

IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN MAGISTRATE, CENTRAL
DISTRICT, TIS HAZARI COURTS, DELHI.

FIR No. 180/2020
PS: DBG Road
State Vs. Sandeep Suri @ Narender Suri
U/s. 379/411 IPC
Misc. Application

27.08.2020

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant has also been joined via Video Conferencing through Cisco Webex.

This is an application received via E-mail as moved by Ld. Counsel on behalf applicant Shashi Suri for release of original RC of vehicle bearing no. DL-10SB-1015.


Reply of IO has been received through E-mail. As per the reply of IO, police has no objection if the RC of the said vehicle is directed to be released in favour of registered owner.

Heard. Perused.

Considering the facts and circumstances the case, the application is allowed and concerned IO/SHO is directed to release the RC of the above-said vehicle in favour of rightful owner after preparing the requisite seizure memo and as per rules.

The application stands disposed of.

Copy of this order be sent to concerned IO/SHO for necessary intimation and report via official email ID. Copy of this order be uploaded on the District Courts website forthwith.


(Arul Varma)
CMM (Central), Delhi
27.08.2020

IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN MAGISTRATE, CENTRAL
DISTRICT, TIS HAZARI COURTS, DELHI.

FIR No. 142/2020
PS: DBG Road
State Vs. Deepak, S/o Sh. Bhud Ram
Misc. Application

27.08.2020

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant has also been joined via Video Conferencing through Cisco Webex.

This is an application received via E-mail as moved by Ld. Counsel on behalf applicant Deepak, S/o Sh. Bhud Ram, for bail.

Reply of IO has been received via E-mail. IO has stated that in his reply that Deepak, S/o Bhud Ram is not an accused in this case.

At this juncture, Ld. Counsel has submitted that inadvertently, he has mentioned the name of the accused as Deepak, S/o Sh. Bhud Ram and has inadvertently mentioned the wrong address. Ld. Counsel states at Bar that name of the applicant/accused is Deepak @ Haddi @ Rahul, S/o Sh. Ashok Kumar. He has further submits that a perusal of his Vakalatnama would reveal that name of the applicant as Deepak @ Haddi @ Rahul, S/o Ashok Kumar, R/o 1006, Pachkuyia Road, Delhi.

Accordingly, let copy of this order be sent to IO through E-mail for his reply on next date.

Renotify for hearing arguments on bail application on 28.08.2020 at 12:30 PM through VC.

Copy of this order be sent to concerned IO/SHO for necessary intimation and report via official email ID. Copy of this order be uploaded on the District Courts website forthwith.


(Arul Varma)
CMM (Central), Delhi
27.08.2020

IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN MAGISTRATE, CENTRAL
DISTRICT, TIS HAZARI COURTS, DELHI.

FIR No. 180/2020
PS: DBG Road
State Vs. Sandeep Suri @ Narender Suri
U/s. 379/411 IPC
Misc. Application

27.08.2020

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant has also been joined via Video Conferencing through Cisco Webex.

This is an application received via E-mail as moved by Ld. Counsel on behalf applicant Sandeep Suri @ Narender Suri, for bail.

Reply of IO has not been received.

Notice be issued to IO to file reply to the bail application by the next date of hearing positively.

Renotify for hearing arguments on bail application on 28.08.2020 through VC.

Copy of this order be sent to concerned IO/SHO for necessary intimation and report via official email ID. Copy of this order be uploaded on the District Courts website forthwith.


(Arul Varma)
CMM (Central), Delhi
27.08.2020

**IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN
MAGISTRATE, CENTRAL DISTRICT, TIS HAZARI COURTS, DELHI.**

FIR No. 192/2020

PS: DBG Road

State Vs. Kamal @ Tarun S/o Sh. Harish

U/s 379/411 IPC & Section 102 Cr.PC

Bail application

27.08.2020

**Proceedings on this matter has been conducted via Video Conferencing
through Cisco Webex.**

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused Kamal @ Tarun S/o Sh. Harish for grant of regular bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Sh. Saurabh Tyagi, Ld. Legal Aid Counsel for accused has been joined via Video Conferencing through Cisco Webex.

Reply of IO has been received through email.

Vide this Order, I shall dispose off the Interim Bail application filed on behalf of the accused Kamal @ Tarun, S/o Sh. Harish.

