

IA No. 02/2025
SC 99/2023
STATE Vs. Mohd. Shakir
FIR No. 712/2022
PS Dayalpur

28.05.2025

This is an application for releasing the vehicle i.e. Baleno bearing No. DL 5CQ 7031 has been filed on behalf of the applicant.

Present: Sh. Manoj Garg, Ld. Addl.PP for the State.
Applicant Mohd. Shakir in person.

1. Arguments heard on the application for releasing of abovesaid vehicle on superdari moved on behalf of the applicant.
2. Report of IO perused. IO has no objection if the said vehicle released.
3. Considering the same, the seized aforesaid case property in question be released to registered owner/rightful owner. This is in view of judgment of *Hon'ble High Court of Delhi in Manjeet Vs. State, Crl. M.C. 4485/2013 and Crl. M.A. No. 16055/2013, decided on 10th September, 2014*. The release of the property shall be subject to the following terms:-
4. SHO/IO to take proper receipt and an indemnity bond to the satisfaction of the IO/SHO before releasing the said case property.
5. IO/SHO is directed to prepare the punchnama of the same and take photographs from different angles in the presence of complainant, accused and some independent witness (if available).
6. He will also take the counter signature of the

complainant/witness and accused on the abovesaid photographs.

7. IO/SHO is also directed to file said panchnama and photographs (alongwith their negatives or appropriate certificate under Section 65-B of the Evidence Act if photographs have been taken from digital device) with the final report.

8. SHO concerned is also directed to ensure compliance of the above said terms and conditions. Subject to above directions, the said case property is released absolutely and panchnama alongwith photographs shall be read in evidence.

9. Nothing expressed in the said order shall be construed as expression of opinion of the Court on the merits of the case.

10. Hence, vehicle i.e. Baleno bearing No. *DL 5CQ 7031* is directed to be released with abovementioned conditions.

11. **Application stands disposed off accordingly.**

12. Copy of this order be given dasti.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
28.05.2025/nk