
U/s 379 IPC  
State Vs. unknown  
25.08.2020

Copy of this order be given dasti to applicant.

Copy of this order be also sent to IO/SHO concerned for compliance.

Record be sent back to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

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FIR No. 783/20

PS Nangloi

U/s 308/386/387/506/34 IPC

State Vs. Abdul Rehman

25.08.2020

Present: Ld. APP for the State.

Sh. Parminder Singh Ld. Remand Adv. For accused.

Reply filed. Time is prayed by Ld. Remand Advocate for  
addressing arguments.

Put up for arguments on 26.08.2020.

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> West Distt. THC, Delhi  
25.08.2020.

FIR No. 400/20

PS Maya Puri

U/s 25/54/59 A.Act

State Vs. Sunny Ram Kishan @ Chotiwalla

25.08.2020

Present: Ld. APP for the State.

Sh. Parminder Singh Ld. LAC/ remand Adv. for accused.

Reply filed. In the reply it has come up that chargesheet has already been filed before the concerned court however the date of filing of chargesheet has not been mentioned.

Let IO be called to clarify as to the date of filing of chargesheet in the present matter and the status thereof.

Put up on 26.08.2020.

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



FIR No. 001765/20

PS Nihal Vihar

U/s 379 IPC

25.08.2020

Present: Ld. APP for the State.

Sh. Lalit Sharma Id. Counsel for applicant with applicant in person.

This order shall dispose of the application seeking release of vehicle bearing no. DL- 4SBR-2219 on superdari to the RC holder Sikhveer/ applicant .

IO in his reply has submitted that during investigation vehicle no. DL- 4SBR-2219 was seized and IO has also no objection qua the release of vehicle

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :-

*"68. 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 not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by*



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auction."

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number DL- 4SBR-2219 be released to the RC holder Sukhveer on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Application stands disposed of.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

Record be sent back to court concerned.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

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THE COURT OF DUTY M.M. DISTT. WEST THC HAZARI COURT:  
COVID-19 LOCK DOWN. THE HAZARI COURT: DEL I:

2020

FIR No. 621/20

PS Paschim Vihar West

25.08.2020

Present: Ld. APP for the State.

Sh. Ayub Ahmad Qureshi Id. Counsel for applicant.

Reply not received. Be called for 26.08.2020

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

FIR No. 747/20

PS Rajouri Garden

U/s 33/38 D.Ex. Act

State Vs. Golu @ Sumit.

25.08.2020

Present: Ld. APP for the State.

Sh. Praney Abhishek Ld. Counsel for applicant.

Vide order dt. 24.08.2020, Ms. Babita Puniya Ld. Duty MM-01, West District has granted bail to accused Golu @ Sumit subject to furnishing of personal and surety bonds to tune of Rs.20,000/- each. In compliance of said order the said bail bond has already been furnished and sent for the verification of surety and solvency proof. Bail bond verification report is received and same is verified. The original ID poof and solvency proof seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court. Release warrants be prepared accordingly.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

FIR No. 85/20

PS Paschim Vihar

U/s 323/354/509/354A IPC, 8/21 of POCSO Act

State Vs. Rakesh Mohan Sangar

25.08.2020

Present: Ld. APP for the State.

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

Vide order dt. 22.08.2020, Ms. Vrinda Kumari, Ld. Duty ASJ, West

District has granted regular bail to accused Rakesh Mohan Sangar subject to furnishing of personal and surety bonds to tune of Rs.25,000/-. In compliance of said order bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accused is stated to be already released on interim bail vide order dated 18.04.2020 and extended vide order dated 27.05.2020 till 31.08.2020.

The present record be tagged with the application for record and be sent to concerned court.

Copy of this order be given to the Ld. Counsel for accused and be sent to jail superintendent concerned.

(DEEPIKA THAKKURAN)

Duty MM- 1<sup>st</sup> West Distt. THC, Delhi  
25.08.2020.

FIR No. 590/20

PS Rajouri Garden

U/s 25/54/59 Arms Act

State Vs. Ravi @ Manish

25.08.2020

Present: Ld. APP for the State.

Sh. Sushil Kumar Pandey Ld. Counsel for accused.

Vide order dt. 22.08.2020, Sh. Rakesh Kumar-II, Ld. Duty MM-01, West District has granted bail to accused Ravi @ Manish subject to furnishing of personal and surety bonds to tune of Rs.15,000/-. In compliance of said order bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law. Release warrant be prepared accordingly.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



**FIR No.44511/19**  
**PS: Paschim Vihar**  
**U/s 379 IPC**  
**Vehicle No. CH-01-AM-5445**

**25.08.2020**

This is an application for release of vehicle i.e. Vehicle No.CH-01-AM-5445 moved by registered owner.