1. Ld Counsel for the accused has contended that accused was arrested on 29.07.2020 and has already spent more than 15 days in judicial custody.
2. *Per Contra*, Ld APP for the State has opposed the bail application as per law.
3. Before adjudicating upon the bail application, it would be pertinent to make a reference to Suo Motu Petition (Civil) No. 1/2020 dated 23.03.2020 titled ***In Re: Contagion of COVID -19***, wherein, in order to decongest prisons, the Hon'ble SC ordained the constitution of High Powered Committees in each State.
4. It is further apposite to mention that on 23.03.2020 itself, in case titled ***Shobha Gupta &Ors. Vs. Union Of India &Ors W.P.(C) No.2945 of 2020*** decided on 23.03.2020 by the Hon'ble High Court of Delhi, it was



decided that Prisoners can be released on “interim bail”, The criteria adopted were:-

- a Under trial prisoner is the first time offender;
 - b Under trial prisoner has been arrested or is facing trial for offence punishable upto 07 years;
 - c Case is triable by Magistrate and
 - d Under trial prisoner is in custody for last 3 months or more;
 - e Under Trial Prisoner undergoing Civil imprisonment
5. The High Powered Committee (HPC), in terms of the mandate of the Hon’ble SC, issued a slew of directions, contained in Minutes Of Meetings held on various dates.
6. Vide Minutes of Meeting dated 07.04.2020, the HPC resolved that interim bail ought to be granted for 45 days, preferably on Personal Bond, to inmates fulfilling the following criteria:
- a Under trial prisoners (UTPs), who are senior citizens **more than 60 years** of age and are in custody for **six months or more**, facing trial in a case which prescribes a maximum sentence of **10 years or less**;
 - b Under trial prisoners (UTPs), who are **less than 60 years** of age and are in custody for **one year or more**, facing trial in a case which prescribes a maximum sentence of **10 years or less**;
 - c Under trial prisoners (UTPs)/Remand Prisoners (with respect to whom, Charge sheets are yet to be filed), who are in custody for **15 days or more**, facing trial in a case which prescribes a maximum sentence of 7 years or less ;
7. Vide the above minutes, it was also decided that the following categories of inmates, even if falling in the above criteria, should not be considered:
- a All inmates who are undergoing trial for intermediary/ large quantity recovery under NDPS Act ;
 - b Those under trial prisoners who are facing trial under Section 4 & 6 of POCSO Act;




- c Those under trial prisoners who are facing trial for offences under section 376, 376A, 376B, 376C, 376D and 376E and Acid Attack;
 - d Those UTPs who are foreign nationals ; and
 - e Those under trial prisoners who are facing trial under Prevention of Corruption Act (PCAct) / PMLA ; and
 - f Cases investigated by CBI/ED/NIA/Special Cell Police and Terror related Cases, cases under Anti-National Activities and Unlawful Activities (Prevention) Act etc.
8. Vide Minutes of Meeting dated 18.05.2020, the HPC resolved that interim bail ought to be granted for 45 days, preferably on Personal Bond, to inmates fulfilling the following criteria
- a Under trial prisoners (UTPs) facing trial for a case under **Section 302 IPC** and are in jail for **more than two years** with **no involvement in any other case**;
 - b Under trial prisoners (UTPs) facing trial for offence under **Section 304 IPC** and are in jail for **more than one year** with **no involvement in any other case**;
 - c Under trial prisoners (UTPs) facing trial in a case under **Section 307 or 308 IPC** and are in jail for **more than six months** with **no involvement in any other case**;
 - d Under trial prisoners (UTPs) facing trial/remand prisoners in **Theft cases** and are in jail for **more than 15 days**;
 - e **Male** Under trial prisoners (**above 65 years** of age) facing trial in a case except the ones excluded hereunder and are in jail for **more than six months** with **no involvement in any other case**;
 - f **Female** Under trial prisoners (**above 60 years** of age) facing trial in a case except the ones excluded hereunder and are in jail for **more than six months** with **no involvement in any other case**;
9. It has been submitted by Ld Counsel for the accused that the accused was



arrested on 29.07.2020, and has spent more than 15 days in custody, and is squarely covered by the criteria laid down by the High Powered Committee vide its minutes of meeting mentioned above.

10. Since the accused fulfils the criteria laid down above, he is hereby released on bail on personal bond for the sum of Rs. 5000/- to the satisfaction of the Jail Superintendent.
11. This order shall be treated as a Release Warrant. Ahlmad is directed to make requisite entry in the Bail Register maintained by him in compliance of directions issued by the Hon'ble High Court of Delhi in Ajay Verma Vs Govt. of NCT of Delhi W.P 10689/17 dated 08.02.2018.

Copy of this order be sent to concerned Jail Superintendent for necessary action via official email ID. The order be also uploaded on the District Courts website forthwith.


(Arun Varma)
CMM (Central), Delhi
27.08.2020