

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

**FIR No. 0192/2020  
PS: DBG Road  
State Vs. Kamal  
10.08.2020**

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

This is an application received through E-mail as moved on behalf of applicant Vijay Kr. Khanna for release of Mobile Phone make GOME (IMEI NO. 911645300391943 & 911645300391950) on superdari.

It has been averred in the application that applicant is rightful owner of the said Mobile Phone.

Reply of IO has been received through E-mail. As per the reply, police has no objection if the said mobile phone is ordered to be released in favour of rightful owner.

Concerned SHO/IO is directed to release the above-mentioned mobile phone to the applicant Vijay Kr. Khanna after verification of ownership. IO/SHO concerned is also directed to prepare a detailed panchnama of the above stated mobile phone 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, accused (if arrested), complainant and the IO and the concerned SHO shall secure the presence of the aforesaid persons.

Thereafter, the above-said mobile phone be released to the applicant 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 Varma)**  
**CMM (Central), THC, Delhi**  
**10.08.2020**

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

**FIR No. 0127/2020**

**PS: DBG Road**

**State Vs. Deepak @ Babu**

**10.08.2020**

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.  
Applicant Sh. Trilok Chand Meena has been joined via Video Calling through Whatsapp.

This is an application received through E-mail as moved on behalf of applicant Trilok Chand Meena for release of Mobile Phone make Samsung Galaxy M-20, on superdari.

It has been averred in the application that applicant is rightful owner of the said Mobile Phone.

Reply of IO has been received through E-mail. As per the reply, police has no objection if the said mobile phone is ordered to be released in favour of rightful owner.

Concerned SHO/IO is directed to release the above-mentioned mobile phone to the applicant Trilok Chand Meena after verification of ownership. IO/SHO concerned is also directed to prepare a detailed panchnama of the above stated mobile phone 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, accused (if arrested), complainant and the IO and the concerned SHO shall secure the presence of the aforesaid persons.

Thereafter, the above-said mobile phone be released to the applicant 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 Varma)**  
**CMM (Central), THC, Delhi**  
**10.08.2020**



**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. Aamir Qureshi @ Mohd. Aamir**

**U/s 411 IPC & 25/54/59 Arms Act**

**Bail application**

**10.08.2020**

This is second application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused **Aamir Qureshi @ Mohd. Aamir** for grant of regular bail.

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

Reply of IO has not been received through E-mail.

IO/SHO is directed to file reply to the bail application through E-mail on NDOH.

Renotify for arguments on bail application on **11.08.2020**.

The order be uploaded on the District Courts website forthwith.  
The order be also sent to the concerned SHO on official E-mail ID for information and report.

**(Arul Varma)**  
**CMM (Central), Delhi**  
**10.08.2020**

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

E-FIR No. 000127/2020

PS: DBG Road

State Vs. Deepak @ Babu

U/s 379/411 IPC

Bail application

10.08.2020

This is second application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused Deepak @ Babu for grant of regular bail.

Present:

Sh. Rajiv Kamboj, Ld. APP for the State has been joined via  
Video Conferencing through Cisco Webex.

Sh. P.K. Garg, Ld. Counsel for accused has been joined via Video  
Conferencing through Cisco Webex.

Vide this Order, I shall dispose off the Bail application filed on  
behalf of the accused **Deepak @ Babu**.

1. Ld Counsel for the accused has contended that accused was arrested on 16.07.2020 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 16.07.2020, 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. Ahmad 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 Varma)  
CMM (Central), Delhi  
10.08.2020