Present: Ld. APP for State.

Sh. Harsh Sharma Id. Counsel for applicant (through VC).

Copy of document annexed, same is perused.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as Manjit Singh Vs. State in Ch. M.C. No. 4485/2013 dated 10.09.2014 wherein it has been held that :-

“68. 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

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FIR No. 511/2020  
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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 not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction.”

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number Vehicle No. CH-01-AM-5445 be released to the authority holder Sh. Madan Mohan on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to release the vehicle only on showing the original documents pertaining to the vehicle and get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

  
(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020

FIR No. 511/20  
PS Nangloi  
U/s 379/411/34 IPC  
State Vs. Pappu  
25.08.2020

Present: Ld. APP for the State.

Sh. Parminder Singh Ld. Remand Advocate for accused.

Arguments heard on the interim bail application. It is stated by the Ld. Counsel for the applicant that without going to the merits of the case he wants to press on interim bail as his case is falling under the guidelines passed by Hon'ble High Court of Delhi in its High Power Committee. Accordingly applicant/ accused Pappu be released on interim bail for a period of 45 days on furnishing his personal bond in the sum of Rs. 15,000/- to the satisfaction of concerned jail superintendent.

Applicant/ accused 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 given dasti to Ld. Counsel for accused.

Copy of order be sent to jail superintendent for compliance.

This order be considered as release warrant too for the purpose of release of accused and no separate release warrant is required. Accordingly accused is directed to be released forthwith if not required in any other process of law.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

FIR No. 5287/20

PS Paschim Vihar

U/s 379/411 IPC

State Vs. Rahul @ Binto

25.08.2020

Present: Ld. APP for the State.

Sh. Parminder Singh Ld. Remand Advocate for accused.


Arguments heard on the interim bail application. It is stated by the Ld. Counsel for the applicant that without going to the merits of the case he wants to press on interim bail as his case is falling under the guidelines passed by Hon'ble High Court of Delhi in its High Power Committee. Accordingly applicant/ accused Rahul @ Binto be released on interim bail for a period of 45 days on furnishing his personal bond in the sum of Rs. 15,000/- to the satisfaction of concerned jail superintendent.

Applicant/ accused 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 given dasti to Ld. Counsel for accused.

Copy of order be sent to jail superintendent for compliance.

This order be considered as release warrant too for the purpose of release of accused and no separate release warrant is required. Accordingly accused is directed to be released forthwith if not required in any other process of law.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



FIR No. 1318/20

PS Paschim Vilhar

U/s 379/411/34 IPC

State Vs. Abhay Kumar

25.08.2020

Ld. APP for the State.

Present:

Sh. Parminder Singh Ld. Remand Advocate for accused.

Arguments heard on the interim bail application. It is stated by the

Sh. Parminder Singh Ld. Remand Advocate for accused.

Arguments heard on the interim bail application. It is stated by the

Sh. Parminder Singh Ld. Remand Advocate for accused.

Ld. Counsel for the applicant that without going to the merits of the case he

wants to press on interim bail as his case is falling under the guidelines passed

by Hon'ble High Court of Delhi in its High Power Committee. Accordingly

Ld. Counsel for the applicant that without going to the merits of the case he

wants to press on interim bail as his case is falling under the guidelines passed

by Hon'ble High Court of Delhi in its High Power Committee. Accordingly

Ld. Counsel for the applicant that without going to the merits of the case he

wants to press on interim bail as his case is falling under the guidelines passed

by Hon'ble High Court of Delhi in its High Power Committee. Accordingly

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by Hon'ble High Court of Delhi in its High Power Committee. Accordingly

of law.

(DEEPIKA THAKRAN)

Duty MM- 1<sup>st</sup> West Distt. THC, Delhi

25.08.2020.

(15) ... TISHAZARU  
FIR No. 0822/20

PS Nihal Vihar

U/s 325/452/34 IPC

State Vs. Jaspal & Bobby @ Gurprasad Singh

25.08.2020

Present: Ld. APP for the State.

Sh. H.S. Sasan Ld. Counsel for accused persons.

Vide order dt. 24.08.2020, Ms. Babita Puniya, Ld. Duty MM-01 West District has granted bail to accused Jaspal & Bobby @ Gurprasad Singh subject to furnishing of personal and surety bonds to tune of Rs.25,000/- each. In compliance of said order bailbonds were furnished and accepted however subject to verification of address, solvency proof etc stands verified and found correct. Original ID and solvency proof of sureties seen and returned. Accordingly, the accused persons are directed to be released forthwith if no required in any other process of law. Release warrant be prepared accordingly.

