

11.09.2020

Joined through Video conferencing at 10.15 am.

An application for releasing the amount of Rs. 65,000/- filed on behalf of applicant/owner Mr. Rajesh Kumar electronically.

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

Mr. Nittin Rastogi, Ld. Counsel for applicant has joined the meeting through Cisco Webex.

An application for release of the money with Rs. 65,000/- which was seized by the IO from the possession of accused in the present case has been moved on behalf of applicant electronically. Reply of concerned PS filed electronically. Copy of same has been supplied to Ld. Counsel for applicant. As per the reply, IO has no objection if the money is released to the applicant as the same is no long required for investigation purpose.

Submission heard. Reply perused and considered.

Accordingly, in view of the recent judgement of Hon'ble High Court of Delhi in the case of Manjeet Singh Vs. State CrI. M.C. 4485/2013 and CrI. M.A. No. 16055/2013, SHO/IO is directed to release the above said Rs. 65,000/- to the applicant on his furnishing of security bond in the same sum to the concerned SHO/IO.

However, it is directed that before releasing the above said money, SHO/IO shall prepared a detailed punchnama and shall take the photographs of the currency notes with their number or denomination. The said punchnama shall be attested or countersigned by the applicant as well as the alleged accused and memo of proceedings shall also be signed by all the parties and witnesses.

It is also directed that the investigating officer shall keep on record the permanent address of the applicant, his identity proof, his address proof as well as his phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he will intimate to the court

and address which he may change during the course of time.

Photographs shall be placed on record alongwith the Negative/CD. If the photographs are taken from digital camera, there is no need to place negatives on record.

All these documents shall be placed by the investigating officer on the judicial file. Application is 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 Sadar Bazar/ Civil Lines and to the e-mail of Ld. Counsel of applicant. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 10.20 am.

An application for releasing the amount of Rs. 6,000/- filed on behalf of applicant/owner Mr. Rishi Goel electronically.

Present: Ld. APP for the State has joined the meeting through Cisco Webex.
Mr. Rishi Goel, applicant has joined the meeting through Cisco Webex.

An application for release of the money with Rs. 6,000/- which was seized by the IO from the possession of accused in the present case has been moved on behalf of applicant electronically. Reply of concerned PS filed electronically. Copy of same has been supplied to Ld. Counsel for applicant. As per the reply, IO has no objection if the money is released to the applicant as the same is no long required for investigation purpose.

Submission heard. Reply perused and considered.

Accordingly, in view of the recent judgement of Hon'ble High Court of Delhi in the case of Manjeet Singh Vs. State Crl. M.C. 4485/2013 and Crl. M.A. No. 16055/2013, SHO/IO is directed to release the above said Rs. 6,000/- to the applicant on his furnishing of security bond in the same sum to the concerned SHO/IO.

However, it is directed that before releasing the above said money, SHO/IO shall prepared a detailed punchnama and shall take the photographs of the currency notes with their number or denomination. The said punchnama shall be attested or countersigned by the applicant as well as the alleged accused and memo of proceedings shall also be signed by all the parties and witnesses.

It is also directed that the investigating officer shall keep on record the permanent address of the applicant, his identity proof, his address proof as well as his phone number. It is further directed that the applicant shall join the investigation/trial as and when directed to do so and will also undertake that he will intimate to the court and address which he may change during the course of time.

Photographs shall be placed on record alongwith the Negative/CD. If the photographs are taken from digital camera, there is no need to place negatives on record.

All these documents shall be placed by the investigating officer on the judicial file. Application is 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 Sadar Bazar/ Civil Lines and to the e-mail of Ld. Counsel of applicant. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)
MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 10.40 am.

This is an application for releasing of vehicle bearing no. DL-5S-BG-1176 on superdari filed by applicant/ registered owner electronically.

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

Mr. Anwar-Ul-Islam, applicant has joined the meeting through Cisco Webex.

