

SC 77/2026
STATE Vs. SATENDRA SINGH AND ORS.
FIR No. 271/2025
PS Vasant Kunj South

19.05.2026

This is an application for release of mobile phone containing SIM card on superdari moved on behalf of accused/applicant Anil Kumar.

Present: Sh. Rajesh Kumar, Ld. Addl. PP for the State.
Sh. Saurabh Agarwal and Ms. Shivani, Id. Counsels for
accused/applicant alongwith accused/applicant.

Reply to the application filed by IO wherein it is submitted that Samsung A-14 mobile phone was seized from the possession of aaccused/applicant Anil Kumar. However, A6 Purple colour mobile phone as mentioned in the application has not been recovered from the possession of accused/applicant.

It is orally submitted on behalf of accused/applicant that inadvertently mobile phone make Samsung bearing Model No. A6, Purple Black has been mentioned in the application, however, the model No. A14.

Submissions heard. Record perused.

Instead of releasing the article on superdari, I am of the considered view that the article 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 Delhi High Court in case titled as

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Manjit Singh Vs. State in Crl. M.C. No. 4485/2013 dated 10.09.2014

wherein it has been held that

“59. The valuable articles seized by the police may be released to the person, who, in the opinion of the court, is lawfully entitled to claim such as the complainant at whose house theft, robbery or dacoity has taken place, after preparing detailed panchnama of such articles, taking photographs of such articles and a security bond.

60. The photographs of such articles should be attested or countersigned by the complainant, accused as well as by the person to whom the custody is handed over. Whenever necessary, the court may get the jewellery articles valued from a government approved valuer.

61. The actual production of the valuable articles during the trial should not be insisted upon and the photographs along with the panchnama should suffice for the purposes of evidence.”

Considering the facts and circumstances and law laid down by higher courts, article in question as per seizure memo be released to the applicant on furnishing security bond as per valuation report of the mobile phone in question. IO is directed to get the valuation done of the article prior to the release the same to the applicant as per directions of Hon'ble Supreme Court.

Panchnama and valuation report shall be filed within one week of its release.

Copy of this order be given dasti as prayed for.

Proceedings be annexed with the main file.

(Dhirendra Rana)
ASJ-07/PHC/New Delhi
19.05.2026