

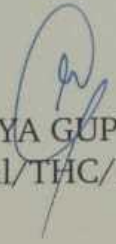
No. 00175/20
Kamla Market

06.2020

sent: None for the state.

IO has not appeared in pursuance to the previous order.

Fresh notice be issued to IO with direction to appear in
on alongwith complete address of the accused for 12.06.2020.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

e-FIR No. 9523/20
PS Civil Lines

11.06.2020

This is an application for releasing vehicle bearing registration number DL-1CN-9137 on superdari.

Present: None for applicant despite wait and repeated calls.

An application has been moved seeking correction in order dated 03.06.2020 of Sh. Abhilash Malhotra, Ld. Duty MM.

Ahlmad of the concerned court be summoned with record for 13.06.2020.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 54/20
PS Civil Lines

11.06.2020

Present: Applicant in person with counsel.

An application for return of Jama Talashi articles has been moved on behalf of accused Rishab Sharma.

Reply to the application filed on behalf of the IO.

Considering the same, IO/SHO concerned is directed to release Jama Talashi articles to the applicant/accused as per the personal search memo against proper receipt and identification.

Application stands disposed off accordingly.

Copy of this order be given dasti.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

e-FIR No. 011890/20
PS Wazirabad

11.06.2020

This is an application for releasing vehicle bearing registration number DL-8SCS-4917 and mobile phone i.e. OPPO F1 gold on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle and mobile phone to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

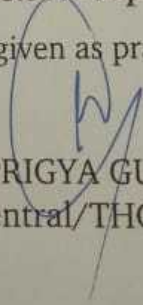
71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by **Hon'ble High Court of Delhi**, vehicle in question bearing registration number DL-8SCS-4917 and mobile phone i.e. OPPO F1 gold be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and mobile phone and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of **Hon'ble High Court of Delhi** in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 379/411/34 IPC as per judgment of "**Manjit Singh Vs. State**" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by **Hon'ble High Court of Delhi** and "**General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.**" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by **Hon'ble Supreme Court of India**.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 12044/20
PS Timarpur

11.06.2020

This is an application for releasing vehicle bearing registration number DL-10SQ-8744 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in Crl. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

Dated: 08/06/2020

to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-10SQ-8744 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 379 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.

(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 010613/20
PS Subzi Mandi

11.06.2020

This is an application for releasing vehicle bearing registration number DL-8SBE-9737 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-8SBE-9737 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 379 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 183/20
PS Nabi Karim

11.06.2020

This is an application for releasing vehicle bearing registration number DL-1RV-6638 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

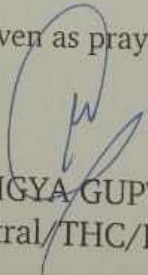
Dated:

to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-1RV-6638 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 188 IPC & 3 Epidemic Diseases as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 011714/20
PS Gulabi Bagh

11.06.2020

This is an application for releasing vehicle bearing registration number DL-1SW-8723 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

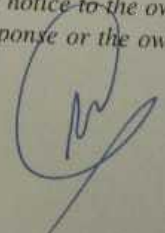
68. *Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.*

69. *The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.*

70. *The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.*

71. *Return of vehicles and permission for sale thereof should be the general norm rather than the exception.*

72. *If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines*



to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-1SW-8723 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 379/411 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.

(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 09/20
PS Burari

11.06.2020

This is an application for releasing vehicle bearing registration number DL-5SBK-6012 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

police station and is not required for the purposes of any investigation and because of lying of the said vehicle, its

to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-5SBK-6012 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 279/338 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.

(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

police station and is not required for the purposes of any investigation and because of lying of the said vehicle, its

FIR No. 010651/20
PS Prasad Nagar

11.06.2020

This is an application for releasing vehicle bearing registration number DL-12SG-9424 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

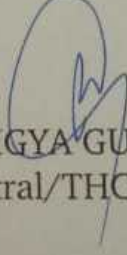
72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

...the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-12SG-9424 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 379/411/34 IPC as per judgment of "*Manjit Singh Vs. State*" in Crl. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 66/20
PS Kashmere Gate

11.06.2020

This is an application for releasing vehicle bearing registration number RJ-18PB-3100 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in Crl. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines


station.

to take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number RJ-18PB-3100 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 188 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

station.

FIR No. 220/20
PS Civil Lines

11.06.2020

Present: None.

This is an application for calling the report from jail superintendent for not releasing of accused.

Report under the signature of Deputy Superintendent, Central Jail no.14, Mandoli, New Delhi has been received wherein it has been mentioned that the accused has already been released from jail on 10.06.2020. In view of same, present application become infructuous and accordingly disposed off.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 10/16
PS Rajender Nagar

11.06.2020

Present: None.

