

FIR No. 521/20  
PS Miyanwali Nagar  
U/s 392/411/34 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : None.

These are two applications of the same accused namely Manish @ Golu for calling the status report from Jail Superintendent.

Common reply received from Jail Superintendent where it is stated that accused could not be released from jail because as per the release warrant PS is mentioned as Paschim Vihar while in the order-sheet PS is mentioned as Miyanwali Nagar.

In view of the same, IO is directed to join the proceedings through VC on 19.07.2020. Counsel is also directed to join the proceedings.

(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

(Advocate)  
Mob:- 9719105040

FIR No. 616/20  
PS Khyala  
U/s 307 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

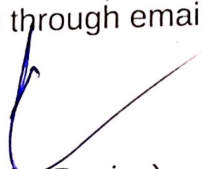
Present : Ld. APP for the State.

None for accused.

As per report of Reader of the Court, mobile phone of the counsel for accused is switched off.

Put up on 22.07.2020 for arguments on the maintainability of the present bail application.

Counsel be informed through whatsapp as well as through email.

  
(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

FIR No. 132/20  
PS Anand Parbat  
U/s 147/148/149/436/34 IPC & 25/54/59 Arms Act.

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Ld. Counsel for accused.

Heard. Application and reply perused.

At this stage, ld. Counsel for accused wants to withdraw the present bail application. Heard. Allowed.

Accordingly, same stands dismissed as withdrawn.

(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

IN THE COURT OF METROPOLITAN MAGISTRATE  
WEST DISTRICT, TIS HAZARI COURT, DELHI  
Presided by : Shri Ajay Singh Parihar

FIR No. 0512/2020  
PS : Rajouri Garden  
U/s 25/54/59 IPC

04.07.2020

Present : Ld. APP for the State.

None for the applicant/accused.

Reply filed.


List the matter for consideration on 17.07.2020.

(AJAY SINGH PARIHAR)  
Duty MM, West Dist, THC, Delhi  
04.07.2020.

17/7/20

Pr. Ld. APP for State  
None for applicant.

Reply received however, same is found  
unreliable. Therefore, D is directed to join the  
proceedings on 21/07/20 at 12.30 PM.

  
D.M.M. E/W/ Delhi  
17/07/20

FIR No. 0074/20  
PS Hari Nagar  
U/s 379 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

None for applicant.

IO through VC.

It is informed by the IO that case property has already been released to the rightful owner.

Accordingly, present application stands dismissed being infructuous.

(Babita Puniya)  
Duty MM-IA/West/Delhi  
17.07.2020

Delhi  
Dt. 16.07.20

Applicant  
Rajna Khatun s/o Mohd Zakir H  
R/o BE 332 Hari Nagar  
Mayapuri Delhi 64

17/07/20.

Pr. - None.

Report not filed.

Let the same be called on 19/7/2020.

DMM-I/W/DDLW  
17/07/2020

**FIR No.512/2020**  
**U/s 356/379/34 IPC**  
**PS Khyala**  
**State Vs. Sharukh Khan**

13.07.2020

Present: None.

Report not received.

Let fresh report be called from IO/SHO concerned on  
**17.07.2020.**




(Aakanksha)

**Duty MM/West/Delhi/13.07.2020**

17/07/20

Ps. Ld. APP for State.  
None for applicant  
Report not received.  
Let same be called on 19/07/2020.

  
O.M.M.-E/W/Delhi  
17/07/20



E-FIR No. 001194/19  
PS Paschim Vihar  
U/s 379 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

None for applicant.

Reply not received from the IO.

Let the same be called for 21.07.2020.



(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

FIR No. 131/2020  
PS Paschim Vihar West  
U/s 25 Arms Act  
State Vs. Sunil @ Rahul

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

None for applicant.

Status report not filed.

Let the same be called for 19.07.2020.



(Babita Puniya)  
MM-06/W/Delhi  
17.07.2020

FIR No. 213/19  
PS Khyala  
U/s 308/341/506 IPC & 25/27/54 Arms Act.

16.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State through VC.

None for applicant/accused.

