

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 842/19

PS : Nihal Vihar

U/s : 379/34 IPC

State Vs. Nikhil Kumar

08.06.2020

Present : Ld. APP for the State.

Sh. K.P. Singh Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Nikhil Kumar in the above mentioned case FIR wherein it is submitted that applicant is in JC since 22.02.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that investigation has been completed. It is further stated that accused is doing private job and single livelihood. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused. It is further mentioned that the accused is repeated offender and is involved in other cases. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.


Copy Record
By
[Signature]
08/6/20

3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.

Applications in hand is disposed of. Record be sent back to concerned court.

Copy of order be given dasti to Ld. Counsel for applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

FIR No.99/2020
PS Kirti Nagar

08.06.2020

Fresh charge sheet is received by way of assignment. It be
checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 13.07.2020.

(Deepika Phakran)
DUTY MM(WEST)
08.06.2020

FIR No.67/20
PS Mundka

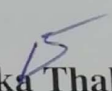
08.06.2020

Fresh charge sheet filed. It be checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 13.07.2020.


(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

FIR No.404/19
PS Mundka

08.06.2020

Fresh charge sheet filed. It be checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 13.07.2020.

(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

FIR No.188/2020

PS Khayala

08.06.2020

Fresh charge sheet is received by way of assignment. It be checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 14.07.2020.

(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

Page 1 of 1

E-FIR No.009276/2020
PS Paschim vihar West

08.06.2020

Fresh charge sheet is received by way of assignment. It be
checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 14.07.2020.

(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

E-FIR No.030666/2020
PS Paschim vihar West


08.06.2020

Fresh charge sheet is received by way of assignment. It be checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 14.07.2020.

(Deepika  Thakran)
DUTY MM(WEST)
08.06.2020

FIR No.237/19

PS Paschim Vihar, East

08.06.2020

Fresh charge sheet is received by way of assignment. It be checked and registered.

Present:- Ld. APP for State.

IO in person.

Put up before the concerned court on 13.07.2020.

(Deepika Thakran)
DUTY MM(WEST)

08.06.2020

FIR No.581/19

PS Nangloi

08.06.2020

Supplementary charge sheet received by way of assignment.
It be checked and registered.

Present:- Ld. APP for State.

ASI Raj Singh in person on behalf of IO.

Put up before the concerned court on 13.07.2020.

(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

FIR NO. 332/20
PS Rajouri Garden
U/s. 188 IPC

08.06.2020

This is an application for release of vehicle i.e. E-Rikshaw moved by registered owner Sunil.

Present: Ld. APP for the State.

Applicant/ registered owner Sunil in person with Sh. P.N. Singh Id.

Counsel.

Document as to the ownership of E-Rickshaw shown. Name of owner is also mentioned in reply.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant / registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody

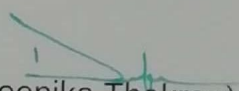
thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.


(Deepika Thakran)
Duty MM:West: THC
Delhi/08.06.2020

67
8/6/20

FIR No.655/19
State Vs. Khalida
Us:419, 420, 120B IPC
PS : Tilak Nagar

08.06.2020

Present:- Ld. APP for State.

SI Vikas Sahu in person.

Sh. H.S. Singh Id. Counsel for applicant.

Two separate applications has been moved. One on behalf of police seeking permission interrogate and formally arrest the accused. Another seeing surrender cum bail on behalf of applicant Khalida.

It is submitted in the application moved by the police that on the written complaint of ASI Gajender Singh investigation has been started and as per the complaint applicant Simran Karu has mentioned herself to the citizen of India and on this inquiry was conducted wherein applicant Simran Kaur produced her address proof i.e. PAN card and Aadhar card however during inquiry in the locality it was revealed that the applicant is a Muslim Afghan citizen whose actual name is Khalida daughter of Nasrulah Khan and consequently the present FIR has been registered and for said purpose a through interrogation is required to be done.

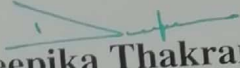
The Id. Counsel for the applicant submitted that the applicant is not felling well and therefore, do not intend to surrender today. The applicant did not appeared before this court. No medical proof qua the illness furnished. Accordingly, this application seeking surrender cum bail is dismissed and permission is granted to interrogate and arrest the accused taking note of the fact that through investigation is required in order to elucidate the true facts.

Therefore, the application moved by the police stands allowed.

202

Both the application stands disposed of.

The present record be tagged with the application for record and copy be sent to the concerned court.


