

FIR No. 12/2020

P.S Mundka

State Vs. Manjeet

u/s 33/38/58 Delhi Excise Act

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply already filed on behalf of IO concerned. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 17.07.2020. It is further submitted by Learned Counsel for the applicant/ accused that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

Without going into the merits of the case as well as in view of emergent conditions prevailing due to outbreak of Novel Corona Virus (Covid-19) and a step towards de-congestion of the jail and to protect health and safety of the accused as well as jail inmates, I deem it appropriate to admit the applicant/ accused on bail on furnishing personal bond in the sum of Rs.10,000/- with one surety in like amount



subject to the condition that accused shall stay away from the vicinity of the complainant's house and shall not make any efforts to communicate with the complainant. Accused shall inform about his fresh address to IO prior to 15 days of shifting to any other address / place.

PB/SB not furnished.

Information in this regard be sent to the concerned Jail Superintendent.

Application stands disposed off in above terms.

As requested, a copy of the order be given dasti to the IO.

(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

eFIR No. 0389/20

P.S Tilak Nagar

State Vs. Mujim Ahmad

23.07.2020

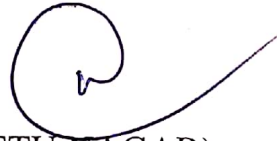
Present: Ld. APP for the State.

Counsel for applicant / accused.

It is submitted by Ld. Counsel for applicant / accused that IO concerned has yet not verified the address of applicant / accused.

Accordingly, IO concerned is directed to comply with the order dated 21.07.2020, for 24.07.2020.

Copy of order be given Dasti to Ld. Counsel for applicant as requested.



(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

eFIR No. 03999/2020

P.S Kirti Nagar

23.07.2020

An application moved on behalf of the applicant for release of vehicle no. DL4SCB5345 on superdari.

Present: Ld. APP for the State.

Counsel for applicant / Registered owner.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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**" wherein it has been held that;

"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 purpose 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.”

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled “**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 in question bearing registration number **DL4SCB5345** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be given Dasti to applicant.

Panchnama shall be filed in the Court along with charge sheet.


(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 128/20

P.S Tilak Nagar

State Vs. Karim Khan

u/s 323/324/452/506/34 IPC

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply already filed on behalf of IO concerned. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 11.07.2020. It is further submitted by Learned Counsel for the applicant/ accused that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

Without going into the merits of the case as well as in view of emergent conditions prevailing due to outbreak of Novel Corona Virus (Covid-19) and a step towards de-congestion of the jail and to protect health and safety of the accused as well as jail inmates, I deem it appropriate to admit the applicant/ accused on bail on furnishing personal bond in the sum of Rs.15,000/- with one surety in like amount



subject to the condition that accused shall stay away from the vicinity of the complainant's house and shall not make any efforts to communicate with the complainant. Accused shall inform about his fresh address to IO prior to 15 days of shifting to any other address / place.

PB/SB not furnished.

Information in this regard be sent to the concerned Jail Superintendent.

Application stands disposed off in above terms.

As requested, a copy of the order be given dasti to the IO.



(NEETU NAGARI)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 185/17

P.S EOW

23.07.2020

Present: Ld. APP for the State.

Sh. Sarvesh Kumar, counsel for applicant through video conferencing.

It is submitted by Ld. Counsel for applicant that the present application has already been dismissed by Ld. CMM, West District, vide order dated 29.06.2020.

Accordingly, the present application stands disposed of.



(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 185/17

P.S EOW


23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

It is submitted by Ld. Counsel for applicant that charge sheet has already been filed.

At request of Ld. Counsel for applicant, put up on 27.07.2020 before Ld. Court concerned.


(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

DD No. 57A dated 12.06.2020

P.S Kirti Nagar

23.07.2020

An application moved on behalf of the applicant for release of vehicle no. DL1LL2194 on superdari.

Present: Ld. APP for the State.

Applicant / Registered owner with counsel.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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”** wherein it has been held that;

“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 purpose 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."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled "**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 in question bearing registration number **DL1LL2194** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be given Dasti to applicant.

Panchnama shall be filed in the Court along with charge sheet.