No report received from Jail Superintendent concerned.

Let the same be called for 17.07.2020.

(Babita Puniya)  
Duty MM-I/West/Delhi  
16.07.2020

17/07/20

Pr. Ld. App for the State.

None for applicant.

No report received from Jail Superintendent.

Let the same be called for 18/7/2020

DMM-I/W/Del

17/7/2020

FIR No. 007175  
PS Nangloi  
U/s 379 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Ld. Counsel for applicant through VC.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **vehicle bearing no. DL4S CP 3354** on Superdari.

Reply filed and perused. As per reply, IO has no objection, if the vehicle is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the Hon'ble **Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat (A.I.R.2003 S.C.638)** and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **vehicle bearing no. DL4S CP 3354** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let vehicle be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc.

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

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State**.

However, the rightful owner/registered owner is directed not to dispose of the **vehicle** without prior permission of the court.

The applications stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

(Babita Puniya)  
MM-06/W/Delhi  
17.07.2020

FIR No. 238/2020  
PS Ranjeet Nagar  
U/s 379/356/411 IPC

15.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State through VC.

None for applicant.

Report not filed.

Let the same be called from jail superintendent concerned for

17.07.2020.

(Babita Puniya)  
Duty MM-II/West/Delhi  
15.07.2020

7/2020

Ld. APP for the State.

None for applicant.

No report filed

Let the same be called from Jail Superintendent concerned for 18/07/2020.

DMM-I/w/del  
17/7/20

22/07/2020

Coun sel.

FIR No. 015356/2020  
PS Nangloi  
U/s 379 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

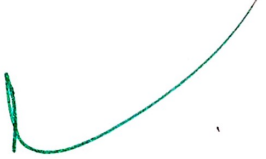
This is an application moved on behalf of applicant seeking release of vehicle no. DL4S BP 0349 on supardari.

Present : Ld. APP for the State.

Sh. Kaptan Singh, Id. Counsel for accused through VC.

Reply filed by the IO perused as per which no such vehicle has been recovered. However, Id. Counsel for application submits that the said vehicle is lying in the malkhana of PS Nihal Vihar.

IO is directed to join the proceedings through VC on 18.07.2020 at 12.30 PM.

  
(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

FIR No. 007750/2018  
PS Niha Vihar  
U/s 379 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.


This is an application moved on behalf of applicant seeking release of vehicle no. DL4S CJ 0812 on supardari.

Present : Ld. APP for the State.

Sh. Gaurav Singhal, Id. Counsel for accused through VC.

Reply filed by the IO perused as per which no such vehicle has been recovered. However, Id. Counsel for application submits that the said vehicle is lying in the malkhana of PS Aman Vihar.

IO is directed to join the proceedings through VC on 18.07.2020 at 12.30 PM.

  
(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

FIR No. 28/2020  
PS Kirti Nagar  
U/s

16.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Accused not produced from JC (through VC).

LAC in person.

IO also not joined the proceedings.

None for complainant.

Jail Superintendent concerned is directed to produce the accused through VC on 29.07.2020 at 11.40 AM.

Complainant/owner of stolen property and IO to also join the proceedings on the said date and time.

  
(Babita Puniya)  
Duty MM-I/West/Delhi  
16.07.2020



FIR No. 055/2020  
PS Mayapuri  
U/s 380 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

None for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **Immersion rods (Peetal)** on Superdari.

Reply filed and perused. As per reply, IO has no objection, if the said mobile is released to the registered owner/rightful owner.

Heard. Applications perused.

Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat** (A.I.R.2003 S.C.638) and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **Immersion rods (Peetal)** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let mobile be released to the rightful owner after preparing detailed panchnama; taking photographs of the same; valuation report; a security bond etc.

The photographs of mobile should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State**.

However, the rightful owner/registered owner is directed not to dispose of the mobile without prior permission of the court.

The applications stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

(Babita Puniya)  
Duty MM-I/West/Delhi

17.07.2020.07.17 13:10

Ex. No. 261/19  
Dolly @ Dimple Vs. Ishant @ Sanjeev  
**New Case No.**


17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

This is an urgent application for taking action against the J.D. for not paying maintenance as per order of the court.