(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

8/6 ✓
FIR no. 009388/20

PS MV Theft

U/s 379 IPC.

Present: Ld. APP for the State.

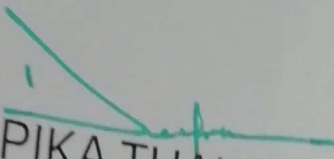
Sh. Sagar Kakkad Ld. Counsel for applicant.

This is an application for issuing untrace report. It is submitted therein that applicant's vehicle Verna Hundai bearing Reg. no. DL-8CAS-6951 was stolen on 20.03.2020 and the investigating agency has sent as untraced on 10.04.2020 and it was informed to the complainant that in case of any objection, the applicant may approach the court of Ms. Neha, Ld. ACMM-01, West District, Tis Hazari Courts, Delhi within 7 days of the receipt of intimation, otherwise it will be presumed that complainant have no objection to the acceptance of the Final Report as untraced of the above case by Ld. Court. It is further stated that complainant has no objection on acceptance of untrace report of stolen vehicle and due to lockdown approval of issuance of untrace report of the said vehicle could not happen. It is further mentioned that the vehicle was purchase on installments and due to non issuance of untraced report, the applicant is unable to get insurance claim and this is causing her unbearable and huge lose.

Reply to this application is received wherein it is mentioned that despite best efforts were made to trace out the vehicle and vehicle is not traceable.

Considering the fact that best efforts has been made by the police to trace out the vehicle however the same could not be traced despite exercise of due diligence. Taking further note of the fact that the complainant do not have any objection as to the investigation done by the police and further that the complainant has no objection if the present untrace report so filed is accepted, in view of the same the present untrace report filed as such is accepted and the same will retrieve as and when the police comes up with any further investigation or evidence.

...ion stands disposed of. Record be sent back to the co
...ed.
Copy of order be given dasti.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, D
08.06.2020.

IN THE COURT OF MS. DEEPIKA THAKRAN:DUTY MM: WEST DISTRICT: TIS
HAZARI COURT: DELHI
Presided by Ms. DEEPIKA THAKRAN

FIR NO. 131/19
PS Nihal Vihar
U/S 379/411 IPC
STATE VS. Ankush

08.06.2020

Present: Ld. APP for the State.
Sh. Jitender Kumar Ld. Counsel for accused person.

The present bail application has been filed on behalf of accused Ankush in the above mentioned case FIR wherein it is submitted that applicant is in JC since 01.02.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that applicant has clean antecedents and no other case is pending against applicant. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to these application was sought wherein it is mentioned that the alleged mobile phone was recovered from the accused. It is further mentioned that the accused is repeated offender and is involved in other cases and in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 15,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.
3. He will furnish his fresh address on record as and when he changes the

Date.

GA. That the charge-sheet has already filed in the present case.

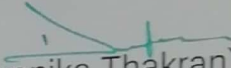
same.

4. He will not commit the same or similar offence in future.

Applications in hand are disposed of.

The personal bond of the accused be sent to the Jail Superintendent concerned for attestation of the signatures of the accused thereupon and same be sent back to the concerned court well within time under the signatures of the jail superintendent concerned.

Copy of this order be given dasti to Ld. Counsel for the accused, copy be also sent to jail superintendent for compliance. This order be considered release warrant too for the purpose of release of accused person and no separate release warrant is required. Accordingly accused is directed to be released forthwith if not required in any other process of law.


(Deepika Thakran)
Duty MM:West: THC
Delhi/08.06.2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No 217/2020
PS : Paschim Vihar
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL- 11EA-046 moved on behalf of applicant Ram Charan

Present : Ld. APP for the State.

Applicant in person.

Original identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of

Case No: 2020-102
Date: 11/11/2020
Page: 1

Present: Ld. J.
Sd. J.

Applicant/accused
the same has been

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furnished by

App.
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C

the property seized is situated at the place where there is no
custody of such property. The Court of police custody may
release of seized vehicle but the prevailing circumstances are
Although the party would have option to approach the Court as to disposal of the same."

release of seized vehicle but the prevailing circumstances are
in the history of humanity and require extraordinary measures
spread of Covid-19 infection. Therefore, police officials in exercise of
U/s 102 (3) Cr.PC may also release the vehicle particularly
seized for violation of lockdown.

