

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

FIR No. 160/2012

PS: EOW

State Vs. Bhairu Lal Varma

28.07.2020

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the **applicant/accused Bhairu Lal Varma** for grant of bail.

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

On the previous date of hearing, the IO had submitted that applicant/accused has not been arrested in the present case.

Accordingly, the application is hereby dismissed as withdrawn with liberty to file appropriate application before the appropriate forum.

The order be uploaded on District Court Website forthwith.

ARUL Digitally signed
by ARUL VARMA
VARMA Date: 2020.07.29
11:49:22 +0530
(Arul Varma)
CMM(Central)/THC/Delhi
28.07.2020

**IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN
MAGISTRATE, CENTRAL DISTRICT, TIS HAZARI, COURTS, DELHI.
FIR No. 0166/2020
PS: DBG Road
State Vs. Unknown
Misc. Application**

28.07.2020

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

This is an application received through E-mail as moved on behalf of applicant for release of Vehicle bearing no. DL-5SBT-5723, Laptop, Laptop Charger along with Bag and Helmet on superdari.

Ld. Counsel has contended that applicant is not rightful owner of the said vehicle and other articles. However, the said vehicle is registered in the name of Sh. Gaurav Kumar Singh, who has expired in the accident. He has submitted that the applicant is son of rightful owner of the said vehicle and goods. He further submitted that the applicant is SPA of registered owner of the said vehicle. Copy of the SPA has been attached with the application.

Reply is received from the IO through E-mail. As per the reply, the IO has submitted that the documents of the vehicle have yet not been submitted.

Considering the entire facts and circumstances, concerned SHO/IO is directed to release the above-mentioned Vehicle and goods to the applicant/SPA after proper verification. IO/SHO concerned is also directed to prepare a detailed panchnama of the above stated vehicle and goods and take photographs of the same in terms of directions given in the Judgment of Hon'ble High Court of Delhi titled as "Manjeet Singh Vs. State". Panchnama proceedings shall be conducted at the concerned Police Station. The panchnama and the photographs shall be signed by the applicant/SPA, accused (if arrested), complainant and the IO and the concerned SHO shall secure the presence of the aforesaid persons.

Thereafter, the above-said vehicle and goods be released to the

Contd.....

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applicant/SPA after verification and identity. The Panchnama and photographs shall be filed in the Court with the charge-sheet as and when the same is filed.

Accordingly, application stands disposed off.

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

ARUL Digitally signed
VARMA by ARUL VARMA
Date: 2020.07.29
11:48:37 +0530
(Arul Varma)
CMM (Central), Delhi
28.07.2020

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

FIR No. 177/2020

PS: DBG Road

State Vs. Jishan Ahmad @ Alam

28.07.2020

This is an application under Section 437 Cr.P.C received through E-mail as moved on behalf of the applicant/accused **Jishan Ahmad @ Alam** for bail.

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

1. Ld Counsel for the accused has contended that accused was arrested in the present case and is in JC since 05.07.2020 and has already spent more than 15 days in judicial custody. Ld. Counsel has prayed that interim bail for a period of 45 days be granted to the accused in terms of minutes of High Powered Committee and the prayer for grant of regular may kindly be allowed to be withdrawn.
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 7 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

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.

5. 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**;
6. It has been submitted by Ld Counsel for the accused that the accused is in JC since 05.07.2020, 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.
 7. Since the accused fulfils the criteria laid down above, he is hereby released on interim bail for a period of 45 days on furnishing personal bond in the sum of Rs. 5000/- to the satisfaction of the Jail Superintendent.
 8. 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.

ARUL Digitally signed
by ARUL VARMA

VARMA Date: 2020.07.29
11:50:05 +0530

(Arul Varma)

**CMM(Central)/THC/Delhi
28.07.2020**

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

FIR No. 196/2018

PS: EOW

State Vs. Avdhesh Kumar Goel & Ors.

28.07.2020

This is an application received through E-mail as moved on behalf of the applicant for disposal of its application for De-attachment of immovable property Admeasuring 5 Bigha 11 Biswa, situated at Village Bijwasan, Tehsil Kaparshera, Delhi.

Present: Sh. Rajeev Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant/accused could not be joined despite repeated attempts made by staff due to network problem.

Under these circumstances, the matter is adjourned for **04.08.2020**. Ahlmad is directed to put up this application with file on the next date. Ahlmad is also directed to intimate telephonically to the Ld. Counsel.

The order be uploaded on District Court Website forthwith.

ARUL Digitally signed
by ARUL VARMA
VARMA Date: 2020.07.29
11:51:00 +0530
(Arul Varma)
CMM(Central)/THC/Delhi
28.07.2020

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

FIR No. 263/2019

PS: EOW

State Vs. Pradeep Kumar Kattamuri

28.07.2020

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused **Pradeep Kumar Kattamuri** for grant of bail.

Present: Sh. Rajeev Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant/accused could not be joined despite repeated attempts made by staff due to network problem.

Under these circumstances, the matter is adjourned for **04.08.2020**. Ahlmad is directed to put up this application with file on the next date. Ahlmad is also directed to intimate telephonically to the Ld. Counsel.

The order be uploaded on District Court Website forthwith.

ARUL Digitally signed
by ARUL VARMA
VARMA Date: 2020.07.29
11:51:44 +0530
(Arul Varma)
CMM(Central)/THC/Delhi
28.07.2020

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

FIR No. 395/2019

PS: Crime Branch

State Vs. Lutfar Rahman Mullick

28.07.2020

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused **Lufar Rahman Mullick** for grant of bail.

Present: Sh. Rajeev Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Rajeev Soni, Ld. Counsel for the complainant has been joined via Video Conferencing through Cisco Webex.
Sh. S.D. Sharma, Ld. Counsel for the applicant/accused has been joined via Video Conferencing through Cisco Webex.

Reply of IO has been received through E-mail.

It is seen that the application has not been sent in proper PDF format. Accordingly, Ld. Counsel for the accused is advised to move the bail application in prescribed PDF format.

The bail application is kept pending for **29.07.2020**.

The order be uploaded on District Court Website forthwith.

ARUL Digitally signed
by ARUL VARMA
VARMA Date: 2020.07.29
11:52:41 +0530
(Arul Varma)
CMM(Central)/THC/Delhi
28.07.2020