

19.09.2020

Matter taken up physically in view of the circular of Hon'ble District & Sessions Judge (HQ) vide No.DJ(HQ)/Covid Lockdown/Physical Courts Roster/2020 dated 30.08.2020.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.
Sh. P.S. Verma, Ld. Counsel for the applicant/accused Rajan Singh Tomar and Jatin Sharma @ Raunak.

Vide this common order, I am disposing off the bail applications of applicants/accused Rajan Singh Tomar and Jatin Sharma @ Raunak.

Ld. Counsel for accused persons argued that both accused persons are young men of 23 years of age and both accused persons are not involved in any other case. He further argued that offences are compoundable in nature and both accused persons are ready to settle the matter with the victim. Therefore, both accused persons should be granted bail in this matter.

Reply of IO has been filed wherein it has been submitted that initially, FIR got registered under Section 392/394/34 IPC on the statement of accused Rajan himself. However, during investigation, it came out that accused Rajan Singh Tomar along-with accused Jatin Sharma @ Raunak themselves misappropriated a sum of Rs.2 lacs and that is why, section 406/411/182 IPC was replaced in the FIR. A sum of Rs.1,99,500/- along-with accused's Adhar Card and driving license has been recovered from accused Jatin Sharma @ Raunak.

Submissions of both sides heard.

The accused Rajan Singh Tomar initially made the FIR regarding robbery of Rs.2 lacs. There is ample evidence collected during investigation which shows that accused Rajan Singh Tomar and Jatin Sharma @ Raunak committed criminal breach of trust. Recovery also effected from accused Jatin Sharma @ Raunak. Matter is at initial stage of investigation. Considering the specific allegations against both accused persons, this court is not inclined to grant bail to the applicants/accused persons and the present bail applications are hereby rejected.

Dasti copy of the order be given as prayed for.


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/19.09.2020

FIR No. 131/16, 153/16, 136/16,
PS – Sadar Bazar

19.09.2020

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Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

MHC(M) in person.

None for the claimant.

Vide this common order, I am disposing off the applications for disposal of case property.

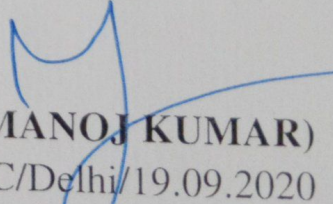
MHC(M) has moved an application for disposal of case properties.

As per the application, cases have already been disposed off.

SHO concerned is directed to find out the lawful / rightful owner(s) of case property(ies) and to deliver the case property to them. In case, the rightful / lawful owner(s) are not traceable, case property be deposited to District Nazir for disposal.

Application stands disposed of accordingly.

Proceedings be handed over to concerned MHC(M).


(MANOJ KUMAR)
MM-06(C)/THC/Delhi/19.09.2020

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Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

MHC(M) is present.

None for the claimant.

Vide this common order, I am disposing off the applications for disposal of case property.

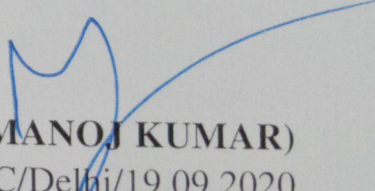
MHC(M) has moved an application for disposal of case properties.

As per the applications, cases have already been disposed off.

Applications stand disposed off accordingly.

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

Proceedings be handed over to concerned MHC(M).


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/19.09.2020

st vs (1) Sunny Kr s/o Karimewo
(2) Salman e Danish s/o
Sohmi

FIR No. 312/20

PS - Civil Lines

vis - 356,379,341 PC

19.09.2020

Matter taken up physically in view of the circular of Hon'ble District & Sessions Judge (HQ) vide No.DJ(HQ)/Covid Lockdown/Physical Courts Roster/2020 dated 30.08.2020.

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Accused Sunny Kumar and Salman @ Danish are in JC.

HC Ashwani on behalf of IO/ASI Parmod.

Today, IO has filed an application for release of the accused in the present case. It is submitted in the application that nothing has been recovered from the possession or at the instance of the accused. It is also submitted in the application that complainant has refused to participate in TIP proceedings. Let, statement of IO to that effect be recorded.

Statement of HC Ashwani on behalf of IO/ASI Parmod, PS Civil Lines, New Delhi.

On SA

I am on behalf of IO in this case. I am making this statement voluntarily. Complainant/witness has refused to participate in TIP proceedings. Nothing has been recovered or discovered at instance of present accused. There is nothing against the accused except disclosure statement. I shall be bound by my statement.

RO&AC

Ashwani

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/19.09.2020

I have perused the application and the record of investigation done by IO of this case. Perusal of same reveals that there is nothing against the accused except the disclosure statement which is itself inadmissible in evidence. In these circumstances, the application of the IO is allowed. The accused is released from the present matter at this stage subject to furnishing of personal bond in the sum of Rs.5,000/- each to the satisfaction of jail superintendent. Application stands disposed off accordingly.

Dasti copy of the order be given to IO as prayed for.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/19.09.2020

19.09.2020

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None.

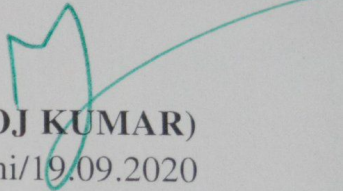
Report on behalf of IO filed on 17.09.2020.

Perusal of the application of applicant shows that he has been harassed in this matter by the IO. The complainant cannot go again and again to PS.

SHO/IO is directed not to bother the complainant unnecessarily.

Application stands disposed off.

Copy of order be sent to the e-mail ID of SHO. Coyp of order be uploaded on Delhi District Court website.


(MANOJ KUMAR)

MM-06(C)/THC/Delhi/19.09.2020