

FIR No. 692/20 dated 12.07.2020

PS: Khyala
U/S 21 NDPS Act

29.07.2020

Present: None for the State.

Ct. Abhay No.1069/West on behalf of IO/ASI Rajinder Singh in person.

Ct. Abhay has placed on record one set of photographs taken from digital camera and one CD stating that another set of photographs and CD has reached IO ASI Rajinder Singh and that each set of photographs contains 30 photographs along with CD. A certificate u/ 65 B of Indian Evidence Act has also been filed by Ct. Abhay, signed by photographer Sanjay S/o Late Sh. Jugal Kishore. One set of photographs (30 photographs) is duly signed by the undersigned on backside with date. Further, after appending the signatures, the photographs along with certificate u/s 65 B and CD are put into one envelope and the same is marked as Mark S and the said envelope is duly sealed with the seal of the Court AA.

Another set of photograph along with the CD and certificate dated 14.07.2020 is already stated to be in possession of IO ASI Rajinder Singh, acknowledgment regarding the same has been taken by Ct. Abhay.

The present application stands disposed off accordingly. Let the entire record of the present proceedings be sent in sealed cover to the Ld. Concerned court through Ld. CMM, West, THC, Delhi.

Copy of the order be given dasti to Ct. Abhay.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

30 photographs, one CD &
certificate u/s 65B is with
IO/ASI Rajinder Singh and he
will conduct the investigation!
Asish

REDMI NOTE 6 PRO
MIDUAL CAMERA

FIR No.346/20
U/s 392/394/34 IPC
PS Mundka
State Vs. Pradeep

29.07.2020

Present: None for the State.
Ms. Tarranum Khan, Ld. Counsel for the accused/Pradeep.

This is an application u/s 437 CrPC for grant of bail of accused Pradeep.

Ld. Counsel for the applicant/accused has submitted that accused is in custody since 06.07.2020, his presence is not required for investigation, co-accused has already been granted bail, he is the only bread earner of his family and there is no one to look after his wife and minor daughter, no recovery has been effected against him, he has no previous criminal antecedents.


On the other hand, IO ASI Phool Kanwar in his report, has submitted that recovery has been effected from the possession of accused, he has no previous criminal record and has objected to his release.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case and the severity of the offence, since Section 394 IPC is attracted which provides for punishment with imprisonment for life, accordingly this court is not inclined to grant bail. Accordingly, bail application of accused Pradeep is hereby dismissed.

Copy of this order be given dasti.

*Roemal
Tarranum Khan
0-28/12*


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

e-FIR No.012243/2020
U/s 379/411 IPC
PS Ranhola
State Vs. Sudhir Godriya

29.07.2020

Present: None for the State.
Mr. Pankaj Kumar Gupta, Ld. Counsel for the accused Sudhir Godriya S/o Brahampal Godriya.

This is an application u/s 437 CrPC for grant of bail of accused Sudhir Godriya.

Ld. Counsel for the applicant/accused has submitted that accused has been falsely implicated in the present case, he is in JC since 14.06.2020, nothing has been recovered from his possession and has no previous criminal antecedents and he be enlarged on bail.

On the other hand, IO HC Om Prakash in his report, has objected for grant of bail on the ground that motorcycle has been recovered from his possession and there is likelihood that he may threaten the witness or repeat the offence.

Heard. Perused.

Keeping in view the overall facts & circumstances of the case and also that he has no previous criminal record, the bail application is allowed. **Accused Sudhir Godriya is admitted to bail** on furnishing personal bond **in the sum of Rs.10,000/- with one surety in the like amount** subject to conditions that :

Contd....2/-

-2-

1. He shall not threaten or influence the witnesses.
2. He shall join the investigation as and when he is called upon by the IO.
3. He shall not tamper with evidence.
4. He shall appear before the court on each and every date of hearing.

Accordingly, bail application is disposed of.

Copy of this order be given dasti.

Aakanksha
29/7/2020
(Aakanksha)

Duty MM/West/Delhi/29.07.2020

*Copy Received
'Janki'
D-710/04
29/07/2020*

FIR No.06141/2020
U/s 379/411/IPC
PS Patel Nagar
State Vs. Vijay

29.07.2020

Present: None for the State.
Ld. LAC Mr. Ankit Tyagi for accused Vijay S/o Raj Kumar.

A bail application of UTP Vijay S/o Raj Kumar has been received from Superintendent, Jail Section, DSLSA.

It has been argued that accused is in JC since 04.04.2020 and he falls in the category of minutes of HPC.

Arguments heard on the interim bail application.

Accused is stated to be in JC since 04.04.2020. Hence, without going into the merits, in view of the minutes of High Powered Committee dated 18.05.2020, accused Vijay is granted interim bail for a period of 45 days on furnishing personal bond in the sum of Rs.10,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Applicant/accused Vijay 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 sent to Jail Superintendent concerned.

Copy of this order be given dasti to Ld. LAC, as prayed for.