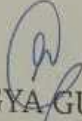
This is an application for giving direction to jail superintendent for release of accused namely Sanjay Kumar.

Report under the signature of Deputy Superintendent, Central Jail no.1, Tihar, New Delhi has been received wherein it has been mentioned that the details of the accused i.e. father's name and residential address were not mentioned in the release order dated 06.06.2020.

In view of pandemic of coronavirus, the record of the present case is not available.

Let IO be called for 12.06.2020 for verifying the details of the present matter.

Ahlmad of the concerned court be also summoned with requisite record for furnishing required details.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

e-FIR No. 66/20
PS Wazirabad

FIR No. 141/1987
PS Murad Nagar

11.06.2020

Present: None for the state.

Be put up before concerned court on 13.06.2020 for
consideration.

(PRIGYA GUPTA)

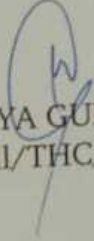
Duty MM/Central/THC/Delhi/11.06.2020

DD No. 57A
PS Prasad Nagar

11.06.2020

Present: None for the state.

Be put up before concerned court on 13.06.2020 for
consideration.


(PRIGYA GUPTA)
Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 0142/20
PS Karol Bagh

11.06.2020

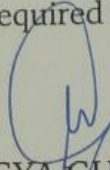
This is an application for releasing vehicle bearing registration number DL-8SCR-8029 on superdari.

Present : Ld. Counsel for applicant.

Reply has been filed. Same is taken on record. As per the report, ~~the~~ section 392/34 IPC has been invoked in FIR No. 142/20, PS DBG Road.

Ld. Counsel for applicant submits that present FIR no. 0142/20, PS Karol Bagh has been registered for offence u/s 188 IPC.

Certain clarifications are required from IO. IO be summoned for 12.06.2020 at 12.00 pm.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

NO. 66/20
PS Wazirabad

Mohini Vs. Rajinder
PS Nabi Karim

11.06.2020

Present: Husband of the complainant in person.

ATR filed. Copy supplied.

Put up on 16.06.2020.

(PRIGYA GUPTA)
Duty MM/Central/THC/Delhi/11.06.2020

e-FIR No. 66/20
PS Wazirabad

11.06.2020

This is an application for releasing of mobile phone on superdant.

Present : Applicant in person with counsel.

The present application for release of one Mobile Phone i.e. Realme 3 has been filed by the applicant.

Reply has been filed under the signature of HC Dharmendra Singh and submitted that there is no objection for the release of the Mobile Phone i.e. Realme 3.

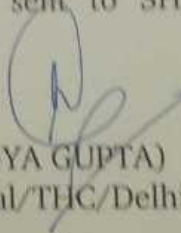
Heard.

In these circumstances the aforesaid Mobile Phone i.e. Realme 3 be released to its actual owner, ownership is to be verified by the IO, subject to the following conditions:

1. Mobile Phone in question, as mentioned by the IO in the reply be released only subject to furnishing of indemnity bond to the value of article which is to be ascertained by the certified valuer, to the satisfaction of the concerned SHO/IO.
2. IO shall prepare detailed panchnama also mentioning the colour, appearance.
3. IO shall take the colour photographs of the Mobile Phone from different angles.
4. The photographs should be attested and counter signed by the complainant, accused and the actual owner;
5. IO shall get the Mobile Phone value from a proper valuer and shall take a valuation report in this regard from the valuer;

Copy of this order be given dasti to the applicant.

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


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

Delhi

Dated: 08.06.2020

8851164145

M.K.Gu

APPLICANT

FIR No. 42/20
PS IP Estate

11.06.2020

This is an application for releasing vehicle bearing registration number DL-1VA-9880 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in Crl. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

take the vehicle or informs that it has claimed insurance/released its right in the vehicle to the insurance company and the insurance company fails to take possession of the vehicle, the vehicle may be ordered to be sold in auction.

73. If a vehicle is not claimed by the accused, owner, or the insurance company or by a third person, it may be ordered to be sold by auction."

Considering the facts and circumstances and law laid down by *Hon'ble High Court of Delhi*, vehicle in question bearing registration number DL-1VA-9880 be released to the registered owner by IO on furnishing security bond as per the valuation report of vehicle and after preparation of panchnama, even without signatures of any accused and taking photographs of vehicle as per above directions of *Hon'ble High Court of Delhi* in above cited paragraphs. Panchnama, photographs, valuation report and security bond shall be filed along-with final report. Panchnama, photographs, valuation report and security bond shall be sufficient evidence in trial against any accused, if someone is put to trial for the offences u/s 188/269/270 IPC as per judgment of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014 passed by *Hon'ble High Court of Delhi* and "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 passed by *Hon'ble Supreme Court of India*.