Personal bonds of the accused persons be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.

FIR No. 00015/20

PS Maya Puri

U/s 379/411 IPC

State Vs. Sonu @ Khachua

25.08.2020

Present: Ld. APP for the State.  
Sh. Ashok Gupta Ld. Counsel for accused.

This bail application has been filed on behalf of accused Sonu @ Khachua in the above mentioned case FIR wherein it is submitted that the accused has been falsely implicated in the present case. It is further stated that accused is aged about 20 years and his father is a heart patient and accused is not involved in any other case. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that stolen mobile phone was recovered from the possession of accused. It is further stated that if he is enlarged on bail he may threat the complainant and he may commit similar offence in future and his family members has no control over him. It is further stated that he can also jump the bail. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody no recovery is to be effected from the applicant for which his custody is required by the police. The apprehension of the complainant as to the threats can be done away with by imposing the conditions on the applicant while enlarging him on bail. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the same.

FIR No. 00015/20  
PS Maya Puri  
U/s 379/411 IPC  
State Vs. Sonu @ Khachua  
25.08.2020

4. He will not commit the same offence in future.

Accordingly, the application stands disposed of.  
Copy of this order be given to the Id. Counsel for accused.  
Ahimad is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM-1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



FIR No. 430/20

PS Paschim Vihar East

U/s 379/411 IPC

State Vs. Vicky Aggarwal

25.08.2020

Present: Ld. APP for the State.

Sh. Vishnu Kumar Ld. Counsel for accused.

Copy of FIR filed by IO.

This bail application has been filed on behalf of accused Vicky Aggarwal in the above mentioned case FIR wherein it is submitted that the accused is an innocent person and has been falsely implicated in the present case. It is further stated that accused is in JC since 30.07.2020 and accused has not been previously convicted in any criminal case and the accused is a sole bread earner of his family. Hence present bail application is filed.

Reply to this application was sought wherein it is mentioned that stolen mobile phone was recovered from the possession of accused. It is further stated that accused is residing on rent and if he is enlarged on bail he may jump the bail and he may commit similar offence in future. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the same.
4. He will not commit the same offence in future.

the police want case

recovered

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-2-

FIR No. 430/20  
PS Paschim Vihar East  
U/s 379/411 IPC  
State Vs. Vicky Aggarwal  
25.08.2020

Accordingly, the application stands disposed of.  
Copy of this order be given to the Id. Counsel for accused.  
Ahlmad is directed to send the record to concerned court.

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> West Distt. THC, Delhi  
25.08.2020.

FIR No. 673/20

PS Paschim Vihar West

U/s 279/304 A IPC

25.08.2020

Present: Ld. APP for the State.

Sh. Naveen Kant applicant / Authority holder in person.

This order shall dispose of the application seeking release of vehicle bearing no. DL-3CCA-0023 on superdari to the applicant/ authority holder.

IO in his reply has submitted that during investigation vehicle no. DL-3CCA-0023 was seized and IO has also no objection qua the release of vehicle

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :-

68. 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 not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by



auction."

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number DL-3CCA-0023 be released to the applicant/ authority holder on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court.


Application stands disposed of.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

Record be sent back to court concerned.

  
(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



IN THE COURT OF Ld. DUTY M.M. TIS HAZARI COURT N.D.

FIR No.541/2020  
PS:Paschim Vihar  
State Vs. Rahul Chillar

25.08.2020

Present : Ld. APP for State.  
Sh. Satesh Chand yadav Id. Counsel for applicant (through  
VC).

Reply filed.

At request of Id. Counsel for application, put up for

27.08.2020.

(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020

FIR No. 469/20

PS Hari Nagar

U/s 25/54/59 Arms Act

State Vs. Deepiti Singh

25.08.2020

Present: Ld. APP for the State.

Sh. A.S., Rajput Ld. Counsel for accused.

Vide order dt. 24.08.2020, Ms. Babita Puniya, Ld. Duty MM-01,

West District has granted bail to accused Deepiti Singh subject to furnishing of personal and surety bonds to tune of Rs.10,000/-. In compliance of said order bailbonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law. Release warrant be prepared accordingly.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Ld. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.

(DEEPIKA THAKRAN)

Duty MM-1<sup>st</sup> West Distt. THC, Delhi

25.08.2020.

FIR No. 015513/20  
PS Nihal Vihar  
U/s 379 IPC  
State Vs. DL-1LM-3468  
25.08.2020

Present: Ld. APP for the State.  
Sh. Nikhilesh Maurya Ld. Counsel for applicant with authority  
holder Sh. Lal Chand.

