

Sl. no. 4
SC No. 39/19
State Vs. Soren Singh
FIR No. 573/2018
P.S. Harsh Vihar
U/s 498-A/304-B/174-A/34 IPC
ID No. 156/2019

IA No. 5/2020

14.08.2020

This is an application for extension of interim bail u/s 439 Cr.P.C. for a period of 45 days as filed on behalf of above named applicant/accused during Covid-19 Pandemic.

Arguments have been advanced by Sh. Sunil Kumar, Ld. Counsel for applicant and also by Sh. Tofeeq Ahmad, Ld. Substitute Addl. Public Prosecutor for State through video conferencing by using 'Cisco WebEx' App.

Ld. Counsel for applicant argued that applicant was granted interim bail for a period of 45 days by this court vide order dated 03.07.2020. Ld. Counsel for applicant further argued that Hon'ble Full Bench of High Court of Delhi has issued directions vide order dated 13.07.20 to extend the interim bail of the inmates who have been released on interim bail by Hon'ble High Court of Delhi or its subordinate courts till 31.08.20. It is thus prayed that interim bail of applicant be also extended up-to 31.08.20.

Hon'ble High Court in WP (C) No. 3037/2020 titled as "Court On Its Own Motion Vs. State & Ors." vide order dated

13.07.2020 observed as under:

“In this regard, we make it clear that all the directions issued from time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these directions have been issued keeping in view the fact that the jail authorities have limited space to keep the inmates and in case of spread of Covid-19 Pandemic in the jail, it would not be in a position to maintain physical distancing amongst jail inmates. Looking to this aspect and the possible threat of spreading of viral infection by **those persons who are on interim bail/bail/parole granted by this Court or the Courts subordinate to this Court, to other inmates of the jail on their return to the jail, the decision of extension of interim bail/bail/parole has been taken from time to time.** It is clarified that this order of extension of bail/interim bail/parole shall be applicable to all undertrials/convicts, who are on bail/interim bail or parole as on date irrespective of the fact that they were released on bail/interim bail or parole before or after 16th March, 2020”.

In view of the mandate of the Hon'ble Full Bench of High Court of Delhi, interim bail granted to applicant vide Order dated 03.07.2020 stands extended till 31.08.2020 as per previous terms and conditions. Application stands disposed off accordingly.

(Sanjeev Kumar Malhotra)
ASJ-04/Shahdara
KKD Courts/Delhi/14.08.2020