

18.07.2020

Through Video conferencing at 11:05 am.

This is an application for releasing vehicle bearing registration number DL 8C AC 0925 on superdari.

Present : Ld. APP for the State joined in Cisco Webex.

Sh. B.K. Wadhwa, Ld. Counsel for applicant/SPA Holder Mr. Baldev Raj Rana and owner Mr. Ankit Gulyani joined through Cisco Webex.

Applicant submits that that he is authorized person to get released the govt. vehicle i.e. bus.

IO has filed his reply. Same is taken on record wherein it has been submitted that he has no objection, if vehicle is released to the applicant.

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

"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."

.....Contd/-

Considering the facts and circumstances and law laid down by **Hon'ble High Court of Delhi, vehicle** in question bearing registration No. DL 8C AC 0925 be released to the applicant by IO, on **furnishing security bond** as per valuation report of the vehicle and after preparation of **panchnama** and **taking photographs of vehicle** as per directions of *Hon'ble High of Delhi* in **above cited paragraphs**. Panchnama, photographs, **valuation report** and **security bond** shall be filed along with final report.

One copy of order be uploaded on Delhi District Court website. **Copy of order be also** sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for applicant. The printout out of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 193/18
PS- Civil Lines
State Vs. Sagar
U/s 356/379/34 IPC

18.07.2020

(Through Video Conferencing at 11.15 am)

This is an application for issuance of NBW's against accused Sagar s/o Late Rakesh.

Present : Ld. APP for the State joined through Cisco Webex.
IO SI Kunal also joined through Cisco Webex.

An application for issuance of NBW's against accused Sagar has been moved by IO electronically.

Heard on the application. Perused. Perusal of record reveals that no document has been filed by IO which shows that IO visited the place address of accused.

At this stage, IO seeks permission to withdraw the present application.

Heard. Request is allowed. In view of same, the present application stands disposed of as withdrawn, however, IO is at liberty to file fresh application alongwith requisite documents.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines Sadar Bazar. The printout of the application and order be kept for records.

(MANOJ KUMAR)
MM-6(C) THC Delhi/18.07.2020

FIR No. 280/20
PS- Civil Lines
State Vs. Abhishek
U/s 392/394/411/34 IPC

18.07.2020

(Through Video Conferencing at 11.20 am)

This is an application for grant of bail U/s 437 Cr.P.C. moved on behalf of accused Abhishek.

Present : Ld. APP for the State joined through Cisco Webex.

Mr. Zia Afroz, Id. Counsel for applicant accused joined through Cisco Webex.

IO has filed his reply to the present bail application through E-mail.

Copy of reply has also been sent to Ld. Counsel for applicant/accused.

At this stage, Ld. Counsel for accused submitted that HP of accused is pending. So, he wants to withdraw the present application.

Heard. Request is allowed. The present application stands disposed off as withdrawn.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for applicant/accused. The printout of the application, reply and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

18.07.2020

(Through Video Conferencing at 11.25 am)

This is an application for declaring accused persons namely, (1) Shankar s/o Sh. Shyam, (2) Prithvi s/o Sh. Narayan Singh, (3) Pawan Singh s/o Sh. Suresh Singh & (4) Ms. Shaheen Praveen d/o Sh. Rehmat as PO.

Present : Ld. APP for the State joined through Cisco Webex.

IO/SI Robin also joined through Cisco Webex.

An application for declaring the above said accused persons as PO has been moved by IO through electronically.

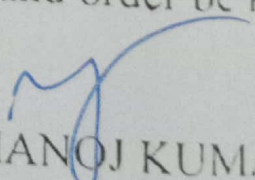
However, cutting of newspaper does not show the date of publication.

At this stage, IO submitted that he will file complete cutting of newspaper showing the date of publication. So, he seeks some time to file the same.

Heard. Request is allowed.

Be put up for filing of above said document on 21.07.2020.

One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar. The printout of the application and order be kept for records.


(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 136/09
PS- Civil Lines
Case No. 295681/16

18.07.2020

File taken up today in pursuance to the order No. 8188-8348/DJ/Covid-19/Lockdown/pronouncements/2020 dated 06.05.2020 regarding pronouncement of judgments/orders.

Present : Ld. APP for the State.

None for convict.

Notice issued to convict as well as his counsel not received back
Notice issued to complainant/injured also not received back.

Let fresh notice be issued to convict and his counsel for appearance for the next date of hearing.

Let notice be also issued to complainant(s)/injured(s) for appearance for the next date of hearing.

Notice be also issued to Probation Officer to file report on the next date of hearing.

Notice be issued to concerned SHO to file previous conviction report of convict for the next date of hearing.

Be put up the matter for hearing on sentence on

13.08.2020.

One copy of the order be uploaded on CIS. A printout of the order be tagged with the main case file.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 216/09
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State joined through Cisco Webex.

HC Dharampal, MHC(M) PS Sadar Bazar joined through
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the
application and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 227/07
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State joined through Cisco Webex.
HC Dharampal, MHC(M) PS Sadar Bazar joined through
CISCO webex.
None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website
Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the
application and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 40/07
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State joined through Cisco Webex.

HC Dharampal, MHC(M) PS Sadar Bazar joined through
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the
application and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 10/10
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State joined through Cisco Webex.

HC Dharampal, MHC(M) PS Sadar Bazar joined through
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the
application and order be kept for records.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 23/07
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State joined through Cisco Webex.

HC Dharampal, MHC(M) PS Sadar Bazar joined through
CISCO webex.

None for the claimant.

As per the application, case has already been disposed off.

Accordingly, case property in question be deposited to District

Nazir.

Application stands disposed off accordingly as allowed.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the
application and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No. 288/07
PS- Sadar Bazar

18.07.2020

(Through Video Conferencing at 11.30 am)

This is an application seeking permission for disposal of case property.

Present : Ld. APP for the State.

HC Dharampal, MHC(M) PS Sadar Bazar joined through CISCO webex.

None for the claimant.

This Court does not exercise jurisdiction in Trade Mark cases.

At this stage, MHC(m) seeks permission to withdraw the same submitting that he will move fresh application before concerned Court.

Heard. Application stands dismissed as withdrawn.

One copy of order be uploaded on Delhi District Court website.

Copy of order be sent to the e-mail of SHO PS Sadar Bazar. The printout of the application and order be kept for records.

(MANOJ KUMAR)
MM-6(C)/THC/Delhi/18.07.2020

FIR No.: 276/16
PS- Sadar Bazar
Case No. 306868/16

18.07.2020

File taken up today in pursuance to the order No. 8188-8348/DJ/Covid-19/Lockdown/pronouncements/2020 dated 06.05.2020 regarding pronouncement of judgments/orders.

Present : Ld. APP for the State.

None for convict.

Notice issued to convict as well as his counsel not received back.

Notice issued to complainant also not received back.

Let fresh notice be issued to convict and his counsel for appearance for the next date of hearing.

Let notice be also issued to complainant for appearance for the next date of hearing.

Notice be also issued to Probation Officer to file report on the next date of hearing.

Notice be issued to concerned SHO to file previous conviction report of convict for the next date of hearing.

Be put up the matter for hearing on sentence on

11.08.2020.

One copy of the order be uploaded on CIS. A printout of the order be tagged with the main case file.

(MANOJ KUMAR)

MM-6(C)/THC/Delhi/18.07.2020