Present : None.

Let the application be sent to the court concerned for consideration for 20.07.2020.



(Babita Puniya)  
Duty MM-I/West/Delhi  
17.07.2020

FIR No. 90/2020  
PS Hari Nagar

16.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Both accused not produced from JC (through VC).

Jail Superintendent concerned is directed to produce the accused through VC on 29.07.2020.

  
(Babita Puniya)  
Duty MM-I/West/Delhi  
16.07.2020





FIR No. 128/2020  
PS Hari Nagar

16.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Accused not produced from JC (through VC).

IO through VC.

Jail Superintendent concerned is directed to produce the accused through VC on 29.07.2020.

(Babita Puniya)  
Duty MM-I/West/Delhi  
16.07.2020



FIR No. 91/19  
PS Rajauri Garden  
U/s 379/356/34 IPC

17.07.2020


District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

None for applicant.

Reply filed by the IO perused wherein it is stated that said vehicle no. DL6S AB 5772 was seized in case FIR no. 100/19 u/s 392/34 IPC registered at PS Rajauri Garden and said vehicle has already been released to the authorized owner vide court order dated 27.05.2020 passed by Sh. Pankaj Arora, Ld. DMM, West, Tis Hazari Courts, Delhi.

In view of the reply, application stands dismissed being infructuous.

  
(Babita Puniya)  
MM-06/W/Delhi  
17.07.2020



FIR No. 611/20  
PS Paschim Vihar West  
U/s 25/54/59 Arms Act.

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Ld. counsel for the accused.

Reply filed by the IO perused.

This is an application u/s 437 Cr.P.C. seeking grant of bail moved on behalf of accused **Sagar @ Mantri**.

It is submitted on behalf of accused that he is in custody since 25.06.2020 and has been falsely implicated in this case. It is further submitted that recovery has already been effected and accused is no more required for further custodial investigation.

Ld. APP for the State has vehemently opposed the bail application. He stated that investigation is at nascent stage and if the accused is released from JC he will indulge in similar type of activity.

Heard. File perused.

Considering the custody period of accused and the fact that recovery has already been effected, I am of the considered opinion that no useful purpose would be served by keeping the accused behind the bars, therefore, accused is admitted to bail on furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount.

Application stands disposed of accordingly.

(Babita Puniya)  
MM-06/W/Delhi

E-FIR No. 0467/20  
PS Paschim Vihar West  
U/s 379/411 IPC

17.07.2020

District Courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no. R-235/RG/DHC dated 16.05.2020.

Present : Ld. APP for the State.

Ld. counsel for the accused.

Reply filed by the IO perused.

This is an application u/s 437 Cr.P.C. seeking grant of bail moved on behalf of accused **Sagar @ Mantri**.

It is submitted on behalf of accused that he is in custody since 25.06.2020 and has been falsely implicated in this case. It is further submitted that recovery has already been effected and accused is no more required for further custodial investigation.

Ld. APP for the State has vehemently opposed the bail application. He stated that investigation is at nascent stage and if the accused is released from JC he will indulge in similar type of activity.

Heard. File perused.

Considering the custody period of accused and the fact that recovery has already been effected, I am of the considered opinion that no useful purpose would be served by keeping the accused behind the bars, therefore, accused is admitted to bail on furnishing of personal bond in the sum of Rs. 10,000/- with one surety of like amount.

Application stands disposed of accordingly.

(Babita Puniya)  
MM-06/W/Delhi  
17.07.2020

2020.07.17 12:05

Cons

custody period

bail on furnishing

surety of like and

Appl

the charge-sh

**Sunderbhai A**

H

of the mobile w

C

The panchnama  
charge-sheet. IO is a

**Udaybhai Ambalal De**

However, the  
the mobile without prior

The applica

Copy of this



Pritpal Singh vs. Prem Singh & Ors.  
PS Hari Nagar

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Sh. Amish Aggarwal, Ld. Counsel for complainant through VC.

