

**FIR No. 418/2020**  
**PS: Gulabi Bagh**  
**State Vs. Seema**  
**U/s 21/61/85 NDPS Act**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
Sh. B. L. Madhukar, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused Seema in case FIR No. 418/2020.

Ld. Addl. PP seeks some time to file reply. Let the same be filed on or before the next date of hearing.

For reply and consideration, put up on **18.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
04.11.2020

**B. A. No. 3336**

**FIR No. 193/2020**

**PS: Wazirabad**

**State Vs. Anish Tyagi**

**U/s 392/34 IPC**

04.11.2020

Fresh application received. Be registered.

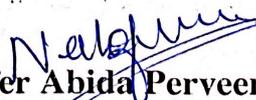
Present: Sh. K.P.Singh, Addl. PP for State.

Sh. P. K. Chaudhary, counsel for accused-applicant

This is third application under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Anish Tyagi in case FIR No.193/2020.

Ld. Counsel for accused-applicant submits that by virtue of the last extension granted to the accused-applicant, interim bail granted in terms of judgment passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition No. 1/2020, order/judgment dated 23.03.2020 passed by Hon'ble High Court of Delhi in case titled as Shobha Gupta & Anr. V. UOI and Ors W. P. (C) No. 2945/2020, is going to expire on 09.11.2020.

In view thereof, put up on **09.11.2020** awaiting further orders/direction <sup>in re</sup> W. P. (C) No. 3080/2020 titled as, Court on its Own Motion v. Govt. of NCT of Delhi and Ors., and vide order dated 07.04.2020 of Hon'ble High Court of Delhi.

  
(Neelofer Abida Perveen)

ASJ (Central)THC/Delhi

04.11.2020

**B. A. No. 3023**  
**FIR No. 204/2020**  
**PS: Roop Nagar**  
**State Vs. Tara Chand Talwar**  
**U/s 409/420/467/468/471/34 IPC**

**&**

**B. A. No. 3022**  
**FIR No. 204/2020**  
**PS: Roop Nagar**  
**State Vs. Naresh Lal Chaudhary**  
**U/s 409/420/467/468/471/34 IPC**

04.11.2020

Present: Sh. K.P.Singh, Addl. PP for State  
Counsel for accused-applicant

These are two applications for grant of anticipatory bail on behalf of accused-applicants Tara Chand Talwar and Naresh Lal Chaudhary in case FIR No. 204/2020.

Ld. Proxy counsel submits that Ld. Main counsel Sh. Pradeep Rai is unwell as has been tested positive for covid-19 infection. Ld. Roxy so far as information goes one of the accused Naresh Lal Chaudhary is also tested positive for covid-19 infection and is hospitalized.

Report of the IO is received electronically and hard copy is placed on record. Copy of the reply be forwarded to the Ld. Counsel.

It is submitted that the accused-applicant have not cooperated in the investigation.

*Naresh Lal Chaudhary*

na

Taking into consideration that the ~~the~~ <sup>id.</sup> Main counsel is stated to be unwell and one of the accused-applicant is also stated to be hospitalized, both on account of covid-19 infection, for consideration, put up on 12.11.2020.

*Neelofer*

**(Neelofer Abida Perveen)**  
**ASJ (Central)THC/Delhi**  
**04.11.2020**

**B. A. No. 3023**

**FIR No. 204/2020**

**PS: Roop Nagar**

**State Vs. Tara Chand Talwar**

**U/s 409/420/467/468/471/34 IPC**

**&**

**B. A. No. 3022**

**FIR No. 204/2020**

**PS: Roop Nagar**

**State Vs. Naresh Lal Chaudhary**

**U/s 409/420/467/468/471/34 IPC**

04.11.2020

Present: Sh. K.P.Singh, Addl. PP for State

Counsel for accused-applicant

These are two applications for grant of anticipatory bail on behalf of accused-applicants Tara Chand Talwar and Naresh Lal Chaudhary in case FIR No. 204/2020.

Ld. Proxy counsel submits that Ld. Main counsel Sh. Pradeep Rai is unwell as has been tested positive for covid-19 infection. Ld. Roxy so far as information goes one of the accused Naresh Lal Chaudhary is also tested positive for covid-19 infection and is hospitalized.

Report of the IO is received electronically and hard copy is placed on record. Copy of the reply be forwarded to the Ld. Counsel.

It is submitted that the accused-applicant have not cooperated in the investigation.

*Neelgurus*

Taking into consideration that the <sup>ad</sup>ld. Main counsel is stated to be unwell and one of the accused-applicant is also stated to be hospitalized, both on account of covid-19 infection, for consideration, put up on 12.11.2020.

