

FIR No. 348/2021
PS : Sarai Rohilla
State Vs. Pankaj Kumar
U/s 376 IPC & 4 POCSO Act

07.06.2021

(Through Video Conferencing)

At 05:50 PM

Present: Ld. APP for State.
Accused Pankaj Kumar S/o Chhuttan Singh produced from
JC.
IO PSI Avanti Rani in person.

Accused Pankaj Kumar S/o Chhuttan Singh has been
produced after two days JC, in pursuance of order dated
05.06.2021 of Ld. Duty MM.
IO PSI Avanti Rani on behalf of PS Sarai Rohilla has moved
an application for 14 days JC of the accused.
Grounds of extension of JC perused, investigation is pending
at nascent stage.
Considering the overall circumstances of the case, accused
Pankaj Kumar S/o Chhuttan Singh is remanded to JC for 14
days. Accused be produced from JC on 20.06.2021.
A copy of this order be treated as custody warrants of the
accused.

CHARU ASI WAL
(Charu Asiwal)
MM-04/Central:
Delhi/07.06.2021

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FIR No. 341/2021
PS Sarai Rohilla
U/S 356/379 IPC
State Vs. Badal S/o Sh. Deepak Kumar

(Through Video Conferencing)

07.06.2021

Application under section 437 Cr.P.C for grant of bail on behalf of accused Badal
S/o Sh. Deepak Kumar

Present: Ld. APP for the State
Sh. Rakesh Kumar, Ld. Counsel for accused.

Ld. Counsel for accused has submitted that accused is in JC since
02.06.2021 and has been falsely implicated in the present case.

However, during the course of arguments, Ld. Counsel has prayed,
that he may be allowed to withdraw the present application.

Heard.

In light of the prayer made, application is allowed to be withdrawn.

Application is disposed of accordingly.

Copy of the order be uploaded on District Court websites by the court
coordinator and also be sent to the counsel for the accused on his email/whatsapp.

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MM-04/Central:
Delhi/07.06.2021

FIR no. 394/2020
PS : Sarai Rohilla
U/s 356/379/411 IPC

07.06.2021

Through Video Conferencing

An application has been moved on behalf of applicant for release of mobile phone make Samsung A-20 on superdari.

Present: Ld. APP for the State.
Applicant Kiran Rani in person.

Arguments heard.

It is submitted by the applicant that she is the rightful owner of the mobile phone make Samsung A-20.

As per report of IO, he has no objection to release of the mobile phone to applicant/ rightful owner on superdari.

Accordingly, in view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014 the mobile phone make Samsung A-20 be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs of mobile phone showing its IMEI number/serial number/make etc and get the said photographs signed by the applicant on their rear. The photographs along with CD shall be filed by IO alongwith final report. IO is further directed to take address proof of the applicant before releasing the mobile phone.

The application is disposed of accordingly. Copy of order be provided to the applicant on whatsapp/email.

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(Charu Asiwali)
MM-04 (Central)
Delhi/07.06.2021

E.FIR No. 000628/2020

PS : Sarai Rohilla

U/s 411 IPC

Stat/e Vs. Nitin Kumar S/o Sh. Kailash Nath

(Through Video Conferencing)

07.06.2021

Application u/s 441 Cr.P.C for releasing applicant/accused Nitin Kumar S/o Kailash Nath on furnishing Personal bond

Present: Ld. APP for the State
Sh. Vaibhav Kumar, Ld. Counsel for accused.

Counsel for applicant/accused has submitted that accused is in JC and granted regular bail vide order dated 01.06.2021, and despite such order, accused has been languishing in prison due to non availability of a surety. Therefore, application for personal bond has been moved.

Heard. Record perused.

Applicant/accused is in JC since 17.12.2020, and after perusal of record it is revealed that the accused was indeed granted bail vide order dated 01.06.2021, but accused could not be released, due to above mentioned reason. In such circumstances, where in accused is languishing in jail for another 6 days after being granted bail, this court while taking a lenient view and in light of the observations made by Hon'ble High Court of Delhi in Ajay Verma v. Govt. of NCT of Delhi, WP (C) 10689/2017, deem it fit to release the accused on personal bond and relax the conditions imposed vide bail order dated 01.06.2021.

Accordingly, accused be released on personal bond in the sum of Rs. 20,000 to the satisfaction of the Jail superintendent concerned, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;
3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;

Accused be released from JC, if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email. In addition a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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(Charu Asiwal)
MM-04/Central:
Delhi/07.06.2021

FIR No. 266/2021
PS : Sarai Rohilla
U/s 457/380/411/34 IPC

07.06.2021

(Through Video Conferencing)

An application has been moved on behalf of applicant for release the two boxes of silver and gold ornaments on superdari.

Present: Ld. APP for the State.
Sh. Vineet Kumar, Ld. Counsel for the applicant.

Submissions heard.

It is submitted by Ld. Counsel for applicant that applicant Vinay Aggarwal is the rightful owner of the abovementioned case property which is no more required for investigation purposes and therefore, the same be released to applicant on superdari. Scan copy of aadhaar card filed by the applicant.

It is submitted that the IO has no objection if the case property (**as mentioned in seizure memo**) be released to applicant who is the rightful owner. In view of observations of Hon'ble High Court of Delhi in 'Manjeet Singh Vs State' (CRL M.C 4485/2013 and CRL.M.A 16055/2013) date of decision 10.09.2014, the case property (**as mentioned in seizure memo**) be released to the applicant to the satisfaction of IO/SHO. The IO/SHO is further directed to take photographs from all angles and get the same signed on the rear by the applicant. The photograph/CD shall be filed alongwith the final report. IO is further directed to take the address proof of the applicant before releasing the case property.