**Court is convened through VC (CISCO Webex).**

Reply not received.

Let reply be called on the next date of hearing.

IO is also directed to join the proceedings through VC on NDOH.

Put up on 29.07.2020 at 11:30 am through VC.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State through VC.  
None for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **vehicle bearing no.DL4S-CL-7873** on Superdari.

Heard. Reply perused.

As per reply, IO has no objection, if the **vehicle bearing no.DL4S-CL-7873** is released to the registered owner/rightful owner.

Heard. Application perused.

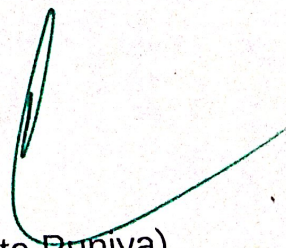
Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat** (A.I.R.2003 S.C.638) and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **vehicle bearing no.DL4S-CL-7873** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let **vehicle bearing no.DL4S-CL-7873** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc.

The photographs of the **vehicle bearing no.DL4S-CL-7873** should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State.**

The application stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

  
(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020



17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State through VC.  
None for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **mobile phone MI-Y2** on Superdari.

Heard. Reply perused.

As per reply, IO has no objection, if the **mobile phone MI-Y2** is released to the registered owner/rightful owner.

Heard. Application perused.

Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat** (A.I.R.2003 S.C.638) and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **mobile phone MI-Y2** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let **mobile phone MI-Y2** be released to the rightful owner after preparing detailed panchnama; taking photographs of the **mobile phone MI-Y2**; valuation report; a security bond etc.

The photographs of the **mobile phone MI-Y2** should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State**.

The application stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State through VC.

Ld. Counsel for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **vehicle bearing no.DL1R-Z-7773** on Superdari.

Heard. Reply perused.

As per reply, IO has no objection, if the **vehicle bearing no.DL1R-Z-7773** is released to the registered owner/rightful owner.

Heard. Application perused.

Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat (A.I.R.2003 S.C.638)** and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **vehicle bearing no.DL1R-Z-7773** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let **vehicle bearing no.DL1R-Z-7773** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc.

The photographs of the **vehicle bearing no.DL1R-Z-7773** should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State**.

However, the rightful owner/registered owner is directed not to dispose of the **vehicle bearing no.DL1R-Z-7773** without prior permission of the court.

The application stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

(Babita Punliya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Ashish

FIR No.69/2020  
PS Anand Parbat  
U/s 392/397/34 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

Sh. A.K. Sharma, Ld. Counsel for applicant through VC.

**Court is convened through VC (CISCO Webex).**

Vide this order, I shall decide the bail application under Section 437 Cr.P.C. filed on behalf of applicant/accused **Ashish**.

Heard. Reply perused.

After hearing Ld. Counsel for the applicant/accused and the Ld. APP for the State and going through the contents of the reply, I am of the considered view that the applicant/accused is not entitled to the concession of regular bail at this stage. Allegations leveled against him are serious in nature. The case is at primary stage of investigation and the apprehension of the prosecution that he may influence the witness and may tamper with evidence cannot be ruled out. Under the circumstances, keeping in view of the nature of the crime alleged and the primary stage of investigation, the bail application is dismissed.

Copy dasti to the Ld. Counsel for the applicant/accused.

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Rohan @ Chotu

FIR No.2673/2020  
PS Hari Nagar  
U/s 379/411 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State through VC.

Sh. Ajesh Kumar Sharma, Ld. counsel for applicant through VC.

**Court is convened through VC (CISCO Webex).**

Report received. Perused.

As per report submitted by Jail Superintendent, accused has already been released from Jail.

In view of the same, application stands disposed of.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

FIR No.11151/2020  
PS Rajouri Garden  
U/s 379 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State through VC.  
Ld. Counsel for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **vehicle bearing no.DL12-SH-3105** on Superdari.

Heard. Reply perused.

As per reply, IO has no objection, if the **vehicle bearing no.DL12-SH-3105** is released to the authorized representative/registered owner.

Heard. Application perused.

Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat (A.I.R.2003 S.C.638)** and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **vehicle bearing no.DL12-SH-3105** can be released to the authorized representative/registered owner, subject to execution of security bonds. Accordingly, let **vehicle bearing no.DL12-SH-3105** be released to the authorized representative/registered owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc.

The photographs of the **vehicle bearing no.DL12-SH-3105** should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State.**

The application stand disposed of accordingly.

Copy of this order be given dasti to the applicant.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Deepak @ Kalu

FIR No.112/2020  
PS Paschim Vihar East  
U/s 25/54/59 Arms Act

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.  
Sh. Pranay Abhishek, Ld. Counsel for applicant.

Vide this order, I shall decide the application filed on behalf of the applicant/accused **Deepak @ Kalu** under section 437 CrPC seeking regular bail.

Reply received.

Application and reply perused.

Perusal of documents reveal that accused is running in JC since 14.04.2020 and challan has already been filed before court. Therefore, I deem it fit to admit the accused **Deepak @ Kalu** on bail on his furnishing a bail bond in the sum of Rs.10,000/- with one sound surety in the like amount to the satisfaction of the Ld. Duty MM/concerned court on the following conditions:-

1. That the accused shall co-operate in the investigation; and
2. That the accused shall not directly or indirectly make any inducement or threat to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer; and
3. That the accused shall not commit an offence similar to the offence of which he is accused or suspected of the commission of which he is suspect; and
4. That he shall not take undue advantage of liberty or misuse the liberty; and
5. That he shall not change his residence without prior permission of this Court; and
6. After filing of charge sheet in the court, the accused shall remain present before the court on each and every date fixed for hearing of the case. If he wants to remain absent, then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent, he shall immediately give intimation to the court and request that he may be permitted to be represented through counsel and he will not dispute the identity of the accused in the case.

**It is made clear that if the accused/applicant commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.**

Any observation made herein shall have no bearing on the merits of the case.

Application stands disposed of accordingly.

Copy of this order be sent to Jail Superintendent, Tihar Jail for compliance/information.

Copy dasti.

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

Sh. Sunil Kumar, Ld. Counsel for applicant through VC.

**Court is convened through VC (CISCO Webex).**

Vide this order, I shall decide the application filed on behalf of the applicant/accused **Arbaj** under section 437 CrPC seeking regular bail.

Reply received.

Application and reply perused.

Perusal of documents reveal that accused is running in JC since 25.06.2020 and recovery has already been effected. Therefore, I deem it fit to admit the accused **Arbaj** on bail on his furnishing a bail bond in the sum of Rs.10,000/- with one sound surety in the like amount to the satisfaction of the Ld. Duty MM/concerned court on the following conditions:-

1. That the accused shall co-operate in the investigation; and
2. That the accused shall not directly or indirectly make any inducement or threat to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer; and
3. That the accused shall not commit an offence similar to the offence of which he is accused or suspected of the commission of which he is suspect; and
4. That he shall not take undue advantage of liberty or misuse the liberty; and
5. That he shall not change his residence without prior permission of this Court; and
6. After filing of charge sheet in the court, the accused shall remain present before the court on each and every date fixed for hearing of the case. If he wants to remain absent, then he shall take prior permission of the court and in case of unavoidable circumstances for remaining absent, he shall immediately give intimation to the court and request that he may be permitted to be represented through counsel and he will not dispute the identity of the accused in the case.

**It is made clear that if the accused/applicant commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.**

Any observation made herein shall have no bearing on the merits of the case.

Application stands disposed of accordingly.

Copy of this order be sent to Jail Superintendent, Tihar Jail for compliance/information.

Copy dasti.

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Amtul & Ors.

FIR No.532/19  
PS Hari Nagar  
U/s 354/506/34 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Fresh challan filed. It be checked and registered as per rules.

Present: Ld. APP for State.

IO in person.

Accused persons are kept in Khana no.12.

Heard. File perused.

Put up for consideration on 15.10.2020 before court concerned.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020



State vs. Ranjeet Kumar & Ors.

