

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, S/o Sh. Yogesh Suri

U/s 379/411 IPC

Bail application

28.08.2020

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 Sandeep Suri @ Narender Suri, S/o Sh.
Yogesh Suri, for grant of regular bail.

Present: Sh. Rajiv Kamboj, Ld. APP for the State has been joined via
Video Conferencing through Cisco Webex.
Sh. Mohd. Iliayas, 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 Sandeep Suri @ Narender Suri, S/o Sh. Yogesh Suri.

1. Ld Counsel for the accused has contended that accused was arrested on
09.07.2020 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 09.07.2020, 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 interim 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.


(Arul Varma)
CMM (Central), Delhi
28.08.2020

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

FIR No. 11/2020

PS: DBG Road

State Vs. Ashu @ Dallu, S/o Sh. Yograj Chauhan

u/s 392/411/34 IPC

Bail application

28.08.2020

Proceedings of 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 Ashu @ Dallu, S/o Sh. Yograj Chauhan**, for grant of bail.

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

Reply to the bail application has been filed on behalf of IO through email.

Ld. Counsel has contended that accused has been falsely implicated in the present case and he is in JC since 09.01.2020. It is further submitted that investigation of the case is already complete, and that no purpose would be served in detaining the accused any further. It is further submitted that nothing has been recovered from the possession of accused. It is prayed that accused may be released on bail.

Ld. APP for the State has vehemently opposed the bail application stating that the offence is serious and grave in nature. Further, the accused has previously involved in as much

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as 09 other cases as per the report of IO. He further submits that out of 09 cases, 03 are of similar nature. He submits that if the accused is granted bail, he may commit the offence again. He submits that the bail application of accused be dismissed.

Submissions heard. Reply of IO as well as contents of bail application perused.

Considering the facts and circumstances of the case, nature of allegations, gravity of offence, previous involvement of accused and above circumstances, I am not inclined to grant bail to the applicant/accused, at this stage. The bail application is, accordingly, dismissed.

Copy of this order be uploaded on the official website of Delhi District Courts forthwith. This order be also sent to the concerned Jail Superintendent via official E-mail ID for intimation to the accused.


(Arul Varma)
CMM (Central), Delhi
28.08.2020

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

FIR No. 142/2020

PS: DBG Road

State Vs. Rahul @ Deepak @ Haddi, S/o Sh. Ashok Kumar

u/s 392/34 IPC

Bail application

28.08.2020

Proceedings of 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 Rahul @ Deepak @ Haddi, S/o Sh. Ashok Kumar**, for grant of bail.

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

Reply to the bail application has been filed on behalf of IO through email.

Ld. Counsel has contended that accused has been falsely implicated in the present case and he is in JC since 25.05.2020. It is further submitted that investigation of the case is almost complete, and that no purpose would be served in detaining the accused any further. It is prayed that accused may be released on bail.

Ld. APP for the State has vehemently opposed the bail application stating that the offence is serious and grave in nature. Further, the accused has previously involved in as much as 04 other cases as per the report of IO. He submits that if the

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accused is granted bail, he may commit the offence again. He submits that the bail application of accused be dismissed.

Submissions heard. Reply of IO as well as contents of bail application perused.

Considering the facts and circumstances of the case, nature of allegations, gravity of offence, previous involvement of accused and above circumstances, I am not inclined to grant bail to the applicant/accused, at this stage. The bail application is, accordingly, dismissed.

Copy of this order be uploaded on the official website of Delhi District Courts forthwith.

(Arul Varma)
CMM (Central), Delhi
28.08.2020

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

**FIR No. 199/2020
PS: DBG Road
State Vs. Santosh S/o Raja
U/s. 356/379/411 IPC
Misc. Application**

28.08.2020

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Sh. Keshav Bhardwaj, 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 **Santosh, S/o Sh. Raja** for calling report from Jail Superintendent, Central Jail, Tihar.

Reply of Jail Superintendnet has not been received.

Notice be issued to Jail Superintendent to file reply to the application by the next date of hearing positively.

Renotify for hearing arguments on the application on **29.08.2020 through VC.**

Copy of this order be sent to concerned Jail Superintendent 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
28.08.2020**

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

**FIR No. 204/2020
PS: DBG Road
State Vs. Pradeep @ Poli
U/s. 379/411/34 IPC
Misc. Application**

28.08.2020

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 **Pradeep @ Poli**, 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 **29.08.2020 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
28.08.2020