(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

eFIR No. 008414/2020

P.S Moti Nagar

23.07.2020

An application moved on behalf of the applicant for release of vehicle no. DL10SS0726 on superdari.

Present: Ld. APP for the State.

Applicant / Registered owner with counsel.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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”** wherein it has been held that;

“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 purpose 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."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled "**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 in question bearing registration number **DL10SS0726** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be given Dasti to applicant.

Panchnama shall be filed in the Court along with charge sheet.



(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 429/2020

P.S Ranhola

State vs. Ankit


23.07.2020

Present: Ld. APP for the State.

None.

Report from Deputy Superintendent, Central Jail no.5, Tihar, received. As per the said report, accused Ankit has already been released from the jail.

Accordingly, the present application stands disposed of.


(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 286/19

P.S Mundka

23.07.2020

Present: Ld. APP for the State.

None.

A perusal of reply on superdari application filed on behalf of IO concerned shows that vehicle in question has already been released in the present case.

Accordingly, present application stands disposed of.



(NEETU NAGAR)

D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 274/2020

P.S Mundka

23.07.2020

An application moved on behalf of the applicant for release of vehicle no. DL9CAQ8792 on superdari.

Present: Ld. APP for the State.

Applicant / Registered owner with counsel.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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**" wherein it has been held that:

"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 purpose 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."

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled "**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 in question bearing registration number **DL9CAQ8792** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be given Dasti to applicant.

Panchnama shall be filed in the Court along with charge sheet.



(NEETU NAGAR)

D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 317/2020

P.S Mundka

State Vs. Neeraj

u/s 25/54/59 Arms Act

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply filed on behalf of IO. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 21.06.2020. It is further submitted by him that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

A perusal of reply filed on behalf of IO shows that accused has previous involvements and investigation is still pending.

In view of above said submissions and considering the fact that accused has previous involvements and investigating is still pending, I am not inclined to grant bail to the applicant/ accused at this stage. Accordingly, bail application stands dismissed. A copy of present order be given dasti to the accused as well as to the IO.

(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 315/2020

P.S Mundka

State Vs. Neeraj

u/s 25/54/59 Arms Act

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply filed on behalf of IO. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 21.06.2020. It is further submitted by him that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

A perusal of reply filed on behalf of IO shows that accused has previous involvements and investigation is still pending.

In view of above said submissions and considering the fact that accused has previous involvements and investigating is still pending, I am not inclined to grant bail to the applicant/ accused at this stage. Accordingly, bail application stands dismissed. A copy of present order be given dasti to the accused as well as to the IO.

(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 292/2020

P.S Mundka

State Vs. Neeraj

u/s 25/54/59 Arms Act

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply filed on behalf of IO. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 21.06.2020. It is further submitted by him that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

A perusal of reply filed on behalf of IO shows that accused has previous involvements and investigation is still pending.

In view of above said submissions and considering the fact that accused has previous involvements and investigating is still pending, I am not inclined to grant bail to the applicant/ accused at this stage. Accordingly, bail application stands dismissed. A copy of present order be given dasti to the accused as well as to the IO.

(NEETUNAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 363/2020

P.S Mundka

State Vs. Vishal

u/s 33/38 Delhi Excise Act

23.07.2020

Present: Ld. APP for the State.

Counsel for applicant.

Reply filed on behalf of IO. Same be taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 18.07.2020. It is further submitted by Learned Counsel for the applicant/ accused that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

Without going into the merits of the case as well as in view of emergent conditions prevailing due to outbreak of Novel Corona Virus (Covid-19) and a step towards de-congestion of the jail and to protect health and safety of the accused as well as jail inmates, I deem it appropriate to admit the applicant/ accused on bail on furnishing personal bond in the sum of Rs.10,000/- with one surety in like amount



subject to the condition that accused shall stay away from the vicinity of the complainant's house and shall not make any efforts to communicate with the complainant. Accused shall inform about his fresh address to IO prior to 15 days of shifting to any other address / place.

PB/SB not furnished.

Information in this regard be sent to the concerned Jail Superintendent.

Application stands disposed off in above terms.

As requested, a copy of the order be given dasti to the IO.