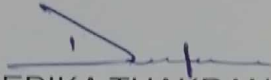
In the consonance of guidelines laid down by the
Court in Manjeet Singh Vs. State vehicle may be released if not
investigation purpose and photographs and detailed panchnamas
the purpose of evidentiary element in the form of secondary evidence
DCPs are reminded by this Court regarding extraordinary situation
Covid-19. The infection which is spreading very fast between human
due to corona virus require innovation and creativity. Law is
service of humanity and we can serve humanity by interpreting
keeping in view the threat which is looming large on humanity due to
19. Therefore, all the DCPs are requested to brief all the police officers
invoke provision U/s 102(3) CrPC so that gathering in court can be
avoided. Eventually, humanity will win and virus will be defeated by it
all provisions and interpretation of law keeping in view that all the institutions
made for service of humanity. DCPs are reminded that all the institutions
including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order
provided to all the DCPs of West District through Facilitation Center with
request to issue appropriate instructions to all the police officials within

Magistrate

jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.



(DEEPIKA THAKRAN)

Duty MM, West Dist, THC, Delhi

08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.216/2020
PS : Patel Nagar
U/s : 392/341/411/34 IPC

08.06.2020

Present : Ld. APP for the State.

Sh. Riaz Mohmmad Id. Counsel for applicant.

An application for grant of interim bail has been moved on behalf of applicant/accused Sonu due to outbreak of Corona Virus (COVID-19). Reply to the same has been filed by ASI Narender Singh.

Arguments heard on the interim bail application. Without going into the merits of the case as well as taking a step towards the de-congestion of the jail and to protect health and safety of the accused as well as jail inmates, the plea to grant of interim bail is considered and allowed. Applicant/accused Sonu is released on interim bail for a period of 45 days on furnishing their personal bond in the sum of Rs.20,000/- subject to the satisfaction of Jail Superintendent concerned, who shall ascertain from PS concerned as to whether the address furnished by the accused persons is verified or not.

Applicant/accused Sonu 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, which shall also be treated as release warrant.

Copy of this order be given dasti to the counsel for applicant, as prayed for.

(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 0568/2020
PS : Paschim Vihar (west)
U/s : 356/ 379/34 IPC

08.06.2020

This is an application for release of two mobile phones make Samsung J-2 Golden and Vivo V-9(Black) moved on behalf of applicant / owner Rajni Sharma.

Present : Ld. APP for the State.

IO ASI Ramji Lal in person.

Sh. Vikas Bhatia Ld. Counsel for applicant.

Report perused. As per report filed by the IO, state has no objection in releasing the mobile phones.

The articles has to be released as per directions of Hon'ble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014** 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.

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 higher courts, articles in question as per seizure memo be released to the applicant/ complainant on furnishing security bond as per valuation

COURT,


report. IO/SHO is directed to get done the valuation as well as photographs of the same prior to the release the same to the applicant as per directions of Hon'ble High Court.

Panchnama and photographs shall be filed in the court alongwith the chargesheet.

Copy of this order be given dasti to applicant.

Copy of this order be also sent to IO/SHO concerned for compliance.

Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 853/19

PS : Nihal Vihar

U/s : 457/380/411/34 IPC

08.06.2020

Present : Ld. APP for the State.

None on behalf of applicant.

This application is pending for the verification of the bail bonds of the surety for the accused person namely Avadh Rai. In the reply / verification report the IO has sought more time for the purpose of verification stating that due to lockdown he could not go to Bihar for the purpose of verification. However, further mentioned that accused and surety both are real brothers and the Sarpanch of the village concerned where surety resides has confirmed on the letter head of village panchayat that surety resides there and they both are real brothers. Considering this, I deem it appropriate to order the release of the accused person. However the IO is at liberty to file fresh verification report and he is at liberty to move to court for the cancellation of bail if the particulars of the surety or the solvency proof are not found correct.

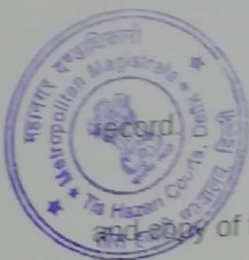
Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for

Copy of this order be given to the Id. Counsel for accused

and copy of the same be also sent to jail superintendent for compliance.



Handwritten signatures and initials in blue ink.

sd -

(DEEPIKA THAKRAN)

Duty MM, West Dist, THC, Delhi

08.06.2020.

महानगर न्यायाधिकारी, पश्चिम जिला कोर्ट-04
Metropolitan Magistrate, Mahila Court-04

सुप्री डीपिका थाकरान
Ms. DEEPIKA THAKRAN
महानगर न्यायाधिकारी, पश्चिम जिला कोर्ट-04
Metropolitan Magistrate Mahila Court-04
पश्चिम दिल्ली/वेस्ट डिस्ट्रिक्ट
कमरा नंबर-252, दुसरी मंजिल
Room No. 252, 2nd Floor
टीस हजारी न्यायालय, दिल्ली
Tis Hazari Courts, Delhi

19/1
IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by: Ms. Deepika Thakran

FIR No 172/2020.