*Neelofer*  
(Neelofer Abida Perveen)  
ASJ (Central) THC/Delhi  
04.11.2020

**B. A. No. 3355**

**FIR No. 348/2020**

**PS: Burari**

**State Vs. Mohd. Hasan @ Sameer**

**U/s 376/506/34 IPC**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State  
Sh. Rahul Rajpal, counsel for accused-applicant  
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Mohd. Hasan @ Sameer in case FIR No.348/2020.

Reply of the IO is received electronically. Hard copy be placed alongwith the file. Copy of the reply be forwarded to the Ld. Counsel for the accused-applicant. It emerges that the FIR pertains to commission of offence under Section 376 IPC in view thereof notice in the application be issued to the prosecutrix through the IO.

For consideration, put up on **17.11.2020**, as per request of Ld. Counsel for the accused for physical hearing.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
04.11.2020

**B. A. No. 2951**

**FIR No. 0028/2020**

**PS: Timarpur**

**State Vs. Nadeem**

**U/s 394/397/411/34 IPC**

04.11.2020

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Rajesh Mittal , Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Nadeem in case FIR No.0028/2020.

Arguments heard.

For orders, put up on **06.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
04.11.2020

**FIR No. 179/2019**

**PS: Wazirabad**

**State Vs. Manish @ Dabbu**

**U/s 304B/468A/34 IPC**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
Counsel for accused-applicant (through video conferencing)

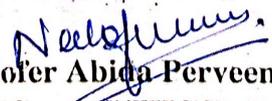
Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of interim bail on behalf of accused Manish @ Dabbu in case FIR No. 179/2019 on the ground of surgery of the mother of the accused-applicant.

Ld. Counsel for accused-applicant submits that medical documents annexed with the application shows that the mother of the accused-applicant, for treatment is to be admitted in hospital on 12<sup>th</sup> of November, 2020 for surgery to be performed on 13.11.2020.

Let medical record annexed with the application be verified alongwith the family status of the accused-applicant.

For report and consideration, put up on **11.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
04.11.2020

**B. A. No. 3357**

**FIR No. Not Known**

**PS: Gulabi Bagh**

**State Vs. Rohit Kumar**

**U/s Not known**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)  
Sh. Ajay Goel, counsel for accused-applicant (through video conferencing)  
Hearing is conducted through video conferencing.

This is an application under Section 438 CrPC for grant of anticipatory bail on behalf of accused-applicant Rohit Kumar.

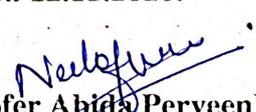
Reply is filed.

Ld. Addl. PP submits that FIR No. 128/2019 dated 30.10.2020 at PS Gulabi Bagh has been registered against the accused-applicant and subsequently after obtaining the opinion on the MLC of the injured, offence under Section 308 IPC has been added.

Ld. Counsel for accused-applicant submits that he is not aware of any such FIR registered against the accused-applicant.

Let copy of reply be forwarded to the ld. Counsel for accused-applicant.

For further consideration, put up on 12.11.2020.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi

04.11.2020

**B. A. No. 3370**

**FIR No. 278/2020**

**PS: Burari**

**State Vs. Rahul**

**U/s 304B/498A/306 IPC**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State (through video conferencing)

Sh. Vivek Sharma, counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Rahul in case FIR No.278/2020.

Reply is filed.

Ld. Counsel for the accused-applicant submits that he has not received copy of reply. Copy of reply be forwarded to Ld. Counsel for accused-applicant.

For further consideration, put up on **18.11.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi

04.11.2020

**FIR No. 327/2018**  
**PS: Prasad Nagar**  
**State Vs. Ramesh**  
**U/s 307 IPC**

04.11.2020

Fresh application received. Be registered.

Present: Sh. K. P. Singh, Addl. PP for State (through video conferencing)  
Sh. Om Sharma, Counsel for accused-applicant (through video conferencing)

Hearing is conducted through video conferencing.

This is an application under Section 439 CrPC for grant of regular bail/interim bail on behalf of accused Ramesh in case FIR No. 327/2018.

Reply is filed.

Ld. Counsel for the accused-applicant contended that accused-applicant was granted interim bail vide order dated 08.06.2020 under the guidelines of High Powered Committee of Hon'ble High Court of Delhi, which was further extended vide order dated 21.07.2020 and lastly vide order dated 29.10.2020, the interim bail of the accused-applicant was extended till 04.11.2020 and that in terms of the recommendations of the H'ble High Powered Committee as contained in the minutes of meeting dated 24.10.2020, the interim bail so granted and as extended may further be extended by a period of 30 days.