(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

eFIR No. 000241/2020

P.S Punjabi Bagh

State Vs. Deepak

u/s 379 IPC

23.07.2020

The hearing of the case was conducted through Video Conferencing via CISCO Webex Meeting, hosted by the Ahalmad of this Court, in view of Office order no. 16/DHC/2020 dated 13.06.2020 of Hon'ble High Court of Delhi.

Present: Ld. APP for the State.

Sh. Gaurav, counsel for applicant / accused through video conferencing.

Reply filed on behalf of IO. Same is taken on record.

Arguments heard on the bail application of accused.

It is submitted by Learned Counsel for the applicant/ accused that accused is running in J/C since 16.07.2020. It is further submitted by him that accused has been falsely implicated in this case by the complainant and has no criminal antecedent. It is further submitted by him that investigation has already been completed and no fruitful purpose will be served by keeping accused behind bars any further. Hence, it is requested that applicant/ accused be admitted on bail in the interest of justice.

On the contrary, Ld. APP for the State submits that allegations against applicant/ accused are serious in nature. Hence, it is prayed that the applicant/ accused may not be admitted on bail.

A perusal of reply filed on behalf of IO shows that accused is a habitual offender and has previous involvements.

In view of above said submissions and considering the fact that accused is a habitual offender and he has previous involvements, I am not inclined to grant bail to the



applicant/ accused at this stage. Accordingly, bail application stands dismissed. A copy of present order be given dasti to the ^{learned counsel for} accused as well as to the IO.

(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 495/2020

P.S Moti Nagar

23.07.2020

The hearing of the case was conducted through Video Conferencing via CISCO Webex Meeting, hosted by the Ahalmad of this Court, in view of Office order no. 16/DHC/2020 dated 13.06.2020 of Hon'ble High Court of Delhi.

An application moved on behalf of the applicant for release of vehicle no. DL1RTB8317 on superdari.

Present: Ld. APP for the State.

Sh. M. Hasibuddin, counsel for applicant / registered owner through video conferencing.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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”** wherein it has been held that;

“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 purpose 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.”

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled “**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 in question bearing registration number **DL1RTB8317** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be sent to Learned counsel for applicant through email/whatsapp.

Panchnama shall be filed in the Court along with charge sheet.



(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

eFIR No. 005288/2020

P.S Punjabi Bagh

The hearing of the case was conducted through Video Conferencing via CISCO Webex Meeting, hosted by the Ahalmad of this Court, in view of Office order no. 16/DHC/2020 dated 13.06.2020 of Hon'ble High Court of Delhi.

An application moved on behalf of the applicant for release of vehicle no. DL.8SAV7647 on superdari.

Present: Ld. APP for the State.

Sh. Dilip Kumar, counsel for applicant / registered through video conferencing.

Report from concerned IO filed. Same is perused.

Heard. Material perused.

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**" wherein it has been held that;

"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 purpose of evidence.

71. Return of vehicles and permission for sale thereof should be the general

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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.”

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble Delhi High Court in case titled **“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 in question bearing registration number **DL8SAV7647** be released to the applicant on furnishing **security 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 as per directions of Hon'ble Supreme Court.

Copy of this order be sent to Learned counsel for applicant through email/Whatsapp.

Panchnama shall be filed in the Court along with charge sheet.

(NEETU NAGAR)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020

FIR No. 13451/2020

P.S Ranhola

State Vs. Sahil

23.07.2020

The hearing of the case was conducted through Video Conferencing via CISCO Webex Meeting, hosted by the Ahalmad of this Court, in view of Office order no. 16/DHC/2020 dated 13.06.2020 of Hon'ble High Court of Delhi.

Present: Ld. APP for the State.


None for applicant.

Reena, Ahalmad has reported that she has provided the meeting ID by way of email to Learned counsel for applicant but despite waiting Learned counsel for applicant has not joined the video conferencing.

A perusal of reply filed by IO concerned shows that it has been mentioned therein that previous conviction record of the accused is annexed with the reply but no such report is annexed.

Accordingly, report be called from SHO concerned in this regard, for 26.07.2020.

Copy of order be sent to Learned counsel for applicant on his email ID.


(NEETU NAGARI)
D/MM (Mahila Court)-01, West,
THC/Delhi/23.07.2020