FIR No.168/2020  
PS Rajouri Garden  
U/s 20/25/29 NDPS Act

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

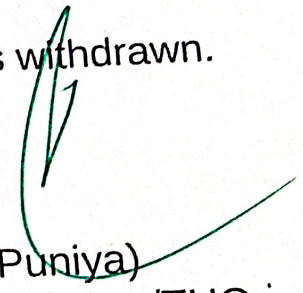
Applicant with proxy counsel through VC.

**Court is convened through VC (CISCO Webex).**

After some arguments, proxy counsel wishes to withdraw the superdari application with liberty to file afresh before appropriate forum.

Heard. Allowed.

In view of the same, application stands dismissed as withdrawn.

  
(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.

Accused produced from JC through VC.

IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, ***shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case,*** and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:

Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding

(i) ninety days----- ;

(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Prashant Vihar u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on 18.07.2020. *14 महीने व ल. क*

(Babita Puniya)

Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.

Accused produced from JC through VC.

IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, ***shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case***, and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:

Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding


(i) ninety days----- ;

(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Kanjhwala u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on 18.07.2020. *through J.C.*

  
(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.  
Accused produced from JC through VC.  
IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, **shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case**, and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:

Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding

(i) ninety days----- ;

(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS K.N.K. Marg u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on 18.07.2020. *in remand u/c.*

*(Signature)*  
(Babita Puniya)

Duty MM-01/West/THC

17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.

Accused produced from JC through VC.

IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, ***shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case***, and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:

Provided that-

(a) the Magistrate may authorize detention of the



accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding

(i) ninety days----- ;

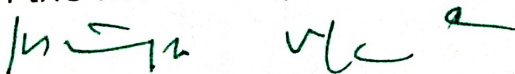
(ii) sixty days-----

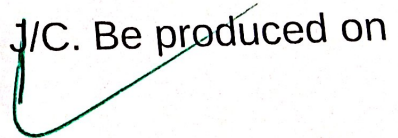
Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Naraina u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on

18.07.2020.





(Babita Puniya)

Duty MM-01/West/THC

17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.

Accused produced from JC through VC.

IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, ***shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case,*** and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:  
Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding


(i) ninety days----- ;


(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Naraina u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on

18.07.2020. 

  
(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.

Accused produced from JC through VC.

IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, **shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case**, and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:  
Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding

(i) ninety days----- ;

(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Bhalswa Dairy u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on

18.07.2020. *In vestige of c*

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for State.  
Accused produced from JC through VC.  
IO is absent.

Despite intimation given to the SHO concerned none has appeared on behalf of the IO/SHO nor case diary is produced before the court. At this stage it would be advantageous to refer to Section 167 Cr.P.C which reads as under:

**167. Procedure when investigation cannot be completed in twenty-four hours.-**

(1) whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 57, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police station or the police officer making the investigation, if he is not below the rank of sub-inspector, ***shall forthwith transmit to the nearest Judicial Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case***, and shall at the same time forward the accused to such Magistrate.

(2) The Magistrate to whom an accused person is forwarded under this section may, whether he has or has no jurisdiction to try the case, from time to time, authorise the detention of the accused in such custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole; and if he has no jurisdiction to try the case or commit it for trial, and considers further detention unnecessary, he may order the accused to be forwarded to a Magistrate having such jurisdiction:  
Provided that-

(a) the Magistrate may authorize detention of the

accused person, otherwise than in custody of the police, beyond the period of fifteen days if he is satisfied that adequate grounds exist for doing so, but no Magistrate shall authorize the detention of the accused person in custody under this paragraph for a total period exceeding

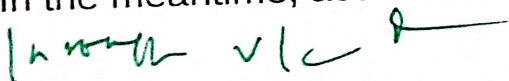
(i) ninety days----- ;

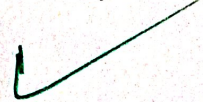
(ii) sixty days-----

Section 167 casts an obligation on the IO to place before the Magistrate the case diary along with remand papers to enable him to decide whether there exist reasonable grounds to commit the accused to custody and extend his remand. In the absence of case diary/case file/material, it is difficult for this court to decide whether there is any justification or necessity for further detention of the accused.

