

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

**Pubjab & Sind Bank**

**Vs.**

**Ms. Deepa**

**Misc. Application**

**19.09.2020**

**Proceedings of this matter has been conducted via Video  
Conferencing through Cisco Webex.**

**This is an application received through email as moved on behalf of  
Applicant Bank for early hearing.**

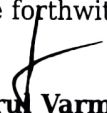
Present: Ld. Counsel for the applicant could not be joined Video  
Conferencing through Cisco Webex due to network problem.

However, Ld. Counsel has requested the Reader of the Court  
telephonically for adjournment.

Request allowed.

Put up on **23.09.2020**.

The order be uploaded on the District Courts website forthwith.

  
**(Arul Varma)**  
**CMM (Central), Delhi**  
**19.09.2020**

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

**FIR No. 000032/2020**

**PS: DBG Road**

**State Vs. Not Known**

**Misc. Application**

**19.09.2020**

**Proceedings of this matter has been conducted via Video  
Conferencing through Cisco Webex.**

**This is an application received through email moved on behalf of  
applicant Vijay Singh Tomar for release of Mobile Phone make  
Samsung Galaxy M-20, on superdari.**

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via  
Video Conferencing through Cisco Webex.  
Applicant Vijay Singh Tomar has been joined via Video  
Conferencing through Whatsapp.

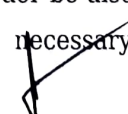
Reply is received from the IO through E-mail. Police has no  
objection in release of the said Mobile in question to the rightful owner.

Concerned SHO/IO is directed to release the above-mentioned  
Mobile Phone to the applicant/rightful owner. 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 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 given dasti to the applicant. The order be  
uploaded on the District Courts website forthwith. Copy of this order be also  
sent to concerned IO/SHO on his official ID for report and necessary  
information.

  
(Arul Varma)  
CMM (Central), Delhi  
19.09.2020

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

FIR No. 208/2020

PS: DBG Road

State Vs. Rajbir Singh @ Sher Singh, S/o Sh. Prem Singh

U/s 380/411/34 IPC

Bail application

19.09.2020

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused Rajbir Singh @ Sher Singh, S/o Sh. Prem Singh, for grant of bail.

Present: Sh. Rajeev Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.  
Sh. Shiv Kumar, Ld. 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 Rajbir Singh @ Sher Singh, S/o Sh. Prem Singh.

1. Ld Counsel for the accused has contended that accused was arrested on 22.08.2020 and has already spent more than 15 days in judicial custody. It is further submitted that applicant/accused may be admitted to bail.
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 22.08.2020, 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. 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  
19.09.2020

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

**FIR No. 126/2020  
PS: Crime Branch  
State Vs. Imran  
Misc. Application**

**19.09.2020**

**Proceedings of this matter has been conducted via Video  
Conferencing through Cisco Webex.**

**This is an application under Section 437 Cr.P.C received through  
email as moved on behalf of applicant/accused Imran for bail.**


Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via  
Video Conferencing through Cisco Webex.  
Sh. Ravi Tikania, Ld. Counsel for the applicant/accused has  
been joined via Video Conferencing through Cisco Webex.

Reply is received from the IO through E-mail.

Ld. Counsel for the applicant/accused submits that he wishes to  
withdraw the present application.

At request of Ld. Counsel, the present application stands  
dismissed as withdrawn.

The order be uploaded on the District Courts website forthwith.

  
(Arul Varma)  
CMM (Central), Delhi  
19.09.2020

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

FIR No. 170/2020

PS: DBG Road

State Vs. Bitto Singh, S/o Sh. Swaroop Singh

U/s 356/379/411/34 IPC

Bail application

19.09.2020

This is an application u/s 437 Cr.PC received through E-mail as moved on behalf of the applicant/accused Bitto Singh S/o Sh. Swaroop Singh, for grant of bail.

Present: Sh. Rajeev Kamboj, Ld. APP for the State via Video Conferencing through Cisco Webex.  
Sh. Udaipal Choudhary, Ld. 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 Bitto Singh, S/o Sh. Swaroop Singh.

1. Ld Counsel for the accused has contended that accused was arrested on 21.08.2020 and has already spent more than 15 days in judicial custody. It is further submitted that applicant/accused may be admitted to bail.
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.
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- 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**;
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9. It has been submitted by Ld Counsel for the accused that the accused was arrested on 21.08.2020, 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.

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**CMM (Central), Delhi**  
**19.09.2020**