Heard.

The accused-applicant is granted interim bail of 45 days on 21.08.2020 in accordance with the guidelines issued by the High Powered Committee of H'ble the High Court of Delhi towards decongestion of prisons in

*Nalajun*

Delhi which was subsequently extended on 9.9.2020 in terms of orders passed by H'ble the High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors. dated 04.08.2020. Subsequently vide orders dated 18.9.2020 passed in the same writ petition by way of a blanket order all the interim bails for a period of 45 days granted to the UTP's in view of the recommendations of the HPC which were going to expire on 21.9.2020 and thereafter were further extended by a period of 45 days.

Full Bench of Hon'ble the High Court of Delhi in W. P. (C) N.3027/2020 titled as **Court on Its Own Motion v. Govt of NCT of Delhi & Ors.** vide order dated 20.10.2020 has observed and directed as under on the aspect of further extension of interim bails and orders:-

*"This Court vide order dated 25th March, 2020 took suo moto notice of outbreak of Covid-19 and the restricted functioning of this Courts vide notification number No.51/RG/DHC/dated 13.03.2020 as well as Government notification dated 24 March, 2020 declaring nationwide lockdown for a period of 21 days wef. 25 March, 2020 and passed a detailed order of which operative portion is as under:*

*"Taking suo moto cognizance of the aforesaid extraordinary circumstances, under Article 226 & 227 of the Constitution of India, it is hereby ordered that in all matters pending before this court and courts subordinate to this court, where in such interim orders issued were subsisting as on 16.03.2020 and expired or will expire thereafter, the same shall stand automatically extended till 15.05.2020 or until further orders, except where any orders to the contrary have been passed by the Hon'ble Supreme Court of India in any particular matter, during the intervening period.*

*Need less to clarify that in case, the aforesaid extension of interim order causes any hardship of an extreme nature to a party to such proceeding, they would be at liberty to seek appropriate relief, as may be advised"*

*Neelgupta*

xxxxxx

xxxxxx

xxxxxx

7. After considering all aspects and in view of the fact that the interim bail and interim stay extension order was necessitated because functioning of the Courts was curtailed due to complete lockdown declared on 25.03.2020 but now the situation has changed and Courts at High Court and District Court level are functioning through physical mode/VC mode and since there is no spread of Covid-19 in the jails and out of about 16,000 prisoners only 3 are infected and they have been segregated and are admitted in hospital, we deem it proper to modify our order dated 25 March, 2020 which was lastly extended on 24<sup>th</sup> August, 2020 as under:

(i) As far as the first category of 2318 undertrials involved in heinous crimes, who were granted interim bail by the District Courts, there shall be no further extension of interim bails under the orders of this Court. However, to facilitate their surrender before jail authorities and to avoid any inconvenience being caused to the jail authorities during surrender of a large number of under trials, it is ordered that the surrender shall take place in the following phased manner:

(a) The prisoners of Central District, Tis Hazari Courts, shall surrender on 2nd November, 2020.

(b) The prisoners of West District, Tis Hazari Courts, shall surrender on 3rd November, 2020.

(c) The prisoners of Patiala House Courts, New Delhi District shall surrender on 4 November, 2020.

(d) The prisoners of East District, Karkardooma Courts shall surrender on 5th November, 2020,

(e) The prisoners of North East District, Karkardooma Courts shall surrender on 6 November, 2020,

(f) The prisoners of Shahdara District, Karkardooma Courts shall surrender on 7th November, 2020.

(g) The prisoners of North District, Rohini Court shall surrender on 8th November, 2020,

(h) The prisoners of North West District, Rohini Courts shall surrender on 9th November, 2020.

(i) The prisoners of South West District, Dwarka Courts

*Nalini*

shall surrender on 10 November, 2020.

(j) The prisoners of South District, Saket Courts, shall surrender on 11 November, 2020.

(k) The prisoners of South East District, Saket Courts shall surrender on 12 November, 2020.

(j) The prisoners of Rouse Avenue Courts Complex, New Delhi shall surrender on 13th November, 2020.

(ii) The above 2,318 prisoners are at liberty to move the respective courts for extension of their interim bails and the concerned courts shall consider the said applications for extension of interim bails on its own merits and take a decision accordingly without being influenced by any order passed by this Court in the past.

(iii) As far as 2,907 prisoners, who have been granted bail on the recommendation of High Power Committee are concerned, a request is made to the High Power Committee to take a decision in respect of the said prisoners within ten days from today.