PS : Nihal vihar

U/s : 457/380/411/34 IPC

State Vs. Deepu Etc.

08.06.2020

Present : Ld. APP for the State.

Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Deepu in the above mentioned case FIR wherein it is submitted that applicant is in JC since 18.05.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that accused is not involved in any other case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged stolen articles were recovered from the accused. It is further mentioned that the accused is repeated offender and is involved in other cases and in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No 172/2020.

PS : Nihal Vihar

U/s : 457/380/411/34 IPC

State Vs. Deepu Etc.

08.06.2020

Present : Ld. APP for the State.

Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Deepu in the above mentioned case FIR wherein it is submitted that applicant is in JC since 18.03.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that accused is not involved in any other case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged stolen articles were recovered from the accused. It is further mentioned that the accused is repeated offender and is involved in other cases and in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 10,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.
2. He shall co-operate into the investigation and will appear


before IO and Court as and when required and directed.

3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.
Applications in hand is disposed of.

The personal bond of the accused be sent to the Jail Superintendent concerned for attestation of the signatures of the accused thereupon and same be sent back to the concerned court well within time under the signatures of the jail superintendent concerned.

Copy of this order be given dasti to Ld. Counsel for the accused, copy be also sent to jail superintendent for compliance. This order be considered release warrant too for the purpose of release of accused person and no separate release warrant is required. Accordingly accused is directed to be released forthwith if not required in any other process of law.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.322/2020
PS : Paschim Vihar West
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-4SDC-1898 moved on behalf of applicant Nitin Gosain.

Present : Ld. APP for the State.

Applicant in person.

The applicant has moved two separate applications. In the previous application filed the release of vehicle has been sought however in the another application it has been submitted that due to clerical error the vehicle number has been wrongly mentioned and the correct vehicle number is DL-4SDC-1898. Applicant submits he withdraw the present application and the subsequent application moved be considered. In view of the another application the previous application so filed is dismissed as withdrawn and order is being passed on the subsequent application. Moreover in the reply also the vehicle number is mentioned as DL-4SDC-1898.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and

shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court

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In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

Agarwal

(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

this Hon'ble court.

FIR NO. 174/2020
PS Kirti Nagar
STATE VS. Guru Arora & Ors.
U/s. 188,269 IOC & 40 (a) Excise Act.
Vehicle no. DL-1CX-9629

08.06.2020

This is an application for release of vehicle bearing registration no. DL-1CX-9629 moved on behalf of applicant Savita Rani Arora.

Present: Ld. APP for the State.

Applicant/ registered owner Savita Rani Arora in person with Id.

Counsel.

Original RC of the vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant / registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such

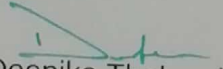
property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.


(Deepika Thakran)
Duty MM:West: THC
Delhi/08.06.2020

OFFICE:
20, OLD MARKET RAMESH NAGAR,
NEW DELHI

ADVOCATES

CHAMBER NO. _____
CHAMBER: _____

As Received
By
Sakshi
01-10-2020/18

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 584/18

PS : Nihal Vihar

U/s : 387/506/507 IPC

State Vs. Praveen

08.06.2020

Present : Ld. APP for the State.

Sh. Prashant Yadav Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Praveen in the above mentioned case FIR wherein it is submitted that applicant is in JC since 2018. It is further stated that the accused is innocent and falsely implicated in the present case. It is submitted that investigation already stands completed, chargesheet has already been filed and complainant has already been examined. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present application seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the accused is also involved in commission of other offences and he has already went to jail in case FIR no. 211/10 U/s 302/34 IPC and 27 Arms Act and accused should not be released on bail. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody from long period, no recovery is to be effected from the applicant for which his custody is required. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in conclusion of trial and further taking note of the fact that bail is a rule and jail is an exception and observing that the material witness i.e. complainant already stands examined, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.

*Copy of Order Received on 8/16/20
Order No. P/1924/11*

2. He shall co-operate with the IO and will appear before the Court as and when required and directed.
 3. He will furnish his fresh address on record as and when he changes the same.
 4. He will not commit the same or similar offence in future.
- Applications in hand is disposed of. Be sent to Consumer Court for record.*

(DEEPIKATHAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF HON'BLE
M.M., DISTT. WEST,
IN THE MATTER OF:
STATE VS.

