

BAIL APPLICATION

FIR No. : 319/2018

PS: Kotwall

State v. Yusuf @ Iqbal Hussain

U/S: 324/34 IPC(as per accused)

22.05.2020.

Present: Sh. Manoj Garg, Ld. Addl. PP for the State.
 Sh. Shivendra Singh, Ld. counsel for applicant/
 accused Yusuf @ Iqbal Hussain.
 A reply filed by IO.

1. *Directions are given by Hon'ble High Court of Delhi in W.P.(C) No. 2945/2020 dated 23.03.2020 in case titled as "Shobha Gupta and Ors. v. Union of India & Ors.", Hon'ble Supreme Court of India in Suo Motu W.P.(C) No. 1/2020 dated 23.03.2020, Revised Advisory Protocol dated 30.03.2020 by Ld. District & Sessions Judge (HQ) read with other directions from time to time including on 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020 and 18.05.2020 from Hon'ble High Court as a result of various meetings of Delhi State Legal Services Authority. Accordingly, present application is taken up.*

2. Submissions heard through electronic mode.

3. In this case, it appears that the present application is filed by learned counsel who is the regular counsel from Legal Aid and who is appointed for such accused/applicant Yusuf @ Iqbal Hussain for trial. It is further stated by such learned DLSA counsel that this application is filed by him, being the regular Legal Aid Counsel representing such accused, and not otherwise based on application which might also be filed by DLSA only through Jail Visiting Advocate. As such, no copy of custody warrant or certificate of good conduct from jail supdt. Concerned is annexed with present application.

4. As per minutes of meeting dated 18.05.2020 of Hon'ble High Court, interim bail application as per the criteria given

FIR No. : 319/2018, PS: Kotwall
 State v. Yusuf @ Iqbal Hussain

by Hon'ble HC in above mentioned minutes , such application is to be moved by Ld. Legal Aid Counsel *alongwith* copy of custody warrant.

5. **Heard. As such a copy of this order be sent to learned Secretary, DLSA, Central ,for her information.**

6. It is directed that IO/SHO to file :

(i) Report about Previous **conviction**, if any, of present accused/Applicant

(ii) Further , (in view of direction by Hon'ble HC) ,a report that present accused is **not involved**, in any other case;

(iii) Date, since when accused is in JC in present case

(iv) What are **all** the Offences under IPC or other law, which are alleged against present accused in present case .

6. Further (in view of direction by Hon'ble HC), **Jail Superintendent concerned** to file:

(i) Copy of **custody warrant** of present accused;

(ii) A **certificate regarding good conduct**, if any, of the accused during his custody period so far.

7. As such, issue notice of present application to the IO/SHO .

8. Further, in view of directions passed, copy of this order be sent to SHO/IO concerned **through Nodal Officer Insp. Vijay Vats, Mobile No. 9810127561**. The concerned IO/SHO to file its reply through Nodal officers , preferably in electronic form/email ,as per the directions already issued.

9. **Counsel for accused is advised to collect the order online through electronic mode.**

10. Put up for report, arguments and further appropriate orders on 27.05.2020.

(Naveen Kumar Kashyap)
ASJ-04/Central/THC
Designated Court, for DLSA matters

FIR No. : 319/2018, PS: Kotwali
State v. Yusuf @ Iqbal Hussain

Central District
22.05.2020

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