Aakanksha
29/7/2020
(Aakanksha)

Duty MM/West/Delhi/29.07.2020

FIR No.14716/2020
U/s 379/411/34 IPC
PS Tilak Nagar
State Vs. Farhan Khan

29.07.2020

Present: Mr. Manjeet Kumar - Assistant Ahlmad in the Court of Mr. Puneet Nagpal, Ld. MM-07, West has appeared.

Today Assistant Ahlmad of the Court of Mr. Puneet Nagpal, Ld. MM-07, West, THC has submitted the Court record as well as objection sent by Dy. Superintendent, Central Jail No.5, Tihar dated 24.07.2020 for clarification of FIR number in which accused Farhan Khan has been released vide order dated 24.07.2020 passed by Ms. Sonam Gupta, Ld. Duty MM, West.

Perused.

Dy. Superintendent has sent an objection stating that they have received release order of accused Farhan in FIR No.14116/2020 u/s 379/411/34 IPC PS Tilak Nagar but as per his custody warrant he was admitted to jail in FIR No.14716/2020 u/s 379/411/34 IPC PS Tilak Nagar, since both FIR numbers are different, he has requested to clarify the correct FIR number in which accused Farhan Khan has been admitted to bail vide order dated 24.07.2020. After perusing the said order as well as bail application, it transpires that FIR No.14116/2020 has been mentioned everywhere except the custody warrants which mentions FIR No.14716/2020.

It is stated by Assistant Ahlmad that charge sheet has not yet been filed and the said application was adjourned to 05.08.2020 to be placed before the concerned Court.

This Court is not in a position to decide as to what is the correct FIR number on the basis of documents presented. Accordingly, concerned IO is directed to place on record the relevant documents including copy of FIR before concerned Court on date already fixed i.e. 05.08.2020.

↓
(Aakanksha)

Duty MM/West/Delhi/29.07.2020

**FIR No.650/2020
PS Punjabi Bagh
State vs. Rohit
u/s 392/394/34 IPC**

29.07.2020

**Present application moved by the IO for release of accused
Rohit S/o Rajiv.**

Present: None for the State.
IO SI Sudhir Rathi, No.D-5476 in person.
Accused Rohit stated to be in JC.

It is submitted by the IO that nothing has been recovered from the possession of the accused. Further, it is submitted that TIP has failed as the complainant has failed to identify the accused in TIP proceedings dated 25.07.2020 and that case property i.e. looted mobile phone could not be recovered so far and IO has prayed for release of accused Rohit S/o Rajiv.

Since nothing has been recovered from the possession of the accused nor he has been identified by the complainant and no incriminating evidence has come on record against the accused. Accordingly, accused Rohit be released on furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount.

Accordingly, application moved by the IO is disposed of.

Copy of this order be given dasti to IO.

Aakanksha
29/7/2020
(Aakanksha)

Duty MM/West/Delhi/29.07.2020

FIR No.376/2020
U/s 379/411 IPC
PS Punjabi Bagh
State Vs. Rohit Kumar

29.07.2020

Present: None.

A bail application of UTP Rohit Kumar S/o Bhangender has been received from Dy. Superintendent, Central Jail No.5, Tihar.

It is stated that the above UTP is in custody since 07.07.2020 and he falls in the category of persons to be released on interim bail as per the minutes of HPC dated 18.05.2020 and interim bail has been sought.

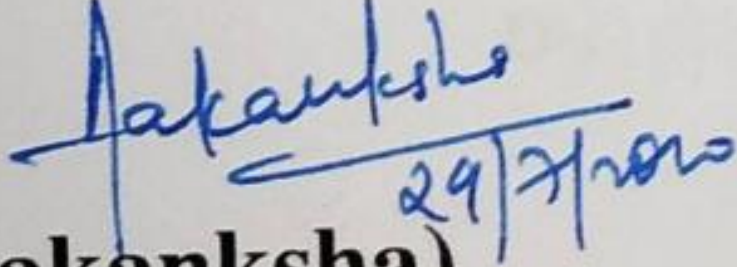
Perused.

Accused Rohit Kumar is stated to be in JC since 07.07.2020. Hence, without going into the merits, in view of the minutes of High Powered Committee dated 18.05.2020, accused Rohit Kumar is granted interim bail for a period of 45 days on furnishing personal bond in the sum of Rs.10,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused is verified or not.

Applicant/accused Rohit Kumar 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 sent to Jail Superintendent concerned.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

FIR No.371/2020
U/s 279/337/304A IPC
PS Mundka
State Vs. Shyad Khan

29.07.2020

Present: None.

This is an application on behalf of owner Mahender Garg for release of vehicle bearing No.HR 63C 9404 (Truck) on superdari.

No objection to the release of the vehicle bearing registration no. **HR 63C 9404 (Truck)** is tendered on behalf of the IO/SI Rajbir Singh.

Application perused.

Instead of releasing the above mentioned vehicle on superdari, this Court is of the considered view that the vehicle has to be released as per the directions of Hon'ble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujarat, AIR 2003 SC 638**. The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled as **Manjeet Singh vs. State, (2014) 214 DLT 646** 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.

