

30.07.2020

**Through Video conferencing at 11:20 am.**

*This is an application for releasing article i.e mobile phone.*

Present : Ld. APP for the State.

Sh. Alok Gupta, Ld. Counsel for the applicant Mukesh Kumar Panchal joined through

Cisco Webex.

IO has filed his reply. Copy of same supplied to Ld. Counsel electronically.

Instead of releasing the articles on superdari, this Court is of the view that the articles 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 :-

"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 **Hon'ble High Court of Delhi**, article in question i.e. mobile phone be released to the applicant on furnishing security bond as per valuation report of the article and after preparation of panchnama and taking photographs of article including IMEI number as per directions of **Hon'ble High of Delhi** in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of **Hon'ble High Court of Delhi**. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

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

(MANOJ KUMAR)

MM-06/THC/Central/30.07.2020

30.07.2020

*This is an application for releasing article i.e mobile phone.*

Present : Ld. APP for the State.  
Applicant Avinash Kumar in person.  
IO has filed his reply. Same is taken on record.

Instead of releasing the articles on superdari, this Court is of the view that the articles 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 : -

"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 **Hon'ble High Court of Delhi**, article in question i.e. mobile phone be released to the applicant on furnishing security bond as per valuation report of the article and after preparation of panchnama and taking photographs of article including IMEI number as per directions of **Hon'ble High of Delhi** in above cited paragraphs. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of **Hon'ble High Court of Delhi**. Panchnama, photographs, valuation report and security bond shall be filed along-with final report.

One copy of order be uploaded on Delhi District Court website. Dasti copy of order be given as prayed for. The printout of the application, reply and the order be kept for records.

(MANOJ KUMAR)  
Duty MM/THC/Central/30.07.2020

FIR No. 121/20

PS – Sadar Bazar

CIS No.3371/20

30.07.2020

*This is fresh charge-sheet filed. It be checked and registered.*

Present : Ld. APP for the State.

None.

Be put up for consideration on charge-sheet on 13.08.2020.

One copy of order be uploaded on Delhi District Court website.

**(MANOJ KUMAR)**

MM-06/THC/Central/30.07.2020

30.07.2020

Through Video conferencing at 11:30 am.

Present : Ld. APP for the State.

Sh. D.K. Sareen, Ld. Counsel for the applicant/accused Seema joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and she is in JC. Ld. Counsel further argued that applicant/accused is a female and not involved in any other, so lenient view may be taken and she should be granted bail in this matter.

Reply of IO has been filed wherein it has been submitted that applicant/accused was arrested on the spot and case property was recovered from the possession of applicant/accused. Therefore, she should not be granted bail in this matter.

Submissions of both sides heard.

Considering that applicant/accused is a female and not involved in any other case, so no purpose would be served by keeping accused behind bars. Therefore, she is admitted to bail subject to furnishing of bail bond and surety bond in the sum of Rs.10,000/- each and subject to the following conditions : -

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

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

(MANOJ KUMAR)

MM-06/THC/Central/30.07.2020

30.07.2020

Through Video conferencing at 11:35 am.

Present : Ld. APP for the State.

Sh. D.K. Sareen, Ld. Counsel for the applicant/accused Meenakshi joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and she is in JC. Ld. Counsel further argued that applicant/accused is a female and not involved in any other, so lenient view may be taken against her and she should be granted bail in this matter.

Reply of IO has been filed wherein it has been submitted that applicant/accused was arrested on the spot and case property was recovered from the possession of applicant/accused. Therefore, she should not be granted bail in this matter.

Submissions of both sides heard.

Considering that applicant/accused is a female and not involved in any other case, so no purpose would be served by keeping accused behind bars. Therefore, she is admitted to bail subject to furnishing of bail bond and surety bond in the sum of Rs.10,000/- each and subject to the following conditions : -

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

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

(MANOJ KUMAR)

MM-06/THC/Central/30.07.2020

30.07.2020 (at 05:05 pm)

Present : Ld. APP for the State.

Accused Umesh Kumar in person along-with Ld. Counsel Sh. Shubham Nagpal.

IO/SI Mahinder with case file in person.

Ld. Counsel for the accused has moved surrender application on behalf of accused. Ld. Counsel submits that he also filed the online application before the concerned Court/Ld. ACMM.

IO submits that accused was declared proclaimed offender in FIR No. 336/19 PS Paharganj by Ms. Shefali Sharma, Ld. ACMM-01 (Central) vide order dated 17.03.2020.

IO has moved an application for grant of permission to interrogate and formal arrest of accused. Application is considered. Allowed. He is granted permission to interrogate the accused for 20 minutes and arrest him, if need be. The application qua surrender of accused stands disposed off.

Be put up after 20 minutes.

(MANOJ KUMAR)

Duty MM/THC/Central/30.07.2020

**After 20 minutes.**

Present : Same as above.

