

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

e-FIR No. 013536/2020

PS: DBG Road

State Vs. Vikas Kumar Mahto

u/s 379 IPC

Bail Application

16.07.2020

This is an application u/s 437 Cr.PC moved on behalf of the applicant/accused Vikas Kumar Mahto for grant of bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Saurabh Sachdeva, Ld. Counsel for applicant/accused via Video Conferencing through Cisco Webex.


Vide this order, I shall dispose off the bail application filed on behalf of the accused Vikas Kumar Mahto.

1. Ld. Counsel for the accused has contended that accused was arrested on 28.06.2020 and has already spent more than 15 days in judicial custody.
1. Per contra, Ld. APP for the State has opposed the bail application as per law.
2. Before adjudicating upon the bail application, it would be pertinent to make a reference to Suo Moto 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.
3. 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. © No. 2945 of 2020* decided that Prisons 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.
4. 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 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 citizen **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;
6. It has been submitted by Ld. Counsel for the accused that the accused was arrested on 28.06.2020, 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 Vikas Kumar Mahto fulfils the criteria laid down above, he is hereby released on bail on personal bond for the sum of Rs. 5,000/- 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
VARMA**

 Digitally signed by
ARUL VARMA
Date: 2020.07.16
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(Arul Varma)
CMM (Central District), Delhi
16.07.2020

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

e-FIR No. 013536/2020

PS: DBG Road

State Vs. Vikas Kumar Mahto

u/s 379 IPC

Bail Application

16.07.2020

This is an application u/s 437 Cr.PC moved on behalf of the applicant/accused Vikas Kumar Mahto for grant of bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Saurabh Sachdeva, Ld. Counsel for applicant/accused via Video Conferencing through Cisco Webex.

Vide this order, I shall dispose off the bail application filed on behalf of the accused Vikas Kumar Mahto.

1. Ld. Counsel for the accused has contended that accused was arrested on 28.06.2020 and has already spent more than 15 days in judicial custody.
1. Per contra, Ld. APP for the State has opposed the bail application as per law.
2. Before adjudicating upon the bail application, it would be pertinent to make a reference to Suo Moto 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.
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 - d. Under trial prisoner is in custody for last 3 months or more;
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4. 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 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 citizen **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**;
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6. It has been submitted by Ld. Counsel for the accused that the accused was arrested on 28.06.2020, 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 Vikas Kumar Mahto fulfils the criteria laid down above, he is hereby released on bail on personal bond for the sum of Rs. 5,000/- 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.

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(Arul Varma)

**CMM (Central District), Delhi
16.07.2020**

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

**FIR No. 0133/2020
PS: DBG Road
State Vs. Shankar
u/s 379/356/34 IPC
Bail Application**

16.07.2020

This is an application u/s 437 Cr.PC moved on behalf of the applicant/accused Shankar for grant of bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Sanjeev Sarkar, Ld. Counsel for applicant/accused via Video Conferencing through Cisco Webex.

Vide this order, I shall dispose off the bail application filed on behalf of the accused Shankar.

1. Ld. Counsel for the accused has contended that accused was arrested on 13.06.2020 and has already spent more than 15 days in judicial custody.
1. Per contra, Ld. APP for the State has opposed the bail application as per law.
2. Before adjudicating upon the bail application, it would be pertinent to make a reference to Suo Moto 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.
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 - 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;
6. Submissions heard.
7. It has been submitted by Ld. Counsel for the accused that the accused was arrested on 13.06.2020, 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.
8. Since the accused Shankar fulfils the criteria laid down above, he is hereby released on bail on personal bond for the sum of Rs. 5,000/- to the satisfaction of the Jail Superintendent.
9. 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.

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16.07.2020

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

**FIR No. 0133/2020
PS: DBG Road
State Vs. Shankar
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Bail Application**

16.07.2020

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Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Sanjeev Sarkar, Ld. Counsel for applicant/accused via Video Conferencing through Cisco Webex.

Vide this order, I shall dispose off the bail application filed on behalf of the accused Shankar.

1. Ld. Counsel for the accused has contended that accused was arrested on 13.06.2020 and has already spent more than 15 days in judicial custody.
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7. It has been submitted by Ld. Counsel for the accused that the accused was arrested on 13.06.2020, 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.
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CMM (Central District), Delhi
16.07.2020

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

**FIR No. 166/2020
PS: DBG Road
State Vs. Unknown
Misc. Application**

16.07.2020

This is an application for preserving and submitting the CDR/Footage of camera located on Kalka Das Chowk near Pahar Ganj Road, Delhi u/s 91 Cr.PC r/w Section 156(3) Cr.PC for and on behalf of applicant namely Jignesh @ Thakkar Jignesh Ramesh Chandra.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Rishipal Singh, Ld. Counsel for applicant Jignesh @ Thakkar Jignesh Ramesh Chandra via Video Conferencing through Cisco Webex.