Contd...2/-

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. Wherever 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 the circumstances and the law laid down by the higher courts, article in question i.e. vehicle bearing no. **HR 63C 9404 (Truck)** be released to the applicant/registered owner on verification of the particulars regarding ownership and after preparing panchnama and on furnishing an indemnity bond as per the value of the vehicle. It is further directed that the article i.e. vehicle bearing no. **HR 63C 9404 (Truck)** shall be photographed from all the angles. The Panchnama and Indemnity Bond along with photographs be filed with final report.

The application is disposed of accordingly.

Copy of the order be provided to Ld. Counsel for applicant through email (sparshuram1993@gmail.com)/whatsapp (9555619601) as provided.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

e-FIR No.113/2020

U/s 379/411 IPC

PS Moti Nagar

State Vs. Md. Washim @ Md. Washir

29.07.2020

Present: None for the State.

Sh. Kartickay Mathur, Ld. Counsel for the accused.

Ld. Counsel for the accused seeks to withdraw the present application on the ground that accused is Juvenile and seeks liberty to approach the JJB.

Heard.

In view of the request made, present application is dismissed as withdrawn.

Application stands disposed of accordingly.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

Copy received
Sh. Kartickay
27/8/20

FIR No.08/2014

U/s 409/420/467/468/471/120-B IPC

PS EOW

State Vs. Shyam Sunder Talwar etc.

29.07.2020

Fresh supplementary charge sheet filed before the undersigned being Duty MM today.

Present: None for the State.
IO/SI Chetan Mandia in person.
Accused Shyam Sunder Talwar & Shanta Talwar are absent
(stated to be on bail).

In view of conditions prevailing due to outbreak of Novel Corona Virus (COVID-19), put up on 05.08.2020 before the concerned Court.

At request, copy of order be given dasti.

(Aakanksha)

Duty MM/West/Delhi/29.07.2020

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4/10
29/7/2020
SI Chetan

e-FIR No.00248/2020
U/s 379/411/34 IPC
PS Kirti Nagar
State Vs. Sajid @ Baniya

29.07.2020

Present: None for the State.

Sh. N. K. Dhama, Ld. Counsel for the accused.

Reply filed. Copy supplied.

Ld. Counsel for the accused seeks to withdraw the present application.

Heard.

In view of the request made, present application is dismissed as withdrawn.

Application stands disposed of accordingly.

Copy of order be given dasti.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

*Dasti order copy
Received
N.K. Dhama
29/7/2020*

FIR No.71/2020
U/s 406/420/467/468/471/120B IPC
PS EOW
State Vs. Sanjay Saxena

29.07.2020

Present: None for the State.
IO SI Pawan Kumar in person.

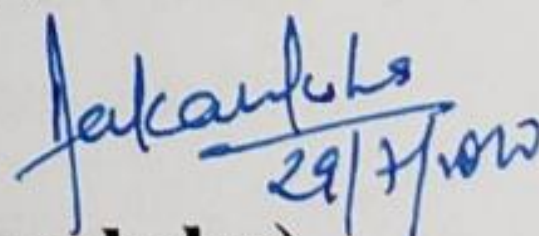
IO has filed an application for issuance of NBW against accused Sanjay Saxena S/o Suresh Chand Saxena R/o B-33, Gulmohar Park, New Delhi stating that a complaint has been registered, the allegations that complainant met accused person to common partner, who represented himself as a Golden Diamond Merchant besides being a jeweller and represented that he can arrange finances and fund/loans of Rs.75 Crores @ 8% PA and misrepresented that he will provide the said funding only after sufficient collateral be provided but later cooked up a story that his Company's Account has been freezed by IT Department and obtained Rs.4.25 Crores from the complainant in the fraudulent manner. It has been argued that anticipatory bail of the said accused has been rejected by the Court of Ld. ASJ and he is deliberately evading his arrest and is absconding. Therefore, IO requested issuance of NBWs against the said accused.

Heard. Perused.

In the facts and circumstances of the case and the fact that the anticipatory bail of the accused has been rejected and he is evading his arrest, the application is allowed.

NBWs be issued against the accused Sanjay Saxena S/o Suresh Chand Saxena for **10.08.2020**.

Application stands disposed of accordingly.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020

FIR No.0731/2020
U/s 420 IPC
PS Punjabi Bagh
State Vs. Suraj

29.07.2020

Present: None.

Reply filed.

Put up before Ld. Duty MM on 30.07.2020.



(Aakanksha)

Duty MM/West/Delhi/29.07.2020

MI DUAL CAMERA
REDMI NOTE 6 PRO

e-FIR No.11101/2020

U/s 379/411 IPC

PS Tilak Nagar


State Vs. Ravi @ Manish

29.07.2020

Present: None.

Report not received.

Report be called from IO/SHO concerned for 31.07.2020.


(Aakanksha)

Duty MM/West/Delhi/29.07.2020