13

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.577/2020
PS : Punjabi Bagh
U/s : 188/269/270 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-4CAG-2164 moved on behalf of applicant Jitender.

Present : Ld. APP for the State.

Sh Mohit Taneja Ld. Counsel for applicant.

Original RC of the vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/authority holder Akshay Gohri/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.P.C read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.P.C may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19. The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) Cr.P.C so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including judiciary are for service for humanity. In view of aforesaid discussion, let the copy be provided to all the DCPs of West District Police Center with the request to issue appropriate police officials within their jurisdiction for the provision of...

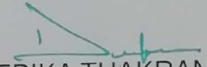
Section 102(3)
Section (1) of
having

DATE

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be give dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

Received copy
Akshay
(Akshay)
08-06-20

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.131/2020

PS : Mundka

U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. HR-87E-0386 moved on behalf of applicant Rohit Kumar.

Present : Ld. APP for the State.

Sh. Dharampal Registered owner of vehicle in person.

Original RC of vehicle and identity proof of registered owner seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.


In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

*Copy received
Arun Tiwari
8/6/20*


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 759/20

PS : Paschim Vihar East

U/s : 379 IPC

08.06.2020

Present : Ld. APP for the State.

Sh. Gautam Kumar Id. Counsel alongwith surety in person.

Vide order dt. 04.06.2020, Sh. Puneet Nagpal Id. Duty MM, West District has granted bail to accused Gaurav Yadav S/o Late Sh. Ram Babu Yadav subject to furnishing of personal and surety bonds to tune of Rs.20,000/- each. In compliance of said order the said bail bond has already been furnished has been verified as per report received today. The original ID poof and solvency proof seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.


(DEEPIKA THAKRAN)

Duty MM, West Dist, THC, Delhi
08.06.2020.

FIR No.400/18
PS Kirti Nagar
State Vs. Sanchit & Ors.
U/S-392/394/397/411/34 IPC
08.06.2020

Present:- Ld. APP for State.

SH. Manish Kumar Singh Id. Counsel with surety.

Vide order dt. 15.05.2020 the court of Ld. ASJ-05 West THC has enlarged the accused Sanchit S/o Sh. Sat Narayan on bail subject to furnishing of personal and surety bonds to tune of Rs.25,000/- each. In compliance of said order the bail bond furnished today and same are accepted.

The original ID poof seen and returned. Original FDR amounting Rs.25,000/- placed on record. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the Id. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.


(Deepika Thakran)

DUTY MM(WEST)

08.06.2020

Copy received
D.K.H.
M.P. - 8920557032

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.145/2020
PS : Paschim Vihar
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL -4CS-9782 moved on behalf of applicant Ishja Bhalla.

Present : Ld. APP for the State.

Sh. Raj Mohan Ld. Counsel for applicant with applicant in person.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore

it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

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Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law

keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

Copy Received
Dyjt
8/2/2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 598/20
PS : Punjabi Bagh
U/s : 279 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-3CCP-3892 moved on behalf of applicant Yatin Jassal.

Present : Ld. APP for the State.

Ms. Nirupama Devi Ld. Counsel for applicant.

Original identity proof of applicant seen and returned.

Copy of RC of vehicle is on record.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

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Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

Nirafana Devi


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

9

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.0613/19
PS : Tilak Nagar
U/s : 279/337 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-5SBN-4999 moved on behalf of applicant Sumesh.

Present : Ld. APP for the State.

Sh. Manoj Kumar Ld. Counsel for applicant.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

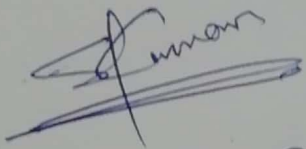
However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

and conditions imposed by this Honble Court.


DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.



8-Jun-2020


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI

Presided by : Ms. Deepika Thakran

FIR No.WD-TN-000408/2020

PS : Tilak Nagar

U/s : 379 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-3SCD-7447 moved on behalf of applicant/ owner Harmeet Kaur Chadha.

Present : Ld. APP for the State.

Applicant in person..

Original identity proof of applicant seen and returned.

RC of the vehicle is on record.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat,AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore

it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

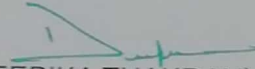
Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law

keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.



(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

Atkhar
8/6/2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.186/2020
PS : Hari Nagar
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL -8SBH-8772 moved on behalf of applicant Harsh Arora.

Present : Ld. APP for the State.

