

18.01.2021

*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 through Video Conferencing today.*

**This is an application for releasing of vehicle bearing No. HR-35-H-1192 on superdari filed by applicant/ registered owner Sh. Ghanshyam Dutt.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State through V.C.

Ms. Divya, proxy counsel for the applicant has joined through V.C.

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

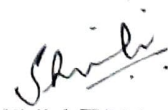
For the purpose of identity, scanned copy of AADHAR card of applicant is also sent alongwith the application.

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-35-H-1192** 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/18.01.2021

**18.01.2021**

*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 through Video Conferencing today.*

**This is an application for releasing of mobile on superdari filed by applicant/ registered owner Sh. Vikas Mishra.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for State (through V.C.).

Applicant has joined through V.C.

Reply on behalf of IO filed electronically. Copy of same has been sent to applicant. As per the reply, it is stated that IO has no objection in releasing the mobile phone to the applicant as it is no more required for the purpose of investigation.

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 phone in question 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/18.01.2021

State Vs. Rajesh Dass & Ors.  
PS Sadar Bazar

**18.01.2021**

*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 through Video Conferencing today.*

**Joined through Video Conferencing on Cisco Webex.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Sh. Purushottam, Ld. Counsel for applicant has joined through V.C.

An application for calling of status report has been filed on behalf of the applicant.

At this stage, Ld. Counsel for applicant wants to withdraw the present application.

Heard. Request stands allowed. At request of Ld. Counsel for applicant, the present application stands dismissed as withdrawn.

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.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/18.01.2021



State Vs. Dev  
FIR No. 0123/20  
PS Sadar Bazar  
U/s 363 IPC

**18.01.2021**

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 through Video Conferencing today.

Joined through Video Conferencing on Cisco Webex.

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Mr. Ravinder Kumar Sharma, Ld. Counsel for applicant has joined through V.C.

Report has not been filed by IO/ SHO concerned in compliance of previous order.

Let notice be issued to IO/ SHO concerned to file report regarding the present whereabouts of victim Laxmi on 22.01.2021.

Ahlmad is directed to send a copy of this order alongwith order dated 13.01.2021 to the IO alongwith the notice for compliance.

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.

  
(SHIWLI TALWAR)  
MM-06(C)/THC/Delhi/18.01.2021

FIR No. 21/20  
PS Sadar Bazar

**18.01.2021**

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 through Video Conferencing today.

**Joined through Video Conferencing on Cisco Webex.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Mr. Sunil Gautam, Ld. Counsel for applicant has joined through  
V.C.

At request of Ld. Counsel for applicant, put up for consideration on  
**22.01.2021.**

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/18.01.2021

e-FIR No. 000400/19  
PS Sadar Bazar

**18.01.2021**

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 through Video Conferencing today.

**Joined through Video Conferencing on Cisco Webex.**

Present : Sh. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Complainant Sh. Feroz Ahmed in person.

Perusal of record reveals that untrace report in the present matter has been filed on 17.12.2020 and the next date of hearing is 16.03.2021.

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/18.01.2021

State Vs. Sunita & Others  
FIR No. 245/17  
PS Civil Lines

**18.01.2021**

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 through Video Conferencing today.

**Joined through Video Conferencing on Cisco Webex.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Mr. Nikhil Malhotra, Ld. Counsel for complainant has joined through  
V.C.

Status report filed by the IO concerned electronically. Copy of the same has been supplied to Ld. Counsel for the complainant electronically. Perusal of report reveals that IO seeks some more time to conclude the investigation.

In view of same, let fresh notice be issued to IO / SHO concerned with direction to expedite the investigation and file the report on **05.02.2021**.

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/18.01.2021



State Vs. Gulzar Khan  
FIR No. 191/12  
PS Civil Lines

**18.01.2021**

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 through Video Conferencing today.

**Joined through Video Conferencing on Cisco Webex.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Accused Gulzar Khan produced from SCJ-3 through V.C.  
SI Rohit No. D-4873, Special Cell, Lodhi Colony has also joined  
through V.C.

At request of accused Gulzar Khan, Ld. LAC Sh. Vikas Agrawal has  
been appointed for him.

SI Rohit submits that Kalandara in which accused was arrested was  
submitted by him before the Court of the then Ld. CMM, Sh. Purushottam  
Pathak, Patiala House Court on 03.05.2020.

Accordingly, issue notice to the concerned Ahlmad to produce record  
of DD No. 03A dated 03.05.2020 u/s 41.1 Cr.P.C. PS Special Cell before this  
Court on the next date of hearing.

Put up for **28.01.2021.**



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/18.01.2021



**18.01.2021**

State Vs. Surraj  
FIR No. 74/19  
PS Civil Lines

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 through Video Conferencing today.

**None has joined through Video Conferencing on Cisco Webex.**

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).

None on behalf of applicant/ surety has joined through V.C.

An application for withdrawal of surety has been filed on behalf of applicant/surety by Ld. Counsel.

Put up for consideration on the above said application on **30.01.2021.**

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.



(SHIVLI TALWAR)  
MM-06(C)/THC/Delhi/18.01.2021

**18.01.2021**

*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 through Video Conferencing today.*

**Joined through Video Conferencing on Cisco Webex.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Mohit s/o Sh. Kamal Jeet.***

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Mr. Vikas Agrawal, Ld. LAC for applicant/accused has joined through V.C.

