State vs. Munna
FIR No. 239/2020
PS: Jyoti Nagar
U/S: 186/353/332/34 IPC, 11A/11D/11E.

30.05.2020

Present: None.

The present superdari application for release of vehicle No. DL-1LAD-2719 has been received through e-mail.

Reply be called from concerned IO for **31.05.2020.**

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Vaibhav Garg
Challan No. MWC-3413-170615-2020
U/S: 196D, 39/192/3/181, 207 MV Act
Veh. No. DL-5SCB-9202

30.05.2020
Present: None.

An application for disposal of challan has been moved. However, the challan is not available with the undersigned nor has any ground for urgency has been mentioned.

Hence, the court does not deem it fit to take up the application being non-urgent matter.

Hence, application is dismissed.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Asad & Ors.
FIR No. 82/2020
PS: Jyoti Nagar
U/S: 457/280/511/34 IPC

30.05.2020

Present: None.

No reply on superdari application received from the IO.

Reply be called from concerned IO, for 31.05.2020.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Alimeen
FIR No. 239/2020
PS: Jyoti Nagar
U/S: 186/353/332/34 IPC, 11A/11D/11E.

30.05.2020
Present: None.

An application was received through e-mail for release of jamatalashi articles to accused/applicant Alimeen.

Jamatalashi articles as per personal search memo be released to the rightful claimant/owner subject to condition that no case property be released without any direction from the court and if they are not required for the purpose of investigation.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Sahab @ Pallu
FIR No. 239/2020
PS: Jyoti Nagar
U/S: 186/353/332/34 IPC, 11A/11D/11E.

30.05.2020

Present: None.

An application was received through e-mail for release of jamatalashi articles to accused/applicant Sahab @ Pallu.

Jamatalashi articles as per personal search memo be released to the rightful claimant/owner subject to condition that no case property be released without any direction from the court and if they are not required for the purpose of investigation.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Lakshya
FIR No. 107/2020
PS: Farsh Bazar
U/S: 356/379 IPC

30.05.2020
Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-14SK-2380 on superdari.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-14SK-2380 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. IO is directed to file objections if any and will be at liberty to retain the vehicle for the purpose of investigation/verification.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of order be given dasti to applicant as prayed for.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Manoj Mandal,
FIR No. 94/2020
PS: Vivek Vihar
U/S: 25 Arms Act

30.05.2020

This is bail application filed u/s 437 Cr.P.C on behalf of the accused/applicant **Manoj Mandal, S/o Sh. Kishan Mandal.**

Present: Ld. APP for the State (Through WebEx.).

Reply from IO has been received. As per the reply, the charge-sheet has been filed on 14.05.2020.

Bail application is opposed by the Ld. APP for the State.

The charge-sheet in this case has already been filed and the investigation is complete. The trial in this case is not likely to conclude in near future. Hence, ground for bail is made out. Reliance is placed upon the case titled **Chenna Boyanna Krihna Yadav v. State of Maharashtra, (2007) 1 SCC 242,** wherein the Supreme Court observed that the period of incarceration and the fact that the trial is not likely to be concluded in the near future, may be taken into consideration while granting bail.

Accordingly, the accused/applicant **Manoj Mandal, S/o Sh. Kishan Mandal** is admitted to bail on his furnishing bail bond in the sum of Rs.15,000/- with one surety in the like amount on the following conditions:

a) 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.

Contd...2/-

b) 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.

Application stands disposed off.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

Urgent DV application

Complainant Case No.2717/19
Richa Satija vs. Arun Satija & Ors.
PS: Vivek Vihar

30.05.2020

Present: None.

No report from protection officer received. As per the application, the next date is fixed as 27.06.2020.

The application is marked to the concerned Mahila Court for disposal for 02.06.2020.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Pradeep Mandal
FIR No. 251/19
PS: Jagatpuri
U/S: 420 IPC

30.05.2020

Present: None.

An application was received through e-mail for release of jamatalashi articles to accused/applicant Pradeep Mandal.

Reply has been received from IO that the articles seized from the accused are case property. Hence, Jamatalashi articles as per personal search memo be released to the rightful claimant/owner subject to condition that no case property be released without any direction from the court and if they are not required for the purpose of investigation.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Suraj Singh, S/o Sh. Ranjeet Singh
E-FIR No. 010886/20
PS: Jagat Puri
U/S: 379/411 IPC

30.05.2020

This is bail application filed u/s 437 Cr.P.C on behalf of the accused/applicant Suraj Singh.

Present: Ld. APP for the State (Through WebEx).
Ld. Counsel for the accused in person.

Ld. Counsel for the applicant/accused has submitted that accused is in JC since 16.05.2020. Ld. Counsel for the accused submits that accused has been falsely implicated in the present case. It is further submitted by the counsel for the accused that accused shall abide by terms and conditions of bail, if the present application is allowed.

Reply filed by the IO through e-mail. Perused.

Bail application is opposed by the Ld. APP for the State.