Sh. A. Anand Ld. Counsel for applicant.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013** dated **10.09.2014**, the vehicle in question be released to the registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

Dated: 07/06/2020

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authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

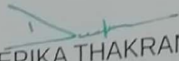
Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

Copy Recd
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08/06/20

Dated: 07/06/2020

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IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.0594/2020
PS : Ranhola
U/s : 323/341/34 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-9CAP-8906 (Maruti Celerio XZXi ATM) moved on behalf of applicant Dinesh Yadav

Present : Ld. APP for the State.

Brother of applicant in person with Ld. counsel Sh. Alok Rai.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle/ GPA Holder/ Authority letter holder on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of

vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.


In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will

be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

Copy
Recd
A. S. 103
8/6/2020


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No 342/2020
PS : Paschim Vihar West
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-1ZB-0473 moved on behalf of applicant Raju.

Present : Ld. APP for the State.

Applicant in person with Ld. counsel Sh.Sunny Dahiya.

Original identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, RC of the vehicle is with the police and state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle/ GPA Holder/ Authority letter holder on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.


In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

Dcps are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the Dcps of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. Dcps are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

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Dh...
8/6/20*


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 224/20
PS : Mundka
U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-11SZ-1905 moved on behalf of applicant Akash Kumar.

Present : Ld. APP for the State.

Applicant in person.

Original RC and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

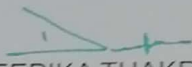
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DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

Received order
copy
P.K. Srinivasan


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

K. Srinivasan
Duty MM, West Dist, THC, Delhi

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.05892/2020

PS : Hari Nagar

U/s : 379 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-4SCL-4182 moved on behalf of applicant Bhupinder Kalra.

Present : Ld. APP for the State.

Applicant in person..

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:


“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

e reminded that all the institutions including executive and are for service for humanity.

In view of aforesaid discussion, let the copy of the order be sent to all the DCPs of West District through Facilitation with the request to issue appropriate instructions to all the officials within their jurisdiction impressing upon them to use provision of Section 102(3) Cr.PC for release of vehicle seized during lockdown liberally. DCPs are also directed to release vehicle in other cases also if the specific law in that area permits officials to release the vehicle.
Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THG, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.0195/2020

PS : Paschim vihar

U/s : 188 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. RJ-36SG-5095 moved on behalf of applicant Pappu Kathat.

Present : Ld. APP for the State.

Applicant in person with Ld. Counsel Sh. Jeet Singh.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."


Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.



(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

(Advocate)

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.0369/2020

PS : Nangloi

U/s : 297/337 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-10SU-9944 moved on behalf of applicant Rohit

Present : Ld. APP for the State.

Applicant in person.

Original RC of vehicle and identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which

authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

“ Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same.”

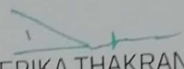
Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity.

DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

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Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

طالبت
8/6/2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No.039642/2019

PS : Paschim Vihar

U/s : 379 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. DL-9SAY-8742 moved on behalf of applicant Vishal Mehta.

Present : Ld. APP for the State.

Applicant in person..

Original identity proof of applicant seen and returned. RC of the vehicle is stated to be lost. However the insurance and other documents stands in the name of the applicant.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in CrI. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/ registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore

it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

" Every police official acting under sub Section (1) of Section 102 shall forthwith report the seizure to Magistrate having jurisdiction and where the property seized is such that it cannot be conveniently transported to the Court or where there is difficulty in securing proper accommodation for the custody of such property or where the continued detention of property in police custody may not be considered necessary for the purpose of investigation he may give custody thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law

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In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle.

Copy of order be given dasti to applicant.

[Handwritten signature]
8/6/20

[Handwritten signature]
(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 475/2020

PS : Rajouri Garden

U/s : 33/38/58 Delhi Excise Act.

08.06.2020

This is an application for release of vehicle bearing registration no. DL-6CP-8064 Maruti Vitara Breeza and DL-12CG-6663, I-20 Sportz Crdi moved on behalf of applicant Harpreet Singh.

Present : Ld. APP for the State.