Reply filed by the IO electronically. Copy of same has been supplied to Id. Counsel electronically. As per reply, the vehicle is no more required for the purpose of investigation.

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.

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble High Court of Delhi 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 bearing registration No. DL-5S-BG-1176 be released to the applicant/registered owner on furnishing security bond/indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant/registered owner as per directions of Hon'ble Supreme Court. Coloured photographs and punchnama of vehicle in question be conducted as per above mentioned judgments.

Punchnama alongwith photographs, valuation report etc shall be filed in the Court alongwith 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 Sadar Bazar/ Civil Lines and to the e-mail of Ld. Counsel of applicant/applicant. The printout of the application, reply and the order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(CV/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 10.25 am.

This is an application for releasing of amplifier (music system), with mic, flags & banners on superdari filed by applicant electronically.

Present : Ld. APP for the State has joined the meeting through Cisco Webex.
Mr. Deepak Rao, Ld. Counsel for applicant has joined the meeting through Cisco Webex.

Reply filed by the IO electronically. It is submitted by the IO that he has no objection in releasing the amplifier (music system), with mic, flags & banners to the rightful owner. The amplifier (music system), with mic, flags & banners are no more required for the purpose of investigation. Instead of releasing the said articles on superdari, I am of the considered view that the aforesaid articles 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**", which has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State**".

Considering the facts and circumstances and law laid down by higher courts, amplifier (music system), with mic, flags & banners be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the aforesaid articles. Accordingly, IO is directed to get the valuation done of the above said articles prior to releasing the same to the applicant, as per directions of Hon'ble Supreme Court. Coloured photographs of the above said articles be also taken as per rules.

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

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 10.30 am.

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

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

Mr. Amardeep Indora, Ld. Counsel for accused Saurabh has joined the meeting through Cisco Webex.

This is an application for grant of bail to the applicant/accused. Ld. Counsel for accused has argued that applicant/accused is in J/C since 13.08.2020. Ld. Counsel argued that accused has been falsely implicated in the present case. It is further argued that the accused is the owner of the vehicle which has been used in commission of the crime. It is further argued that one friend of his father borrowed the vehicle. It is also argued that the name of applicant/accused is not mentioned in the FIR and he is not previously involved in any other case. Therefore, it has been prayed that accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to the Ld. Counsel of applicant/accused electronically. Perusal of reply shows that supplementary statement of complainant got recorded and Section 392/397 IPC has been added in FIR. Parcha 12 of accused not got verified till date. IO further mentioned in his reply that accused might be involved in similar other cases in Haryana State.

Submissions heard. Perused.

The alleged offence is very serious in nature. Vehicle of accused

was used in the commission of crime and antecedents of accused still to be verified. Investigation is at initial stage. Thus, considering the gravity of alleged offences and seriousness of the allegations, this Court is not inclined to grant bail at this stage. Hence, bail application of accused stands dismissed.

One copy of the 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 and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

FIR No. 320/20
PS – Civil Lines
U/s 392/34 IPC
State Vs Sanjay

11.09.2020

Joined through Video conferencing at 10.45 am.

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

Present : Ld. APP for State has joined the meeting through Cisco Webex.
Mr. Nittin Gupta, Ld. Counsel for accused Sanjay has joined the meeting through Cisco Webex.

This is an application for grant of bail to the applicant/accused. Ld. Counsel for accused has argued that applicant/accused is in J/C since 15.08.2020. Ld. Counsel argued that accused has been falsely implicated in the present case. It is further argued that wrong reply has been filed by IO as alleged scooty has not been recovered in the present case. There is no eye witness/ public witness in the present case. There is no specific role of the accused. The alleged recovery has been effected from one police official. Investigation qua accused is complete. Therefore, it has been prayed that accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to the Ld. Counsel of applicant/accused electronically. Perusal of reply shows that accused refused to participate in TIP proceedings. Accused is involved in similar other cases. The alleged cash got recovered from one police official.