The application is disposed of accordingly. Copy of order be provided dasti too applicant/counsel on whatsapp/email.

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MM-04/Central/THC
07.06.2021

FIR no. 0348/2021
PS : Sarai Rohilla
U/s 376 IPC & 4 POCSO Act.

07.06.2021

Through Video Conferencing

Present: Ld. APP for the State.
IO PSI Avanti Rani in person (MB no. 8860156460)

An application moved for conducting capability/potency test of accused Pankaj Kumar S/o Chhuttan Singh.

Ld. APP submits that capability/potency test is required for providing the case of prosecution during the trial.

Arguments heard.

Application allowed. Accused Pankaj Kumar S/o Chhuttan Singh be taken at Subzi Mandi Mortuary on 08.06.2021 at 11:00 am for capability/potency test. Jail Superintendent is directed to make necessary arrangements. After capability/potency test, accused Pankaj Kumar S/o Chhuttan Singh be sent back from hospital to JC.

Application disposed of accordingly

Copy of the order be given to IO.

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(Charu Asiwali)
MM-04 (Central)
Delhi/07.06.2021

FIR No. 157/2021
PS : Sarai Rohilla
U/s 457/380/411/34 IPC
State Vs. Mohd. Asgar S/o Mohd. Tajumal

(Through Video Conferencing)

07.06.2021

Bail application U/s 437 Cr.P.C on behalf of accused Mohd. Asgar S/o Mohd. Tajumal

Present: Ld. APP for the State
Sh. Ajay Kumar Saini, Ld. LAC for accused.

LAC for accused has submitted that accused is in JC since 01.04.2021 and has been falsely implicated in the present case.

I have heard LAC for accused, Ld. APP for the State and perused the reply.

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

Accused has been running in JC since 01.04.2021. Recovery has already been affected from the accused. No previous involvement has been reported by the IO. Accused is no longer required for custodial interrogation. Furthermore investigation stands completed, as charge-sheet has been filed. I see no reasons to keep the accused confined any longer. Accordingly, accused Mohd. Asgar S/o Mohd. Tajumal be released on bail on furnishing bail bond for a sum of Rs. 10,000/- with one surety of like amount. Accused Mohd. Asgar S/o Mohd. Tajumal be released from JC if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel/LAC for the accused on his email/whatsapp.

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(Charu Asiwali)
MM-04/Central:
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FIR No. 247/2021
PS : Sarai Rohilla
U/s 356/379/411 IPC
Stat/e Vs. Rakesh S/o Padam Bahadur

(Through Video Conferencing)

07.06.2021

Personal bond application on behalf of accused Rakesh S/o Padam Bahadur

Present: Ld. APP for the State
Sh. Puran Kumar, Ld. Counsel for accused.

Counsel for applicant/accused has submitted that accused is in JC and granted regular bail vide order dated 31.05.2021, and despite such order, accused has been languishing in prison due to non availability of a surety. Therefore, application for personal bond has been moved.

Heard. Record perused.

On perusal of record it is revealed that the accused was indeed granted bail vide order dated 31.05.2021, but accused could not be released, due to above mentioned reason. In such circumstances, where in accused is languishing in jail for another 7 days after being granted bail, this court while taking a lenient view and in light of the observations made by Hon'ble High Court of Delhi in Ajay Verma v. Govt. of NCT of Delhi, WP (C) 10689/2017, deem it fit to release the accused on personal bond and relax the conditions imposed vide bail order dated 31.05.2021.

Accordingly, accused be released on personal bond in the sum of Rs. 20,000 to the satisfaction of the Jail superintendent concerned, subject to the following conditions:

1. That he shall not indulge into similar offence or any other offence in the event of release on bail;
2. That he shall not tamper with evidence in any manner;

3. That in case of change of his residential address, he shall intimate the court about the same;
4. That he shall regularly appear before the court on each and every date of hearing;
5. That he shall furnish his contact number and e-mail ID on the personal bail bond to be furnished;

Accused be released from JC, if not required in any other case.

Copy of the order be uploaded on District Court websites by the court coordinator and also be sent to the counsel for the accused on his email. In addition a copy be also sent to concerned Jail Superintendent forthwith, by all possible modes, including electronically.

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(Charu Asiwal)
MM-04/Central:
Delhi/07.06.2021

FIR No. 266/2021
PS : Sarai Rohilla
U/s 457/380/411/34 IPC
State Vs. Shahzad S/o Sh. Kalva

07.06.2021

(Through Video Conferencing)

Present: Ld. APP for the State
Surety Usman Ali alongwith Sh. Naiem Ahmed, Ld. Counsel for
accused.

Bail bonds in the sum of Rs. 10,000/- on behalf of accused Shahzad S/o Sh. Kalva have been furnished. Ld. Counsel for accused as submitted that surety is the real brother of the accused. Verification report perused. Ld. Counsel has submitted that due to lockdown in Delhi, he is not in a position to reach court to submit the original RC in court, he undertakes to submit both the original Bail bonds/surety bonds and RC in the court as soon as the lockdown is lifted.

Considering the above submissions, Bail bonds stands accepted.

This order itself be treated as release warrants for the accused. Let this order be communicated to the Jail Superintendent concerned by all modes, including electronically.

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