

22.01.2021

*Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.*

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Smt. Shaira Khatoon, applicant/ surety in person.

The present application has been moved on behalf of applicant/ surety Shaira Khatoon seeking release of FDR furnished by her. It is submitted that the present case was disposed off by this Court on 07.12.2019. It is further submitted that convict has expired on 22.03.2020 and applicant, being the wife of convict / surety, seeks the release of FDR placed on record.

Applicant has placed on record the death certificate of convict.

SHO concerned is directed to verify the factum of death of convict and file the report on the next date of hearing.

Put up for consideration on the above said application on 29.01.2021.

One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021

FIR No. 21/20  
PS Sadar Bazar

22.01.2021

***Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.***

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None on behalf of applicant.

Since none has appeared on behalf of applicant, put up for consideration on the present application on **08.02.2021**.

One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/22.01.2021

FIR NO. 035337/19

P.S. Sadar Bazar

22.01.2021

*Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up physically today.*

**This is an application for releasing of vehicle bearing No. DL-10-SS-6297 with permission for disposal / sale filed by applicant.**

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None on behalf of applicant.

Owner of vehicle namely, Karan Kumar s/o Sh. Ram Dass has not appeared before the Court despite service of notice. Let fresh notice be issued to him to appear in person before the Court on **04.02.2021 (physical hearing day)**.

One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



**(SHIVLI TALWAR)**

MM-06(C)/THC/Delhi/22.01.2021

State Vs. Dev  
FIR No. 123/20  
PS Sadar Bazar

22.01.2021

***Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.***

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.  
Sh. Ravinder Kumar Sharma, Ld. Counsel for applicant has joined through V.C. on Cisco Webex.

Report regarding the present whereabouts of victim has been filed by IO in compliance of orders dated 13.01.2021 & 18.01.2021. Same is taken on record.

Copy of same has been supplied to Ld. Counsel for applicant electronically.

Accordingly, the present application stands disposed off.

One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021

**22.01.2021**

Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up physically today.

**This is an application for releasing of mobile make Oppo F5 Youth on superdari filed by applicant Sh. Waseem Khan.**

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.  
Applicant alongwith Id. Counsel Sh. R.K. Sharma.  
IO ASI Chander Shekhar in person.

Reply on behalf of IO filed. Copy of same has been supplied to applicant. As per the reply, it is stated that IO has no objection in releasing the mobile phone **Oppo F5 Youth** to its real owner Waseem as it is no more required for the purpose of investigation.

The applicant has filed an authority letter issued by owner of the mobile phone/ his wife in his favour, authorizing him to appear before this Court on her behalf.

The applicant has filed on record copy of bill of mobile phone which is in the name of Manju Khan w/o Waseem Khan. On query made by this Court, IO submits that he has inadvertently mentioned the name of rightful owner of the mobile phone as Waseem Khan instead of Manju Khan.

The applicant has also filed on record copy of his AADHAR card as well as AADHAR card of his wife Manju Khan, which reflects that she is the wife of the applicant. It is also observed that applicant is the complainant in the present FIR.

Instead of releasing the said mobile on superdari, I am of the considered view that the aforesaid mobile has to be released as per directions of Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638**", which has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State**".

Considering the facts and circumstances and law laid down by higher courts, mobile of make **Oppo F5 Youth** be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the aforesaid mobile. Accordingly, IO is directed to get the valuation done of the mobile phone prior to releasing the same to the applicant, as per directions of Hon'ble Supreme Court. Coloured photographs of the mobile phone be also taken as per rules. Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.

(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/22.01.2021

22.01.2021

Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up today physically.

**This is an application for releasing of battery of vehicle bearing No. DL-1LN-2353 on superdari filed by applicant/ registered owner Sh. Ashok Kumar.**

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Sh. Ashok Kumar, applicant in person with Ld. Counsel, Sh. Naresh Kumar.

Reply filed by the IO. Same is take on record. As per the reply of IO, he has no objection in releasing the abovesaid battery to the applicant as it is stated that the same is no more required for the purpose of investigation.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638.**

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, **battery of vehicle bearing registration No. DL-1LN-2353** be released to the applicant/rightful owner/registered owner on furnishing security bond/indemnity bond as per valuation report of the same. IO is directed to get the valuation done of the battery of above said vehicle prior to releasing the same to the applicant/rightful owner/registered owner as per directions of Hon'ble Supreme Court. Coloured photographs and punchnama of same be conducted as per above mentioned judgments.

Copy of this order be given dasti to the applicant. Punchnama alongwith photographs, valuation report etc shall be filed in the Court alongwith final report. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/22.01.2021

**22.01.2021**

*Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up today physically.*

**This is an application for releasing of mobile make Oppo A53 on superdari filed by applicant/ registered owner Sh. Dhani Ram.**

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Applicant Sh. Dhani Ram in person.

Reply on behalf of IO filed. As per the reply, it is stated that IO has no objection in releasing the mobile phone Oppo A53 to its rightful owner as it is no more required for the purpose of investigation.

The applicant has also filed the copy of bill of mobile phone, which reflects that the applicant is the rightful owner of the said mobile phone.

Instead of releasing the said mobile on superdari, I am of the considered view that the aforesaid mobile has to be released as per directions of Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638**", which has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State**".

