

22.06.2020

Through Video conferencing at 11:45 am.

Present : Ld. APP for the State.

Sh. M. Yusuf, Ld. LAC for the accused Bhola @ Sunil joined through Cisco Webex.

Ld. LAC for the accused has moved an application for releasing the accused on personal bond.

In this matter, accused Bhola @ Sunil was admitted to bail vide order dated 14.03.2019 subject to furnishing Bail Bond and Surety Bond in sum of Rs.15,000/- each.

In view of the fact that accused Bhola @ Sunil is a poor person and he has not been able to furnish surety bond as per the order since 14.03.2019, therefore, in view of the order's of *Hon'ble High Court of Delhi* in the matter of "*D.M. Bhalla Vs. State*" passed in *W.P. (C) 3465/2010*, the application of the accused is allowed and **he is admitted to bail subject to furnishing personal bond in sum of Rs.15,000/- to the satisfaction of Jail Superintendent.**

Application stands disposed off accordingly. One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of concerned jail superintendent. The printout of the application and order be tagged with the main case file.

(MANOJ KUMAR)

MM-06/THC/Central/22.06.2020

22.06.2020

Through Video conferencing at 12:45 pm.

This is an application for grant of regular bail of applicant/accused.

Present : Ld. APP for the State.

Sh. Hari Om Mishra, Ld. Counsel for the applicant/accused Abhishek Jain joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of regular bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and he is in JC since 16.06.2020. Ld. Counsel argued that applicant/accused is not involved in any other case and he has been arrested after 3 years of registration of FIR. Therefore, he should be granted bail in this matter.

Reply of IO has been filed through electronically wherein it has been submitted that FIR in the present matter got registered in the year 2017 and applicant/accused is not involved in any other case.

Submissions of both sides heard.

Considering the fact that applicant/accused is not involved in any other case and he is a young man, so no purpose would be served by keeping accused behind bars. **Therefore, he is admitted to regular bail subject to furnishing of personal bond in the sum of Rs.15,000/- to the satisfaction of jail superintendent** and subject to the following conditions : -

1. that accused person(s) shall attend the Court as per conditions of bond to be executed,
2. that accused person(s) shall not commit similar offence and ;
3. that accused person(s) shall not directly/indirectly induced, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of this case and also shall not tamper with the evidence.

Application stands disposed off accordingly. One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06/THC/Central/22.06.2020

22.06.2020

This is an application for releasing article i.e mobile phone.

Present :

Ld. APP for the State.

Applicant/complainant Ms. Ekta Ahlwat not joined the meeting despite intimation.

Reply filed by IO through e-mail.

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**, article in question i.e. mobile phone be released to the applicant on furnishing security bond as per valuation report of the article and after preparation of panchnama and taking photographs of article including IMEI number as per directions of **Hon'ble High of Delhi** in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of **Hon'ble High Court of Delhi**. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

Application stands disposed off accordingly. 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. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)
MM-06/THC/Central/22.06.2020

22.06.2020

Through Video conferencing at 12:30 pm.

Present : Ld. Counsel for the complainant joined through Cisco Webex.

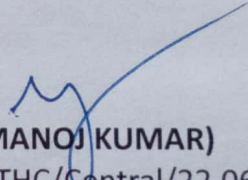
The allegations of the complainant in nutshell is that he got married with accused no.1 at Arya Samaj Mandir situated at Civil Lines, ISBT, Delhi. He alleged that accused no.1 filed a false affidavit stating that she is unmarried at the time of her marriage. Complainant further alleged that later on, he came to know that accused no.1 is a divorcee. Thus, complainant alleged that she cheated him by filing false affidavit and the same is done within the jurisdiction of this Court.

Heard. Perused.

This Court is satisfied with the arguments of Ld. Counsel for complainant as the alleged incident of cheating happened within the jurisdiction of this Court. Thus, this court has the jurisdiction to entertain the present complaint case as same falls within the jurisdiction of PS Civil Lines.

Under these circumstances, let notice be issued to SHO to file ATR on NDOH.

Put Up for filing ATR/further proceedings on 20.07.2020. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines. A printout of the order be also tagged with the main case file.


(MANOJ KUMAR)

MM-06/THC/Central/22.06.2020