Dasti copy of order be given as prayed for.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 135/20
PS Kotwali

11.06.2020

This is an application for releasing vehicle bearing registration number HR-51BD-2566 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held :-

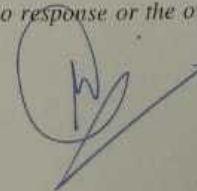
68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines



FIR No. 010651/20
PS Prasad Nagar

11.06.2020

This is an application for releasing vehicle bearing registration number DL-12SG-9424 on superdari.

Present : Applicant in person with counsel.

Reply has been filed. Same is taken on record. As per the report, he has no objection to release the vehicle to the registered owner by the Court.

Instead of releasing the vehicle on superdari, this Court is of the view that the vehicle has to be released as per directions of *Hon'ble High Court of Delhi* in matter of "*Manjit Singh Vs. State*" in CrI. M.C. No.4485/2013 dated 10.09.2014.

Hon'ble High Court of Delhi in above-said judgment/order while relying upon the judgments of *Hon'ble Supreme Court of India* in matter of "*Sunderbhai Ambalal Desai Vs. State of Gujarat*", AIR 2003 SUPREME COURT 638, "*General Insurance Council & Ors. Vs. State of Andhra Pradesh & Ors.*" Writ Petition (C) No.14 of 2008 decided on 19.04.2010 and "*Basavva Kom Dyamangouda Patil Vs. State of Mysore*", (1977) 4 SCC 358 has held : -

"68. Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle, valuation report, and a security bond.

69. The photographs of the vehicle should be attested countersigned by the complainant, accused as well as by the person to whom the custody is handed over.

70. The production of the vehicle should not be insisted upon during the trial. The panchnama and photographs along with the valuation report should suffice for the purposes of evidence.

71. Return of vehicles and permission for sale thereof should be the general norm rather than the exception.

72. If the vehicle is insured, the Court shall issue notice to the owner and the insurance company for disposal of the vehicle. If there is no response or the owner declines

CC No. 514822/16

08.06.2020

Present: None.

Despite calls, none appeared for applicant.

Accordingly, put up for appearance of applicant and purpose fixed on 11.06.2020.

(RISHABH KAPOOR)
DMM-03(Central),THC,Delhi
08.06.2020

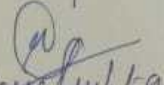
11/6/20.

Pr:- None.

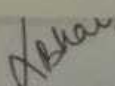
Despite Calls, none appeared for applicant.

Accordingly, put up for appearance of applicant and purpose fixed on 13/6/20. File be put up before concerned

duty MM.


Prigya Kaptan
DMM/Central/THC/Delhi
11/6/20.

DATED 15/6/20


CHANDAN BHATIA
CICERO FIRM
(ADVOCATES & CONSULTANTS)
M-97, GK-1
NEAR M BLOCK MKT, NEW DELHI-48

FIR No.125/20
PS: Sadar Bazar

08.06.2020

Present: Ld. APP for the State.

Victim alongwith IO/WASI Jag Roshni in person.

The present application is moved for recording of statement of victim u/s 164

Cr.P.C.

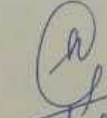
MLC of the victim is perused. Since, recording of statement u/s 164 Cr.P.C. requires personal interaction with the victim, therefore, in the interest of public health and safety, IO is directed to get conducted the Covid-19 test of the victim, (if not already conducted) and submit report qua same on 11.06.2020.

Put up for consideration on 11.06.2020.

Copy be given dasti to IO for compliance.

(RISHABH KAPOOR)
DMM-03(Central),THC,Delhi
08.06.2020

Present: Ld APP for State
None has appeared despite wait and repeated
calls.
Ld IO be called for 14/06/2020.


11/06/2020

09/06/2020

Through

Mohd. Uzair
S/o Mohd. A

dt: 11/06/2020
PS: Timar Pur

FIR No.132/20
State Vs. Unknown
PS: Timar Pur

08.06.2020

Present: Ld. APP for the State.
Sh. S.C. Jain, Ld. Counsel for applicant.

Report under the signatures of ASI Rishi Pal is received, wherein it is stated that the documents of the vehicles in question are yet to be verified and a time of 15 days has been sought by the IO.

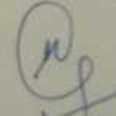
Ld. counsel for the applicant submits that the value of the vehicle is deteriorating in the police custody. I am in agreement with the submissions made by Ld. counsel for applicant. Accordingly, IO is directed to verify the documents of the vehicle in question in two days from today and report on 11.06.2020. Concerned SHO is directed to ensure compliance.

(RISHABH KAPOOR)
DMM-03(Central),THC,Delhi
08.06.2020

11/06/2020

Present: ~~Mr~~ Ld APP for the State
Counsel for applicant

Report has not been filed in terms of previous order. To be called in person along with verification report for 15/06/2020. Concern SHO to ensure compliance date given at request of counsel.