This order shall dispose of the application seeking release of  
vehicle bearing no. DL-1LM-3468 on superdari to the applicant/ authority  
holder Sh. Lal Chand.

IO in his reply has submitted that during investigation vehicle no.  
DL-1LM-3468 was seized and IO has also no objection qua the release of  
vehicle.

This Court is of the considered view that the vehicle has to be  
released as per directions of Hon'ble High Court in case titled as **Manjit Singh  
Vs. State in CrI. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been  
held that :-

*"68. 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*

FIR No. 015513/20

PS Nihal Vihar

U/s 379 IPC

State Vs. DL-1LM-3468

25.08.2020

*ordered to be sold in auction.*

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

*auction."*

As per RC Lal Chand is the registered owner of the vehicle however the RC holder is stated to have expired. Death certificate of Late Lal Chand seen wherein date of death is mentioned as 05.11.14. Copy of authority letter from the son of RC holder has been placed on record whereby Jitender Kumar Narang ie. Complainant has been authorised by the son of RC holder to take the possession of the vehicle or to attend the court proceedings etc. In view of the said documents vehicle is ordered to be released to authority holder Sh. Jitender Kumar Narang against proper receipt and identification on furnishing security bond / indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done and also to get the photographs from all angles prior to releasing the same to the applicant as per directions of Hon'ble High Court. The sell purchase agreement is stated to be lying in the vehicle however Ld. counsel submits that this fact is not confirmed whether it is still lying in the vehicle or not since the vehicle was stolen by the accused persons. Further IO/SHO is directed to search for the said sale agreement in the vehicle and must reflect the same in his investigation.

Copy of this order be given dasti to the applicant.

Copy of the order be sent to the SHO concerned.  
Panchnama and photographs (alongwith negative/CD) shall be filed in the court along with charge sheet.

Record be sent back to concerned court.

(DEEPIKA THAKRAN)  
Duty MM-1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.



**FIR No.516/2020**  
**PS: Hari Nagar**  
**State Vs. Gayatri Devi**  
**4/5/6/23 PC & PNDT Act**

**25.08.2020**

Present : Ld. APP for State.

Sh. J.S. Raghav Ld. Counsel for applicant (through VC).

The present bail application has been filed on behalf of accused Gayatri Devi in the above mentioned case FIR wherein it is submitted that the applicant is a law abiding citizen. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that accused is not involved in any other case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply was called from the IO wherein it is submitted that accused Sonia Narang alongwith all the touts Deepu Kumar, Sahib Kumar, Gyatri W/o Dhirender, Gayatri W/o Krishan & Mohit were arrested in the above mentioned. Accused Devender is still absconding if the accused is released on bail then she can commit the same and similar offence and can also threaten the witnesses and tamper with the evidence.

Consideration heard. Record perused.

During the course of arguments it is submitted by ld. Counsel for accused has submitted that under present statute under which the accused has been charged no cognizance can be taken on the charge sheet by the police since it is only on the complaint filed by the appropriate authority at the District level, the cognizance can be taken. Secondly, there is no purpose of getting the accused in the custody since the investigation will take time and therefore the accused be released on bail. Taking note of the fact that the case of applicant falls under the judgment of Arnesh Kumar Vs. State of Bihar and keeping in view no recovery is to be effected from



the accused person and custody of accused is not required for any purpose by the investigating officer and further observing that bail is rule and jail is an exception, hence the accused is enlarged on bail subject to furnishing bail bond in the sum of Rs.25,000/- with one surety in like amount to the satisfaction of this court/ Ld. Duty MM and with following conditions that:

1. She will not tamper with the evidence or intimidate any of the witness.
2. She shall co-operate in the investigation and will appear before IO and court as and when required and directed.
3. She will furnish her fresh address on record as and when she changes the same.
4. She will not commit the same or similar offence in future.


Bail bonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Applications in hand is disposed of.

Copy of this order be given dasti to the Id. Counsel for accused and copy of the same be also sent to the jail superintendent for compliance.

Ahland is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020

FIR No.516/2020  
PS: Hari Nagar  
State Vs. Sonia  
U/s 4/5/6/23 PC & PNDT Act

25.08.2020

Present : Ld. APP for State,  
Sh. Rajiv Mohan & Surender Sharma Ld. Counsel for  
applicant (through VC).