Subsequent to the above referred order of the H'ble Full Bench, the High Powered Committee of Hon'ble High Court of Delhi in its Minutes of Meeting dated 24.10.2020 has observed and resolved as under regarding extension of interim bails granted to UTPs as per the guidelines issued from time to time:

.....  
Members of the Committee have considered that as on date against this capacity, there already are 15887 inmates. Even if the additional accommodation of 1800 inmates in the newly created 'temporary jail' is taken into consideration, it would be highly inconvenient for the jail authorities to accommodate UTPs/convicts released on 'interim bail/emergency parole' under the criteria laid down by this Committee, alongside those who would be surrendering in terms of orders dated 20.10.2020 passed by Full Bench of Hon'ble Delhi High Court.

Considering the fact that UTPs/convicts who would

*Nand Lal*

be surrendering as per orders passed by Full Bench of Hon'ble High Court are required to be kept in Isolation Cells for a period of 14 days from their respective dates of surrender, Members of the Committee, therefore, found the contention raised by D.G. (Prisons) to be reasonable.

Members of the Committee are of the opinion that it would be appropriate to prevent any chaos or inconvenience to the jail authorities, if the UTPS/convicts granted 'interim bail/emergency parole' on the basis of criteria laid down by this Committee are asked to surrender from December, 2020. As by that time the quarantined/Isolation period of UTPs/convicts surrendering as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court, would be over.

Taking into account the cumulative effect of all these relevant factor i.e.:

- (a) Actual holding capacity of Delhi Prison,
- (b) Present occupancy,
- (c) No. of UTPs/convicts surrendering from 02.11.2020 till 13.11.2020, as per orders dated 20.10.2020 of Full Bench of Hon'ble High Court and
- (d) Period of of 14 days keeping them in Isolation Cells before sending them to regular jail.

Members of the Committee are of the opinion that interim bail granted to 3337 UTPs under HPC criteria needs to be extended for a further period of 30 days.

Member Secretary, DSLSA has further apprised the Committee that Special Bench so constituted by Hon'ble the Chief Justice, which had earlier extended interim bail vide order dated 18.09.2020 has listed the said matter on 03.11.2020

The Committee is of the opinion that in this regard, a judicial order would be required from Hon'ble High Court of Delhi and recommends accordingly.

.....  
In the event of passing of any such order by Hon'ble High Court of Delhi on the basis of recommendations of this Committee, it is made clear that jail administration shall inform such UTPS about extension of their "interim bail" for a further

*Nalga*

period of 30 days from the date, the earlier period of interim bail is expiring, telephonically. D.G. (Prisons) assures that jail administration shall do the needful and shall inform all such UTPs about the exact date of their surrender.

.....  
Needless to add that no further extension of interim bail shall be made by this Committee. All such UTPs are at liberty to move their respective Courts seeking regular bail through their private counsel or by panel lawyer of DSLSA, as the case may be, and all such Courts shall consider the bail application so filed on merits, de hors the criteria laid down by this Committee."

In the wake of the recommendations embodied in the minutes of meeting dated 24.10.2020 of the High Powered Committee, as reproduced supra, and awaiting further orders and direction of the Hon'ble High Court of Delhi in W. P. (C) N.3080/2020 titled as Court on Its Own Motion v. Govt of NCT of Delhi & Ors, in respect of further extension of interim bails allowed to the UTP's based upon the guidelines of the HPC, at this stage the interim bail granted to the accused-applicant, as such interim bail was granted in the first instance as per the guidelines of the HPC, is extended further till 07.11.2020 on the same terms and conditions.

*Neelofar*  
(Neelofar Abida Perveen)  
ASJ (Central)THC/Delhi  
04.11.2020

**B. A. No. 3350**

**FIR No. 154/2020**

**PS: Burari**

**State Vs. Birender @ Virender**

**U/s 304/34 IPC**

04.11.2020

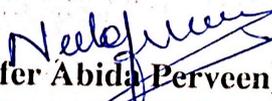
Fresh application received. Be registered.

Present: Sh. K.P.Singh, Addl. PP for State.

Sh. S. K. Sharma, counsel for accused-applicant

This is an application under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Birender @ Virender in case FIR No.154/2020.

When it is brought to the notice of Ld. Counsel for accused-applicant that another application for extension of interim bail on behalf of accused-applicant has already been taken up for hearing today which has been filed through Sh. R. A. Khan, Advocate, Ld. Counsel submits that he does not wish to press upon the present bail application and that the same may be dismissed as withdrawn. It is ordered accordingly. This application under Section 439 CrPC for extension of interim bail on behalf of accused-applicant Birender @ Virender in case FIR No.154/2020 is dismissed as withdrawn.

  
(Neelofer Abida Perveen)

ASJ (Central) THC/Delhi

04.11.2020