

5 MISC CRL / 1304/2025
VAKIL AHMAD Vs. STATE
FIR No. 15577/2025
PS Jagat Puri

27.06.2025

This is an application to release vehicle no. HR-38-AJ-1021 on superdari moved on behalf of applicant namely Vakil Ahmed S/o Sh. Amir Ahmed.

Present: Mr. Prabhat Kr. Tripathi, Ld. Substitute APP for the State.
Ld. Counsel of applicant.

It is stated by the applicant that he is registered/rightful owner/AR of the above-said property.

Learned APP for State has submitted that he has no objection if the vehicle is released to the registered owner in terms of judgment of Hon'ble High Court of Delhi in case titled "Manjeet Singh Vs State" in CRL MC No. 4485/2013 and CRL MA No. 16055/2013.

Reply of IO received. Perused.

Hon'ble High Court of Delhi in CRL MC No. 4485/2013 and CRL MA No. 16055/2013 case titled as 'Manjeet Singh Vs. State' has laid down detailed guidelines for disposal of the case properties. In respect of release of vehicle, Hon'ble Court has laid down following guidelines:

"Vehicles involved in an offence may be released to the rightful owner after preparing detailed panchnama, taking photographs of the vehicle, valuation report and a security bond. The photographs of the vehicle should be attested and countersigned by the complainant, accused as well as by the person to whom the custody is handed over. The production of the vehicle should be insisted upon during the trial. The panchnama and photographs alongwith the valuation report should suffice for the purpose of evidence. Return of vehicle and permission for sale thereof should be the general norm rather than the exception".

In view of the facts and circumstances of the case, vehicle bearing No. HR-38-AJ-1021 is directed to be released to registered/rightful owner after verification by IO, if impounded in the present case and is not required for further investigation on the following conditions:-

- (1) That the proper *panchnama* of the above said case property be prepared and same would be read in evidence.
- (2) That the IO shall take the photographs of the above-said case property from all angles including its chasis and engine number.
- (3) The photographs and the *panchnama* be countersigned by the registered owner, accused and IO.
- (4) The photographs and *panchnama* be read in evidence and above vehicle is released to registered owner absolutely.
- (5) The registered owner of the said case property is at liberty to dispose it off and this order would not amount to any kind of restriction in his right to dispose it off.

Applicant shall provide the superdarnama/ surety bond at the time of release of above mentioned property of the amount to the satisfaction of IO/SHO concern. SHO/IO shall be at liberty to file objection, if any qua release of above-said property on superdari within 24 hours of passing this order. Application is disposed of.

Copy of the order be given dasti to the applicant.

(Aayushi Saxena)
Judicial Magistrate First Class-05
Shahdara, Karkardooma, Delhi
27.06.2025