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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 166/2026 & CRL.M.A. 8600/2026**

NITIN JAIN

.....Petitioner

Through: Mr. U.M. Tripathi, Ms. Supriya
Sharma and Mr. Vikash Kumar
Singh, Advocates.
Petitioner in-person.

versus

**STATE OF NCT OF DELHI THROUGH SHO EOW MANDIR
MARG**

.....Respondents

Through: Ms. Shubhi Gupta, APP for the State.
Inspector Pankaj Kumar Thakur,
EOW.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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19.03.2026

CRL.M.A. 8601/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CRL.REV.P. 166/2026

The matter has been received by way of supplementary listing upon being mentioned before Hon'ble the Chief Justice.

2. By way of the present petition filed under section 397 read with section 482 of the Code of Criminal Procedure 1973, the petitioner *inter-alia* seeks setting-aside of order dated 18.03.2026 passed by the learned Additional Sessions Judge-02, South-East District, Saket Courts, Delhi in proceedings bearing Criminal Revision No.699/2025 (filed by the State), whereby order dated 16.10.2025 passed by the learned Chief Judicial Magistrate, South East District, Saket Courts



New Delhi in case FIR No. 54/2021 titled “*State Vs. Tanvi Jain*” has been set-aside.

3. *Vidé* order dated 18.03.2026 passed by the learned Sessions Court, the petitioner has been directed to surrender to the Investigating Officer (‘I.O.’) within 03 days, the cars - an MG Hector bearing Registration No. DL10CN1403 (Chassis No. 005929) *and* a white Hyundai Creta bearing Registration No. DL12CK5503 (Chassis No. GM144) alongwith an amount of Rs.9.5 lacs (collectively referred to in this order as ‘said properties’).
4. Mr. U.M. Tripathi, learned counsel for the petitioner submits, that *vidé* order dated 16.10.2025 passed by the learned Magistrate, which order was based on a no-objection given by the I.O., the learned Magistrate had observed that the petitioner was the rightful owner of the following 05 properties and had directed that these properties be released on *superdari* to the petitioner:
 - 4.1. An MG Hector bearing Registration No. DL10CN1403 and Chassis No. 005929;
 - 4.2. A white Hyundai Creta bearing Registration No. DL12CK5503 and Chassis No. GM144;
 - 4.3. A Mobile phone, being an Apple iPhone-13 ProMax;
 - 4.4. A Mobile phone, being a Samsung Fold; and
 - 4.5. Rs. 9.5 Lakhs cash.
5. Learned counsel submits however, that on a revision petition filed by the State, by way of impugned order dated 18.03.2026, the learned Sessions Court reversed the aforementioned direction issued by the learned Magistrate.



6. Issue notice.
7. Ms. Shubhi Gupta, learned APP appears for the State on advance copy; accepts notice; and on instructions of the I.O., submits, that in the course of the proceedings before the learned Magistrate, the I.O. had expressed a no-objection *only* in relation to the return of the 02 mobile phones to the petitioner, since the said phones were recovered during the *personal search* of the petitioner at the time of his arrest; but insofar as the 02 cars and the cash of Rs.9.5 lacs are concerned, the I.O. had *never given any no-objection* for the release of the said properties to the petitioner, since these were seized in the course of investigation and were part of *case property*.
8. A perusal of the orders of the learned Magistrate and learned Sessions Court shows that the 02 cars, as well as the cash of Rs.9.5 lacs, were to be returned to the petitioner on *superdari*; and the said properties were indeed returned to the petitioner after he had furnished the requisite *superdarinama*.
9. In the foregoing circumstances, this court is of the view that it makes no difference that the 02 cars and the cash of Rs.9.5 lacs are case property seized in the course of investigation, since the said properties have been handed-over to the petitioner only on *superdari* and the petitioner stands bound to produce them as and when directed by the learned trial court in the course of the proceedings.
10. In view of the above, the present petition is disposed-of, setting-aside order dated 18.03.2026 passed by the learned Sessions Court, while making it clear that the petitioner shall hold the said properties on *superdari* from the learned trial court; the petitioner shall remain



bound by the terms of the *superdarinama*; and shall be bound to produce the said properties as and when required by the learned trial court.

11. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MARCH 19, 2026/ak