This is an application received through email as moved on behalf of applicant **Jignesh @ Thakkar Jignesh Ramesh Chandra** for preserving and submitting the CDR/Footage of CCTV camera dated 23.06.2020 Time: 02:00 AM to 03:00 AM, allocated at Kalka Das Chowk near Pahar Ganj Road, Delhi.

Reply is received from the IO through email.

Submissions heard.

Considering the facts and circumstances of the case, the present application is allowed. The concerned SHO is directed to preserve the above said CDR/footage from the camera described as above for the relevant date, time and place.

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**

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ARUL VARMA
Date: 2020.07.16
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**(Arul Varma)
CMM (Central District), Delhi
16.07.2020**

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

**FIR No. 166/2020
PS: DBG Road
State Vs. Unknown
Misc. Application**

16.07.2020

This is an application for preserving and submitting the CDR/Footage of camera located on Kalka Das Chowk near Pahar Ganj Road, Delhi u/s 91 Cr.PC r/w Section 156(3) Cr.PC for and on behalf of applicant namely Jignesh @ Thakkar Jignesh Ramesh Chandra.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Rishipal Singh, Ld. Counsel for applicant Jignesh @ Thakkar Jignesh Ramesh Chandra via Video Conferencing through Cisco Webex.

This is an application received through email as moved on behalf of applicant **Jignesh @ Thakkar Jignesh Ramesh Chandra** for preserving and submitting the CDR/Footage of CCTV camera dated 23.06.2020 Time: 02:00 AM to 03:00 AM, allocated at Kalka Das Chowk near Pahar Ganj Road, Delhi.

Reply is received from the IO through email.

Submissions heard.

Considering the facts and circumstances of the case, the present application is allowed. The concerned SHO is directed to preserve the above said CDR/footage from the camera described as above for the relevant date, time and place.

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.

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**(Arul Varma)
CMM (Central District), Delhi
16.07.2020**

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

**FIR No. 166/2020
PS: DBG Road
State Vs. Unknown
Misc. Application**

16.07.2020

This is an application for release of vehicle bearing registration number DL-14C-0799 (Volkswagon) on superdari moved on behalf of applicant/NOC Holder namely Jignesh @ Thakkar Jignesh Ramesh Chandra.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.
Sh. Rishipal Singh, Ld. Counsel for applicant Jignesh @ Thakkar Jignesh Ramesh Chandra via Video Conferencing through Cisco Webex.

This is an application received through email as moved on behalf of applicant/NOC Holder **Jignesh @ Thakkar Jignesh Ramesh Chandra** for release of vehicle bearing registration number **DL-14C-0799** on superdari.

Applicant is stated to be the NOC Holder of the registered owner of the said vehicle in question. In support of his identity, applicant/NOC Holder has filed copy of his Aadhar Card.

Reply is received from the IO through email. Police has no objection in release of the said vehicle in question.

Concerned SHO/IO is directed to release the above mentioned vehicle to the applicant. IO/SHO concerned is also directed to prepare a detailed panchnama of the above stated vehicle 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/NOC Holder, accused (if arrested), complainant and the IO and the concerned SHO shall secure the presence of the aforesaid persons.

Thereafter, the above said vehicle be released to its rightful owner against receipt and on verification of ownership 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.

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by ARUL VARMA
Date: 2020.07.16
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(Arul Varma)

CMM (Central District), Delhi

16.07.2020

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

FIR No. 177/2020

PS: DBG Road

State Vs. Jishan Ahmad @ Alam

u/s 411/34 IPC & 25/54/59 Arms Act

Bail Application

16.07.2020

This is an application u/s 437 Cr.PC moved on behalf of the applicant/accused Jishan Ahmad @ Alam for grant of bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video

Conferencing through Cisco Webex.

Sh.Rohit Grewal, Ld. Counsel for applicant/accused via Video

Conferencing through Cisco Webex.

Reply to the bail application has been filed by the IO through email.

It is submitted by the Ld. APP for the State that the accused in the present case was arrested on 05.07.2020 and does not fulfill the criteria laid down by the HPC.

In view of the above position and at request of Ld. Defence counsel, matter is adjourned for further consideration on 28.07.2020.

(Arul Varma)

CMM (Central District), Delhi

16.07.2020

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by ARUL VARMA

Date: 2020.07.16

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

FIR No. 177/2020

PS: DBG Road

State Vs. Jishan Ahmad @ Alam

u/s 411/34 IPC & 25/54/59 Arms Act

Bail Application

16.07.2020

This is an application u/s 437 Cr.PC moved on behalf of the applicant/accused Jishan Ahmad @ Alam for grant of bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State via Video

Conferencing through Cisco Webex.

Sh.Rohit Grewal, Ld. Counsel for applicant/accused via Video

Conferencing through Cisco Webex.

Reply to the bail application has been filed by the IO through email.

It is submitted by the Ld. APP for the State that the accused in the present case was arrested on 05.07.2020 and does not fulfill the criteria laid down by the HPC.

In view of the above position and at request of Ld. Defence counsel, matter is adjourned for further consideration on 28.07.2020.

(Arul Varma)

CMM (Central District), Delhi

16.07.2020

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Date: 2020.07.16

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