Applicant in person with Ld. Counsel Sh. Deepak Kumar

Original RC of vehicle no. DL-6CP-8064 and identity proof of applicant seen and returned. RC of vehicle no. DL-12CG-6663 is lying in the vehicle which is in the possession of police.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicles.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/registered owner of vehicles on furnishing indemnity bond in the sum of Rs. 20,000/- each. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicles from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicles is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

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social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

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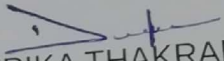
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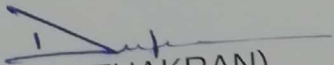
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Copy of order be given dasti to applicant.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

08.06.2020

Application taken up again as Ld. Counsel for the applicants has pointed out that mistakenly the name of another applicant namely Amarjeet Kaur has been left out in the order passed today. In view of the said submissions it is clarified that there are two applicants namely Harpreet Singh and Amarjeet Kaur and the above mentioned vehicles be released to the registered owners of the said vehicles.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

FIR NO. 582/2020
PS Punjabi Bagh
STATE VS. Lavish
Vehicle no. DL-4SDA-9339

08.06.2020

This is an application for release of vehicle bearing registration no. DL-4SDA-9339 moved on behalf of applicant Mehak Mehta.

Present: Ld. APP for the State.

Applicant/ registered owner Mehak Mehta in person.

Copy of RC is already on record.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant / registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

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Copy of order be given dasti to applicant.

Copy Received.
[Signature]
D/1190/02 8/6/2020

[Signature]
(Deepika Thakran)
Duty MM:West: THC
Delhi/08.06.2020

FIR NO. 585
PS Punjabi Bagh
STATE VS. Gautam Bhalla
U/s. 188,269,270 IPC
Vehicle no. HR-29AB8019

08.06.2020

This is an application for release of vehicle bearing registration no. HR-29AB8019 moved.

Present: Ld. APP for the State.

Applicant/ registered owner Shivani Enterprises Pvt. Ltd. in person with Sh. Tarun Arora Id. Counsel.

Copy of RC is on record.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant / registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore it is relevant to note that the provisions U/s 102 CrPC which authorize police officials also to release the vehicle. Section 102(3) Cr.PC read as under:

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thereof to any person on his executing a Bond undertaking to produce the property before the Court as to disposal of the same."

Although the party would have option to approach the court for release of seized vehicle but the prevailing circumstances are extraordinary in the history of humanity and require extraordinary measure to prevent the spread of Covid-19 infection. Therefore, police officials in exercise of power U/s 102 (3) Cr.PC may also release the vehicle particularly the vehicle seized for violation of lockdown.

In the consonance of guidelines laid down by Hon'ble High Court in Manjeet Singh Vs. State vehicle may be released if not required for investigation purpose and photographs and detailed panchnama may serve the purpose of evidentiary element in the form of secondary evidence. All DCPs are reminded by this Court regarding extraordinary situation due to Covid-19 . The infection which is spreading very fast between human beings due to corona virus require innovation and creativity. Law is made for service of humanity and we can serve humanity by interpreting the law keeping in view the threat which is looming large on humanity due to Covid-19. Therefore, all the DCPs are requested to brief all the police officials to invoke provision U/s 102(3) CrPC so that gathering in court could be avoided. Eventually, humanity will win and virus will be defeated by invoking all provisions and interpretation of law keeping in view that all the laws are made for service of humanity. DCPs are reminded that all the institutions including executive and judiciary are for service for humanity.

In view of aforesaid discussion, let the copy of the order be provided to all the DCPs of West District through Facilitation Center with the request to issue appropriate instructions to all the police officials within their jurisdiction impressing upon them to use the provision of Section 102(3) Cr.PC for release of vehicle seized for breach of lockdown liberally. DCPs are also directed to release the vehicle in other cases also if the specific law in that area permits police officials to release the vehicle **to Authority letter holder/registered owner.**

Copy of order be given dasti to applicant.


(Deepika Thakran)
Duty MM:West: THC
Delhi/08.06.2020

COPY RECEIVED
[Signature]
2/19/2020
2/6/2020

FIR No.764/2019
PS Nihal Vihar

08.06.2020

Present : Ld. APP for the State.

Ld. Counsel alongwith surety.

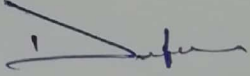
Vide order dt. 04.06.2020, Sh. Puneet Nagpal Ld. Duty MM, West District has granted bail to accused Nikhil Kumar S/o Sh. Nandram subject to furnishing of personal and surety bonds to tune of Rs.20,000/- each. In compliance of said order the said bail bond has already been furnished has been verified as per report received today. The original ID poof and solvency proof seen and returned. Accordingly, the accused is directed to be released forthwith if not required in any other process of law.

Personal bonds of the accused be sent to the Jail superintendent concerned for attestation of signature thereupon and the same be returned after doing the needful to the concerned court.

Accordingly, the application stands disposed of.

The present record be tagged with the application for record.

Copy of this order be given to the ld. Counsel for accused and copy of the same be also sent to jail superintendent for compliance.