11/06/2020

That the applicant undertakes that she will produce the vehicle as and when it is directed by this Hon'ble Court.

FIR No. 89/2019
PS Jama Masjid

11.06.2020


Present: None for surety despite wait and repeated calls.
IO in person.

IO submits that the address and antecedents of the surety could not be verified as the bail bonds were received by him yesterday. The address of surety could not be verified due to shortage of time and due to the fact that transportation facilities are yet not available due to pandemic of coronavirus.

Considering the submissions made by the IO, time is granted to file verification report.

Put up on 14.06.2020.

Copy of this order be given dasti.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No.206/20
PS: Burari

08.06.2020

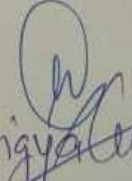
Present: Ld. APP for the State.
None for applicant.
Reply not received.
Issue fresh notice to SHO/IO to file reply on 11.06.2020.
Also, list for appearance of applicant on date fixed.

(RISHABH KAPOOR)
DMM-03(Central),THC,Delhi
08.06.2020

11/6/20.

Pr:- None for applicant.
Reply not received.

Issue fresh notice to SHO/IO for 15/6/20


Prigya Gupta
DMM-Central /THC
11/6/20

Times Infra Vs. Falcon Realty Services and Ors.
CC No. 539468/16

11.06.2020

This is application u/s 70 (2) CrPC for cancellation / stay of NBWs / proceedings u/s 82 CrPC through video conferencing.


Present: Ld. Counsel for applicant is appearing through VC.

Accused is absent.

File has not been placed before the undersigned in compliance of previous order. Let concerned Ahlmad be called with main file on 12.06.2020.

Ld. Counsel for applicant has been informed about the date

Accused shall also appear through VC on date fixed.


(PRIGYA GUPTA)
Duty MM/Central/THC/Delhi/11.06.2020

Dimple
10/6/2020

f
10/6/2020

FIR No. 130/20
PS Nabi Karim

11.06.2020

This is application for calling report from IO / SHO through video conferencing.

Present: None for the state.

Ld. Counsel for applicant is appearing through VC.

Report perused. As per the report, mobile phone has already been released to the applicant i.e. Vikas.

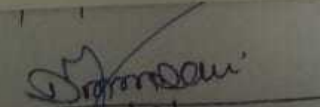
Ld. Counsel for applicant submits that the mobile phone has already been released and he intends to withdraw the present application.

As mobile phone has already been released and Ld. Counsel for applicant intends to withdraw the present application, the present application becomes infructuous and is accordingly disposed off.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020


10/6/2020

FIR No. 113/20
PS Nabi Karim
State Vs. Rahul and Anr.

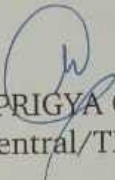
11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Put up for consideration on 15.06.2020.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 89/20
PS Nabi Karim
State Vs. Dheeraj

11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Put up for consideration on 15.06.2020.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 89/20
PS Nabi Karim
State Vs. Dheeraj

11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Put up for consideration on 15.06.2020.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 89/20
PS Nabi Karim
State Vs. Dheeraj

11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Put up for consideration on 15.06.2020.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 170/17
PS Kotwali
State Vs. Naushad Alam and Anr.

11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Put up for consideration on 30.06.2020.



(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 56/20
PS Subzi Mandi
State Vs. Tapender Saud and Ors.

11.06.2020

Present: None for the state.

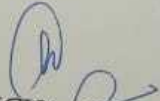
IO / SI Puneet Bharti in person.

An application has been moved by the IO for issuance of NBWs against the accused Tapender Saud, Padam Bhadur Shah, Khagender Khetri @ Jagat and Parwati.

It is submitted that the efforts were made to trace persons Tapender Saud, Padam Bhadur Shah, Khagender Khetri @ Jagat and Parwati but in vain.

It appears that accused persons are deliberately not appearing before the IO. Issue NBWs against all the accused persons namely Tapender Saud, Padam Bhadur Shah, Khagender Khetri @ Jagat and Parwati.

Copy of this order be given dasti.



(PRIGYA GUPTA)
Duty MM/Central/THC/Delhi/11.06.2020

FIR No. 132/20
PS Burari
State Vs. Ankit Kumar

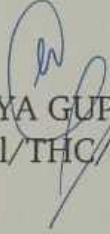
11.06.2020

Fresh charge-sheet filed. It be checked and registered.

Present: Ld. APP for the state.

IO in person.

Be put up before Ld. ASJ (POCSO) on 15.06.2020.


(PRIGYA GUPTA)

Duty MM/Central/THC/Delhi/11.06.2020