IO has already interrogated and arrested the accused.

At this stage, IO has moved an application for grant of three days PC of the accused

Application perused. Disclosure statement of the accused also perused. Arguments from both the sides heard.

In view of the fact that the police custody is an integral part of the investigation and three days PC is required to trace out the officer of NDMC who may have conspired with the accused, for recovery of Rs.55 lacs, for tracing out the bank account of accused and to find out the place where the forms deposited by the accused, therefore, case for police custody is made out in this matter. Accordingly, application of IO is allowed and he is granted three days PC of the accused.

Contd....2

: 2 :

Accused be produced before the Court on 02.08.2020.

Accused be got medically examined as per *Hon'ble Supreme Court* guidelines. Dasti copy of order be given to IO as prayed for.

  
(**MANOJ KUMAR**)

Duty MM/THC/Central/30.07.2020

FIR No. 015479/20

PS – Burari

30.07.2020

Present : Ld. APP for the State.

Ct. Ankit on behalf of IO.

Correct address of accused furnished.

Let, fresh release warrant be issued on the particulars provided by IO i.e. Danish S/o Sh. Shahid R/o A-867/2, Gali No.20, Part-4, Sonia Vihar, Khajuri Khas, North East Delhi and H.No.B-39, New Seelampur, Delhi.

Miscellaneous papers stands disposed off and be handed over the concerned

Ahlmad.

**(MANOJ KUMAR)**

Duty MM/THC/Central/30.07.2020



FIR No. 06/19

PS – Prasad Nagar

State Vs. Rohit

0.07.2020

resent :

Ld. APP for the State.

ASI Mahipal Singh in person.

Original proceedings perused. The name of accused is Rohit and not Sandeep Kumar. Interim bail bond and surety bond has already been accepted on 25.07.2020 and hereafter, on 28.07.2020. So, accused has already been released from jail.

Necessary intimation be sent to the concerned jail superintendent.

Miscellaneous papers stands disposed off and be handed over the concerned

Ahlmad.

One copy of order be uploaded on Delhi District Court website.

(MANOJ KUMAR)

Duty MM/THC/Central/30.07.2020

DD No. 02A dated 30.07.2020 PS Lahori Gate

Σ - FIR No. 279/20 of PS Subzi Mandi

30.07.2020 (at 05:10 pm)

Present : Ld. APP for the State.

IO/ASI Surender in FIR No. 279/20 of PS Subzi Mandi

ASI Sunil Kumar of DD No. 02A dated 30.07.2020 PS Lahori Gate.

Accused Ashraf Ali @ Bappi and Kalu produced in kalandara under Section  
DD No. 02A dated 30.07.2020 PS Lahori Gate.

No LAC is available.

MLCs and arrest memos perused. This Court is satisfied with the arrest made  
by IO in this matter.

IO has moved an application for grant of permission to interrogate and formal  
arrest of accused persons. Application is considered. Allowed. He is granted permission to  
interrogate the accused persons for 30 minutes and arrest them, if need be.

(MANOJ KUMAR)

Duty MM/THC/Central/30.07.2020

**After 30 minutes.**

Present : Same as above.

IO/ASI Surender has already interrogated and arrested the accused.

Now, IO/ASI Surender has moved an application for grant of 14 days JC of  
the accused persons.

Considering the gravity of the offence, application of IO is allowed. Accused  
persons are sent to JC till 13.08.2020.

The kalandara under Section 41.1 (d) stands disposed off and handed over to  
IO/ASI Surender to be attached with the main challan/final report of his FIR. Dasti copy of  
order be given to IO and ASI Sunil Kumar as prayed for.

(MANOJ KUMAR)

Duty MM/THC/Central/30.07.2020

30.07.2020

Through Video conferencing at 11:45 am.

Present : Ld. APP for the State.

Sh. S.P. Sharma, Ld. Counsel for the applicant/accused Darshan @ Davinder joined through Cisco Webex.

This is an application under Section 437 Cr. PC for grant of bail of applicant/accused wherein it has been submitted that applicant/accused has been falsely implicated and he got arrested on 27.07.2020. Ld. Counsel argued that applicant/accused is young man of 23 years of age. He further argued that he moved an application before the Court of Sh. Deepak Dabas, Ld. ASJ. Therefore, he should be granted bail in this matter.

Reply of IO has been filed wherein it has been submitted that one country made pistol and one live cartridge were recovered from the possession of applicant/accused and he is involved in one another FIR bearing No.283/18.

Submissions of both sides heard.

Considering that recovery has already been effected and applicant/accused is a young man of 23 years of age, so no purpose would be served by keeping accused behind bars. Therefore, he is admitted to bail subject to furnishing of bail bond and surety bond in the sum of Rs.30,000/- each and subject to the following conditions :-

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

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

(MANOJ KUMAR)

MM-06/THC/Central/30.07.2020