The present bail application has been filed on behalf of accused Sonia Narang in the above mentioned case FIR wherein it is submitted that the applicant is a doctor by profession. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that accused is not involved in any other case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply was called from the IO wherein it is submitted that accused Sonia Narang alongwith all the touts Deepu Kumar, Sahib Kumar, Gyatri W/o Dhirender, Gayatri W/o Krishan & Mohit were arrested in the above mentioned. Accused Devender is still absconding if the accused is released on bail then she can commit the same and similar offence and can also threaten the witnesses and tamper with the evidence.

Consideration heard. Record perused.

During the course of arguments it is submitted by Id. Counsel for accused has submitted that under present statute under which the accused has been charged no cognizance can be taken on the charge sheet by the police since it is only on the complaint filed by the appropriate authority at the District level, the cognizance can be taken. Secondly, there is no purpose of getting the accused in the custody since the investigation will take time and therefore the accused be released on bail. Observing that the alleged Lab has already been sealed and the article lying therein i.e.



Ultrasound machine etc are already sealed and now in the possession of the investigation agency and further taking note of the fact that the case of applicant falls under the judgment of Armesh Kumar Vs. State of Bihar and keeping in view no recovery is to be effected from the accused person and custody of accused is not required for any purpose by the investigating officer and further observing that bail is rule and jail is an exception, hence the accused is enlarged on bail subject to furnishing bail bond in the sum of Rs.25,000/- with one surety in like amount to the satisfaction of this court/ Ld. Duty MM and with following conditions that:

1. She will not tamper with the evidence or intimidate any of the witness.
2. She shall co-operate in the investigation and will appear before IO and court as and when required and directed.
3. She will furnish her fresh address on record as and when she changes the same.
4. She will not commit the same or similar offence in future.


Bail bonds are furnished and accepted. Original ID and solvency proof of surety seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Applications in hand is disposed of.

Copy of this order be given dasti to the Id. Counsel for accused and copy of the same be also sent to the jail superintendent for compliance.

Ahland is directed to send the record to concerned court.

  
(DEEPIKA THAKRAN)  
Duty MM-I (Mahila Court)  
West/ THC/Delhi  
25.08.2020



**FIR No.005228/2020**  
**PS: Paschim Vihar, West**  
**State Vs. unknown**

**25.08.2020**

Present : Ld. APP for State.

This is a application seeking issuance of untraceable report of the complainant Ms. Kulwinder Kaur

Sh. Vivek Malhotra ld. Counsel for applicant (through VC).

It is submitted on behalf of complainant/applicant that the vehicle in question bearing registration no. DL-9C-AR-6894 was stolen from GH-5 & 7, Paschim Vihar, New Delhi and an e-FIR bearing No.005228 was registered in this regard on 14.02.2020.


Reply filed, wherein it is mentioned that the above mentioned vehicle is registered in the name of applicant.

Consideration heard.

It has come in the report that the investigation in the present case already stands completed. Untraced report has already been filed and the IO himself has mentioned untraceable report of the above said case shall be provided to the complainant on the email ID. In view the said submissions IO is directed to provide the complainant/Counsel with the copy of untraced report either physically or via email, details of which if not provided, be provided to the IO by the complainant/ counsel.

Application in hand stands disposed of.

Dasti copy of this order be sent via email to the SHO concerned for compliance as well as to the ld. Counsel for applicant.

  
**(DEEPIKA THAKRAN)**  
**Duty MM-I (Mahila Court)**  
**West/ THC/Delhi**  
**25.08.2020**

Vehicle no. DL-8ER-3888

Challan no. DL-20933200816163199

25.08.2020

Present: Ld. APP for the State.

Applicant in person.

This order shall dispose of the application seeking release of vehicle bearing no. DL-8ER-3888 on superdari to the applicant/ registered owner.

IO in his reply has submitted that during investigation vehicle no. DL-8ER-3888 was seized and IO has also no objection qua the release of vehicle

This Court is of the considered view that the vehicle has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** wherein it has been held that :-

*“68. 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 not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by*



auction."

Considering the facts and circumstances and law laid down by higher courts, vehicle in question bearing registration number DL-8ER-3888 be released to the applicant/ registered owner on furnishing security bond / indemnity bond as per valuation report of the vehicle subject to the condition that he shall face the <sup>traffic</sup> trial of challan within three months from today. Vehicle be released to him against proper receipt and identification and on showing the original documents of vehicle to the IO.

Application stands disposed of.

Copy of this order be given dasti to applicant.

Copy of the order be sent to the SHO concerned.

Record be sent back to court concerned.

(DEEPIKA THAKRAN)  
Duty MM- 1<sup>st</sup> /West Distt. THC, Delhi  
25.08.2020.