Considering the facts and circumstances and law laid down by higher courts, mobile of make **Oppo A53** be released to the applicant on furnishing security bond/indemnity bond as per valuation report of the aforesaid mobile. Accordingly, IO is directed to get the valuation done of the mobile phone prior to releasing the same to the applicant, as per directions of Hon'ble Supreme Court. Coloured photographs of the mobile phone be also taken as per rules.

Copy of this order be given dasti to the applicant. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021

State Vs. Pankaj @ Nonu  
FIR No. 023397/20  
PS Sadar Bazar  
U/s 379/411 IPC

22.01.2021

*Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.*

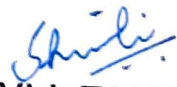
***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Pankaj @ Nonu s/o Sh. Ravi.***

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.  
Sh. S.P. Sharma, Ld. Counsel for applicant/accused.

Reply to the present bail application has been filed. Same is taken on record.

At request of Ld. Counsel for applicant/accused, put up for consideration on the bail application on **25.01.2021 (physical hearing day)**.

One copy of the order be uploaded on Delhi District Court Website.

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021



State Vs. Pankaj @ Nonu  
e-FIR No. 031436/20  
PS Sadar Bazar  
U/s 379/411 IPC

22.01.2021

*Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.*

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Pankaj @ Nonu s/o Sh. Ravi.***

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.  
Sh. S.P. Sharma, Ld. Counsel for applicant/accused.

Reply to the present bail application has been filed. Same is taken on record.

At request of Ld. Counsel for applicant/accused, put up for consideration on the bail application on **25.01.2021 (physical hearing day)**.

One copy of the order be uploaded on Delhi District Court Website.

  
(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021

22.01.2021

*Vide Office Order No. 95/2077-197/DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2021 dated 15.01.2021, the cases are being taken up physically today.*

**This is an application for releasing of vehicle bearing No. HR-26-EC-3728 on superdari filed by applicant/ registered owner Sh. Varun Walia.**

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

Applicant in person.

Reply filed by the IO. Same is take on record. As per the reply of IO, he has no objection in releasing the above said vehicle to the applicant as it is stated that the vehicle in question is no more required for the purpose of investigation.

For the purpose of identity, scanned copy of AADHAR card of applicant is also sent alongwith the application. Applicant has also filed on record a copy of RC as well as insurance policy of vehicle.

Instead of releasing the vehicle on superdari, I am of the considered view that the vehicle has to be released as per directions of Hon'ble Supreme Court in case titled as "**Sunder Bhai Ambalal Desai Vs. State of Gujrat, AIR 2003 SC 638.**

The view of the Hon'ble Supreme Court has been reiterated by Hon'ble High Court of Delhi in case titled as "**Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014.**

Considering the facts and circumstances and law laid down by higher courts, vehicle bearing registration No. **HR-26-EC-3728** be released to the applicant/rightful owner/registered owner on furnishing security bond/indemnity bond as per valuation report of the vehicle. IO is directed to get the valuation done of the vehicle prior to releasing the same to the applicant/rightful owner/registered owner as per directions of Hon'ble Supreme Court. Coloured photographs and punchnama of vehicle in question be conducted as per above mentioned judgments.

Copy of this order be given dasti to the applicant. Punchnama alongwith photographs, valuation report etc shall be filed in the Court alongwith final report. One copy of order be uploaded on CIS. Copy of order be also sent to the e-mail of SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant/applicant.



(SHIVLI TALWAR)

MM-06(C)/THC/Delhi/22.01.2021

State Vs. Shankar & Ors.  
FIR No: 434/2015  
PS Civil Lines  
U/s 186/353/332/34 IPC

22.01.2021

*Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.*

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.  
Process server HC Ajay Kumar in person.

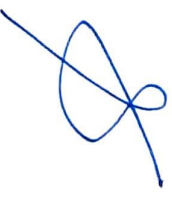
Statement of Process Server HC Ajay Kumar who executed the process u/s 82 Cr.P.C. against all four accused persons namely, Shankar, Prithvi, Shaheen Praveen and Pawan is recorded. I have perused the reports and also considered the statement of process server. I am satisfied that the process u/s 82 Cr.P.C. has been duly executed as per law against accused persons namely, Shankar, Prithvi, Shaheen Praveen and Pawan but the accused persons are concealing themselves and evading process of law.

Hence, application moved by the IO concerned stands allowed.

In these circumstances, accused persons namely, Shankar, Prithvi, Shaheen Praveen and Pawan are declared as Proclaimed Persons u/s 82 Cr.P.C. Intimation be sent to concerned PS about this fact.

Application stands disposed of accordingly.

Copy of this order be given dasiti to IO.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/22.01.2021

FIR No. 196/04, 176/03, 356/03, 308/03, 346/02, 351/02, 347/02 & 360/04  
PS Civil Lines

22.01.2021

*Vide Office Order No.95/2077-197 DJ(HQ)/Covid Lockdown/ Physical Courts Roster/ 2020 dated 15.01.2021, matters are taken up today physically.*

***These are applications seeking permission for disposal of case property.***

Present : Sh. Pankaj Gulia, Ld. Substitute APP for the State.

None on behalf of IO.

Since none on behalf of IO has appeared before the Court, the above said applications be put up for consideration on **16.02.2021.**

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



**(SHIVLI TALWAR)**

**MM-06(C)/THC/Delhi/22.01.2021**