Submissions heard. Perused.

The accused refused to participate in TIP proceedings and he is also involved in similar other cases. So, prima facie, there is evidence against the

accused as to the commission of crime. Thus, considering the gravity of alleged offence and antecedent of the accused, this Court is not inclined to grant bail at this stage. Hence, bail application of accused stands dismissed.

One copy of the 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 and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 11.15 am.

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

Present : Ld. APP for the State has joined the meeting through Cisco Webex.
Ms. Tarannum Khan, Id. Counsel for applicant/accused joined through Cisco Webex.

This is an application for grant of bail to the applicant/accused. Ld. Counsel for accused has argued that applicant/accused is in J/C since 03.09.2020. Ld. Counsel argued that accused has been falsely implicated in the present case. She further argued that accused is a rickshaw puller and accused persons hired his rickshaw for carrying the articles/books from Publication Department. Accused was not aware about the intention of the co-accused persons. Therefore, it has been prayed that accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to the Ld. Counsel of applicant/accused electronically. Perusal of reply shows that accused has been apprehended alongwith 4 sets of books at the spot. The co-accused persons committed crime and ran away from the spot. The present accused is not previously involved in any other case.

Submissions heard. Perused.

Considering that accused is not previously involved in any other case, recovery has already been effected, he is a handicapped person and very poor. So, lenient view is taken. Accused is admitted to bail subject to furnishing of bail bond in the sum of Rs. 15,000/- with one surety of like amount subject to

the following conditions:-

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

Accordingly, the present application is disposed off.

One copy of the 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 and Ld. Counsel for the applicant. The printout of the application, reply and order be kept for records and be tagged with the final report.

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

None has joined meeting through Cisco webex.

This is an application for grant of bail u/s 437 Cr.P.C. moved on behalf of accused Shiv Kumar electronically.

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

Ld. Counsel for accused has not joined the meeting through Cisco Webex despite intimation.

Reply to the present bail application has been filed by IO electronically. Copy of same has been sent to Ld. Counsel for the accused electronically.

Since Ld. Counsel for applicant/accused has not joined the meeting despite intimation, the present application stands dismissed.

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

(MANOJ KUMAR)

MM-06(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 11.35 am.

Present : Ld. APP for State has joined the meeting through Cisco Webex.
Mr. S.P. Sharma, Ld. Counsel for applicant has joined the meeting through Cisco Webex.

Status report filed on behalf of IO electronically. Copy of same has been sent to Ld. Counsel electronically.

At this stage, ld. Counsel for applicant wants to withdraw the application.

Heard. Request is allowed. The present application stands dismissed as withdrawn.

One copy of order be uploaded on Delhi District Court website. Copy of order be also sent to the e-mail of SHO PS Sadar Bazar/ 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(C)/THC/Delhi/11.09.2020

11.09.2020

Joined through Video conferencing at 11.10 am.

This is an application for cancellation of bail granted to accused Ankit.

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

IO ASI Anil has joined the meeting through Cisco Webex.

It is submitted by IO that accused Ankit was granted bail vide order dated 02.03.2020. While on bail, he was threatening the persons of the locality.

Heard. Let notice of the present application be issued to the accused and his counsel, if any, to be executed through IO for 24.09.2020.

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

(MANOJ KUMAR)
MM-06(C)/THC/Delhi/11.09.2020

FIR No. 06/20
PS – Civil Lines

11.09.2020

Joined through Video conferencing at 11.00 am.

This is an application for cancellation of bail granted to accused Ankit.

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

IO ASI Munesh has joined the meeting through Cisco Webex.

It is submitted by IO that accused Ankit was granted bail vide order dated 11.02.2020. While on bail, he was threatening the persons of the locality.

Heard. Let notice of the present application be issued to the accused and his counsel, if any, to be executed through IO for 24.09.2020.

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

(MANOJ KUMAR)
MM-06(C)/THC/Delhi/J/1.09.2020