IO has failed to discharge his duties imposed upon him by law. SHO also cannot escape from his responsibility being not only the overall supervisor of the police station but also failed to check and ensure that the case is properly investigated and the procedure laid down in section 167 CrPC has been followed and complied with in letter and spirit by the IO. Hence, issue show cause notice to the IO and SHO, PS Prasad Nagar u/s 60/122 DP Act for 18.07.2020.

In the meantime, accused is remanded to one day J/C. Be produced on

18.07.2020. 



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

Sh. Ajesh Kumar Sharma, Ld. Counsel for applicant through VC.

Court is convened through VC (CISCO Webex).

Vide this order, I shall decide the application filed on behalf of the applicant seeking release of **vehicle bearing no.DL8S-CF-1328** on Superdari.

Heard. Reply perused.

As per reply, IO has no objection, if the **vehicle bearing no.DL8S-CF-1328** is released to the registered owner/rightful owner.

Heard. Application perused.


Having considered all the relevant inputs and having taken note of the decision of the **Hon'ble Supreme Court in Sunderbhai Ambalal Desai V. State of Gujarat** (A.I.R.2003 S.C.638) and **Manjeet Singh Vs. State**, I am satisfied that this will be an eminently fit case where the case property i.e. **vehicle bearing no.DL8S-CF-1328** can be released to the applicant/registered owner/rightful owner, subject to execution of security bonds. Accordingly, let **vehicle bearing no.DL8S-CF-1328** be released to the rightful owner after preparing detailed panchnama; taking photographs of the vehicle; valuation report; a security bond etc.

The photographs of the **vehicle bearing no.DL8S-CF-1328** should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/ valuation report etc. be filed along with the charge-sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai Vs. State of Gujarat & Manjeet Singh Vs. State**.

The application stand disposed of accordingly.

Copy of this order be given dasti to the applicant.

  
(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020



State vs. Kailash

FIR No.665/2020  
PS Khyala  
U/s 33 Delhi Excise Act

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

Sh. Ajesh Kumar Sharma, Ld. Counsel for applicant through VC.

**Court is convened through VC (CISCO Webex).**

It is stated by the Ld. Counsel that applicant/accused has already been released on bail on 16.07.2020.

In view of the same, he wishes to withdraw the present application.

Heard. Allowed.

Accordingly, application stands dismissed as withdrawn.

(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

FIR No.7983/19  
PS Mundka  
U/s 379/411 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

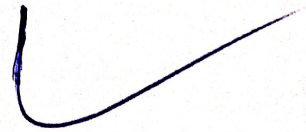
Present: Ld. APP for the State.

Sh. Dhananjay Kumar Jha, Ld. counsel for accused.

Reply received. Perused.

Fresh release warrants be prepared of accused Manish.

Compliance report be called for 18.07.2020 from Jail Superintendent.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Arjun @ Chinki

FIR No.94/2020  
PS Anand Parbat  
U/s 392/34 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lockdown by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

None on behalf of IO.

Despite direction, none has joined the proceedings through VC. Therefore, IO and Ld. Counsel for applicant is directed to join the proceeding through VC on NDOH.

Put up for further proceedings on 18.07.2020 at 01:00 pm.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020

State vs. Mohd. Javed

FIR No.0003996/18  
PS Ranjit Nagar  
U/s 379 IPC

17.07.2020

District courts functioning has been restricted/suspended till 31.07.2020 amid lock-down by the Hon'ble High Court of Delhi, however, courts have been directed to take up the urgent matters vide office order no.R-235/RG/DHC dated 16.05.2020.

Present: Ld. APP for the State.

Heard. Perused.

Despite numerous direction, SHO has not filed reply. Therefore, SHO concerned is directed to join the proceeding through VC on NDOH.

Put up for further proceedings on 18.07.2020 at 01:00 pm.



(Babita Puniya)  
Duty MM-01/West/THC  
17.07.2020