

STATE Vs. Mahender
FIR No. 161/20
PS Rajender Nagar

21.10.2020

(Through Video Conferencing over Cisco Webex Meeting)

Case taken up in view of circular no. 992/30066-30235 DJ(HQ)/ Covid-19 Lockdown/Physical Courts Roster/2020 dt. 25.09.2020 issued by Ld. District & Sessions Judge (HQ).

Present: Ld. APP for the State.

Sh. N.K. Saraswat, Ld. LAC for applicant/accused.

The present application seeking release of accused Mahender on personal bond, is moved through email.

Ld. LAC for applicant/accused submits that the applicant has been granted bail vide order dt. 01.10.2020 passed by this Court, upon furnishing personal and surety bonds in the sum of Rs.15000/- each. It is further submitted that the applicant is not in a position to furnish the surety bonds, therefore, he be released on personal bonds.

Ld. APP for State submits that in para no.2 of the application, it has been stated to the wife of applicant, namely, Smt. Santosh has been residing at H.No. WZ-60, Dashgara, New Delhi since long time and it is not stated in the application as to why the wife of applicant/accused is not furnishing surety on his behalf. Therefore, the present application is not maintainable and deserves dismissal.

At this stage, Ld. LAC for applicant/accused submits that he does not press the prayer for release of applicant on personal bonds and seeks withdrawal of the present application.

Ld. LAC for accused further submits that the directions be issued to concerned Jail Superintendent for affording the opportunity to applicant/accused to contact his wife through telephone for compliance of the condition of bail order dt. 01.10.2020.

In view of the above submissions made by Ld. LAC for applicant/accused, the present application stands dismissed as withdrawn.

In the interest of justice, concerned Jail Superintendent is directed to ensure that the contact between applicant/accused and his wife is establish through

telephone or video conferencing, enabling the accused to communicate the condition of bail order dt. 01.10.2020 and compliance thereof.

Application stands disposed off.

Scanned copy of this order be sent to the Ld. LAC for applicant through email. One copy be also sent to concerned Jail Superintendent through all permissible modes including email at daksection.tihar@gov.in, for necessary information and compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.

RISHABH
KAPOOR

Digitally
signed by
RISHABH
KAPOOR
Date:
2020.10.21
16:21:40
+0530

(RISHABH KAPOOR)
MM-03(Central),THC,Delhi
21.10.2020

Letter no. F.4/SCJ-4/AS(UT)/2020/11021 dt. 21.10.2020

e-FIR No. 35684/19

PS Rajender Nagar

21.10.2020

Present: Ld. APP for the state.

The present Letter no. F.4/SCJ-4/AS(UT)/2020/11021 dt. 21.10.2020 under the signatures of Dy. Superintendent Central Jail No.4, Tihar is received.

As per the letter, accused Rahul @ Aryan could not be released from jail as his address could not be verified. As per the report, the accused was not residing at given address. It is further stated that the earlier letter dt. 07.10.20020 was also sent to this Court but no intimation regarding further directions have been received.

Record perused.

The perusal of the report would reveal that the accused Rahul @ Aryan could not be released from Jail as his address was not verified. As per the record order dt. 08.10.2020 was passed by this court upon intimation regarding the non release of accused due to non verification of his address in response to intimation received vide letter dated 07.10.2020 sent by the concerned Jail Superintendent. The perusal of order dt. 08.10.2020 would further reveal that the directions were given to concerned Jail Superintendent for providing the assistance of Ld. Jail Visting LAC to accused for furnishing fresh personal bonds after ascertaining the correct address of accused. However, the concerned Jail Superintendent has not complied with said order dt. 08.10.2020 and as rather reported that no intimation has been received by him in response of letter dt. 07.10.2020 sent to this Court.

The concerned Jail Superintendent is strictly directed to act more carefully in further with a further direction to comply with order dt. 08.10.2020, forthwith.

These papers be tagged with relevant case file for record.

Copy be also sent to concerned Jail Superintendent through all permissible modes including email at daksection.tihar@gov.in, for necessary information and compliance. Ahlmad is also directed to sent the copy of order dt.

08.10.2020 to concerned Jail Superintendent, through email, for necessary compliance.

Scanned copy of the order be also sent to Computer Branch for uploading on Delhi District Court Website.

RISHABH KAPOOR	Digitally signed by RISHABH KAPOOR	(RISHABH KAPOOR)
	Date: 2020.10.21 16:21:59 +0530	MM-03(Central),THC,Delhi 21.10.2020