(Deepika Thakran)
DUTY MM(WEST)
08.06.2020

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 662/2020

PS : Nihal Vihar

U/s :33/38 Delhi Ex. Act

State Vs. Nem Singh

08.06.2020

Present : Ld. APP for the State.

Sh. Manu Bhatia Ld. Counsel for applicant.

The present bail application has been filed on behalf of accused Nem Singh in the above mentioned case FIR wherein it is submitted that applicant is in JC since 05.06.2020. It is further stated that the accused is innocent and falsely implicated in the present case. It is further stated that accused is sole bread earner of his family and belongs to a respectable family and not involved in any other case. It is further submitted that no purpose will be served by keeping the accused in JC. Hence, present applications seeking bail of accused is filed.

Reply to this application was sought wherein it is mentioned that the alleged recovery has been effected from the accused. It is further mentioned that the accused is repeated offender and is involved in other cases and in case he is released on bail he can repeat same offence again. With this prayer for dismissal of bail application has been made.

Consideration heard. Record is perused.

In the present matter, accused is already in judicial custody, no recovery is to be effected from the applicant for which his custody is required by the police. Considering the facts and circumstances of the case, likely impact caused upon the career/future of accused persons and likely time to be taken in completion of investigation and for taking note of the fact that bail is a rule and jail is an exception, the accused is admitted to bail subject to furnishing the personal bond and surety bond in the sum of Rs. 20,000/- with one surety in the like amount subject to following conditions:-

1. He will not tamper the evidence or intimidate any of the witnesses.

2. He shall co-operate into the investigation and will appear before IO and Court as and when required and directed.

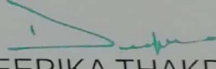
3. He will furnish his fresh address on record as and when he changes the same.

4. He will not commit the same or similar offence in future.

Applications in hand is disposed of.

The personal bond of the accused be sent to the Jail Superintendent concerned for attestation of the signatures of the accused thereupon and same be sent back to the concerned court well within time under the signatures of the jail superintendent concerned.

Copy of this order be given dasti to Ld. Counsel for the accused, copy be also sent to jail superintendent for compliance. This order be considered release warrant too for the purpose of release of accused person and no separate release warrant is required. Accordingly accused is directed to be released forthwith if not required in any other process of law.


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.

IN THE COURT OF MS.

In the matter of

IN THE COURT OF METROPOLITAN MAGISTRATE
WEST DISTRICT, TIS HAZARI COURT, DELHI
Presided by : Ms. Deepika Thakran

FIR No. 055/20
PS : Mundka
U/s : 279 /337 IPC

08.06.2020

This is an application for release of vehicle bearing registration no. HR-13N-1258 moved on behalf of applicant Sumit.

Present : Ld. APP for the State.

Sh. Ranjan Chaudhary Ld. Counsel for applicant.

Original identity proof of applicant seen and returned.

Report perused. As per report filed by the IO, state has no objection in releasing the vehicle. It is stated that mechanical inspection of the vehicle has been done and original documents are with the police.

In view of the directions given by the Honble Supreme Court in case titled as **Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638** and Honble High Court in case titled as **Manjit Singh Vs. State in Crl. M.C.No. 4485/2013 dated 10.09.2014**, the vehicle in question be released to the applicant/registered owner of vehicle on furnishing indemnity bond in the sum of Rs. 20,000/-. IO is directed to prepare a detailed panchnama and shall also take the photographs of the vehicle from all the angles which shall be countersigned by the complainant as well as by the accused and the person to whom the vehicle is released. The said panchnama alongwith photographs shall be filed alongwith the chargesheet.

However, it is observed that during the prevailing time i.e. spread of COVID-19 it is necessary to curb the spread of corona and social distancing norms are to be adhered but large number of vehicles are being seized for the violation of lockdown and therefore

it is relevant to note that the provisions U/s 102 Cr.PC authorize police officials also to release the vehicle. Section 102 Cr.PC read as under:

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DCPs are reminded that all the institutions including executive and
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In view of aforesaid discussion, let the copy of the order
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Center with the request to issue appropriate instructions to all the
police officials within their jurisdiction impressing upon them to use
the provision of Section 102(3) Cr.PC for release of vehicle seized
for breach of lockdown liberally. DCPs are also directed to release
the vehicle in other cases also if the specific law in that area permits
police officials to release the vehicle.

Copy of order be given dasti to applicant.

Sumit
8-6-20


(DEEPIKA THAKRAN)
Duty MM, West Dist, THC, Delhi
08.06.2020.