In ***Sonia Sehrawat v. Praveen Sehrawat***, decided on 01.08.2016, CrL. M.C. No. 4210/2015, Hon'ble Delhi High Court has held as below:-

"6. Even otherwise, it is a trite law that denial of bail is not to ensure a pre-trial detention. In cases, where there is no apprehension of the accused absconding, fleeing away from justice and tampering with the evidence, bail is required to be granted as a rule. In the decision of the Supreme Court reported as (2012) 1 Supreme Court Cases 40 Sanjay Chandra Vs. Central Bureau of Investigation, it was held:- "22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any

Contd....2/-

matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances. 23. Apart from the question of prevention being the object of refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and it would be improper for any court to refuse bail as a mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson."

In view of the submissions and legal position, it is clear that the object of bail is not punitive or preventive. Rather, it is a pre-trial incarceration which is looked down upon by the law. Coming to the facts of the case, considering that recovery has already been effected in the present case and investigation is almost complete. I am of the opinion that ground for grant for bail is made out.

Accordingly, the accused/applicant is admitted to bail on his furnishing bail bond in the sum of Rs.15,000/- with one surety in the like amount on the following conditions:

a) 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.

b) 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.

Application stands disposed off.

Contd....3/-

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Unknown
E-FIR No. 002340/2020
PS:Anand Vihar
U/S: 379 IPC

30.05.2020
Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-5SBY-2398 on superdari.

This court is of the view that the application can be decided henceforth without hearing any arguments, in view of the judgment of Hon'ble High Court of Delhi in Manjeet Singh vs State 214 (2014) DLT 646.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-5SBY-2398 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. IO is directed to file objections if any.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

Applicant : Sh. Mahendra Verma, S/o Sh. S.R. Verma
FIR No. 432/2020
PS: Madhu Vihar
U/S: 379/356/411/34 IPC

30.05.2020
Present: None.

An application has been moved on behalf of applicant to release the case property i.e. Mobile Phone having IMEI No.354055090723855 & 354055090723853 and Make Samsung Galaxy on superdari, thorugh e-mail.

Arguments dispensed with as IO has no objection to release the mobile phone.

In view of above-mentioned facts, the case property i.e. Mobile Phone having IMEI No.354055090723855 & 354055090723853 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Gaurav Chaudhary
FIR No. 0126/2020
PS: Seemapuri
U/S: 279/337 IPC
30.05.2020
Present: Ld. Counsel for the applicant (Through WebEx).

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. UP-14CU-8943 on superdari.

Submissions heard.

In view of above-mentioned, the case property i.e. vehicle bearing no. UP-14CU-8943 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. However, the IO will be at liberty to retain the vehicle and direct the registered owner to approach the court if the vehicle is not found to be insured. **It is clarified that the vehicle has to be released only if the vehicle is found to be insured at the time of the accident.**

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Not Known
Applicant: Sh. Lokesh Verma
FIR No. 009481/20
PS: Seemapuri
U/S: 379 IPC

30.05.2020
Present: Ld. Counsel for the applicant (Through WebEx).

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-5SBP-2274 on superdari.

Submissions heard.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-5SBP-2274 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested. IO is directed to file objections if any.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Unknown
FIR No. 010879/20
PS: Farsh Bazar
U/S: 379 IPC

30.05.2020
Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-5SBY-8178 on superdari through e-mail.

Reply of IO perused. Arguments dispensed with as IO has filed no objection to release the vehicle.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-5SBY-8178 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Unknown
FIR No. 000651/19
PS: Farsh Bazar
U/S: 379 IPC

30.05.2020

Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-12S-7973 on superdari through e-mail.

Reply of IO perused. Arguments dispensed with as IO has no objection to release the vehicle.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-12S-7973 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Manoj Jain, S/o Sh. Vakeel Chand Jain
Challan No. 169070 dt. 06.04.20
PS: Farsh Bazar
U/S: 39/192/177/3/181/146/196 MV Act
Veh. No. DL-5SBX-5314

30.05.2020

Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-5SBX-5314 on superdari through e-mail.

Reply of IO perused. Arguments dispensed with as IO has not stated that vehicle is required for the purpose of investigation.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-5SBX-5314 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Vineet
FIR No. 138/2020
PS: GTB Enclave
U/S: 356/379/411/34 IPC

30.05.2020
Present: None.

An application has been moved on behalf of applicant to release the case property i.e. vehicle bearing no. DL-5SCK-1487 on superdari through e-mail.

Reply of IO perused.

In view of above-mentioned, the case property i.e. vehicle bearing no. DL-5SCK-1487 be released to the applicant/rightful owner after verification of his ownership and on preparing the panchnama in terms of judgment of Manjeet Singh vs State 214 (2014) DLT 646 for the purpose of secondary evidence and obtained the signatures of accused, if arrested.

All the formalities prescribed in judgement of Manjeet Singh vs. State be strictly complied with.

Panchnama alongwith photographs/CD as well as negative of the photographs be filed alongwith charge-sheet.

The application stands disposed off accordingly.

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020

State vs. Nitin Singh Thakur
FIR No. 172/2020
PS: Madhu Vihar
U/S: 384/386/379/120B/170/411/34 IPC

30.05.2020

Present: None.

The present bail application has been received through e-mail.

Reply be called from concerned IO for **01.06.2020.**

Copy of the order be sent to the Computer Branch for uploading the same on the website. Copy of the order be also sent to the A.O. (Judicial), who shall supply the same to the parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. District & Sessions Judge, Shahdara District, Karkardooma Courts, Delhi.

(Prayank Nayak)
Duty MM/Shahdara/KKD/Delhi
30.05.2020