It is submitted by Ld. LAC for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he is not a previous convict. It is further submitted that the applicant/accused is in J/C since 23.11.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that the applicant/accused is a young boy aged about 19 years. It is further submitted that charge-sheet has already been filed in the present matter. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that the present case was registered on the complaint of complainant Sh. Sagar Dhuria. It is stated by the complainant that someone has stolen Rs. 1,24,000/- from his pitthu bag. During the course of investigation, on 22.11.2020, applicant/accused was arrested in another case and he disclosed about the commission of crime in the present FIR and disclosed that he alongwith co-accused Vikas and one other friend of Vikas had stolen Rs. 1,24,000/- from the bag of a bike rider at Idgah Road, near Banke Birla Masjid, Sadar Bazar, Delhi. It is further stated that a part of stolen amount i.e. Rs. 4000/- was recovered from the possession of applicant/accused. It is further stated that applicant/accused has been previously involved in similar cases.

*Shruti*

Ld. Substitute APP for the State has opposed the bail application on the ground that a part of stolen amount has been recovered from the possession of the applicant/accused. It is further submitted that the entire stolen amount has not been recovered yet and further custody of applicant/accused is required to recover the remaining stolen amount as well as to trace the co-accused Kamal. It is further submitted that the bail application of co-accused Vikas was dismissed by this Court vide order dated 06.01.2020. It is further submitted that applicant/accused has been previously involved in a case of similar nature. Thus, it is prayed that applicant/accused shall not be released on bail.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me.

Applicant/ accused is languishing in J/C since 23.11.2020. Charge-sheet has been filed in the present matter today. Investigation of the case is complete. Applicant/accused is no more required for further custodial interrogation. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 20,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

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

Accordingly, the present application is disposed off. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.

  
(SHWETA TALWAR)  
MM-06(C)/THC/Delhi/18.01.2021



State Vs. Jai Kishan @ Jakki  
FIR No. 165/20  
PS Sadar Bazar  
U/s 392/411/34 IPC

**18.01.2021**

*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 through Video Conferencing today.*

**Joined through Video Conferencing on Cisco Webex.**

***The present application for grant of bail U/s 437 Cr.P.C. has been moved on behalf of applicant/accused Jai Kishan @ Jakki s/o Sh. Laxman.***

Present : Mr. Waqil Ahmed, Ld. Substitute APP for the State (through V.C.).  
Mr. Vikas Agrawal, Ld. LAC for applicant/accused has joined through V.C.

It is submitted by Ld. LAC for applicant/accused that applicant/accused is innocent and has been falsely implicated in the present case. It is further submitted that no recovery has been made from or at the instance of the applicant/accused and the alleged recovery has been planted by the police. It is further submitted that the past antecedents of the applicant/accused are clean and he has not been previously involved in any other case. It is further submitted that the applicant/accused is in J/C since 02.09.2020 and investigation qua him is already complete and he is no more required for any custodial interrogation. It is further submitted that co-accused Rickky has already been granted bail by Ld. Predecessor of this Court vide order dated 03.11.2020. It is further submitted that the charge-sheet has already been filed in the present matter. Therefore, it has been prayed that the applicant/accused be released on bail.

Reply of IO has been filed electronically. Copy of same has been sent to Ld. Counsel for the applicant/accused electronically. Perusal of the same reveals that applicant/accused was apprehended on the identification of the complainant and Rs. 2000/- out of the robbed amount of Rs. 10,000/- was recovered from him.

Ld. Substitute APP for the State has opposed the bail application on





the ground that the allegations against the applicant/accused are grave and serious in nature and a part of robbed amount has been recovered from his possession.

I have given thoughtful consideration to the facts and circumstances of the case and carefully perused the record in light of submissions made before me. Applicant/ accused is languishing in J/C since 02.09.2020. Perusal of previous involvement report of applicant/accused reveals that he is a first time offender. Charge-sheet has been filed in the present matter today. Investigation of the case is complete. Applicant/accused is no more required for further custodial interrogation. Thus, this Court is of the considered view that no fruitful purpose would be served by keeping the accused behind bars. Hence, applicant/accused is admitted to bail subject to furnishing of personal bond in the sum of Rs. 20,000/- with one surety of like amount, to the satisfaction of Id. Duty MM as per prevailing duty roster, subject to the following conditions:-

- 1. That the accused person(s) shall join investigation as and when called.**
- 2. That the accused person(s) shall attend the Court as per conditions of bond to be executed.**
- 3. That the accused person(s) shall not commit similar offence and;**
- 4. That the accused person(s) shall not directly/indirectly induce, give threat, or in any way dissuade the witnesses/persons acquainted with the facts of the case and also shall not tamper with the evidence.**

Accordingly, the present application is disposed off. One copy of the order be uploaded on Delhi District Court Website. Copy of order be also sent to the e-mail of jail superintendent and SHO PS Civil Lines/Sadar Bazar and Ld. Counsel for the applicant.

  
**(SHIVLI TALWAR)**  
**MM-06(C)/THC/Delhi/18.01.2021**