

IA No. 02/21
State Vs. Asif
FIR No. 492/2020
P.S: Seema Puri
U/S: 307/34 IPC & 25/27 Arms Act

07.07.2021

Proceedings were taken up through video conferencing using Cisco Webex App. in view of directions of Hon'ble Delhi High Court dated 28.06.2021 vide order no.372/RG/DHC/2021.

Present. Mr. Rakesh Kumar, Ld. Addl. PP for State.
Col. Mr. Rajesh Sharma for applicant/accused.
IO SI Nagender Nagar from P.S. Seema Puri. Reply filed.

1. By way of this application, the accused Asif prays for grant of an interim relief for a period of 90 days based upon the guidelines laid down by HPC dated 04.05.2021 and 11.05.2021 of Hon'ble Delhi High Court.
2. Ld. Col. states that the accused is running in custody since 02.11.2020 and has clean antecedents. Ld. Col. Mr. Sharma requests for giving up his relief of interim release based upon HPC guidelines and prays for the interim release of the applicant for a period of 90 days, in view of the circumstances explained. It is submitted that on account of the second upsurge of Covid 19 pandemic which has proved more virulent this time, the applicant is more susceptible to infection at jail. Ld. Col. further submits that the applicant needs to be with his family.
3. Heard.
4. Considering the fact that the case of the applicant falls within the criteria laid down in the Minutes of Meeting in HPC dated 04.05.2021 and also the unprecedented situation caused on account of Covid-19 Pandemic, I deem it appropriate to allow the application of the applicant however subject to certain conditions.

5. The request of Ld. Col. seeking the applicant on interim relief stands allowed. The applicant is allowed to be released on interim bail for a period of 90 days on his furnishing personal bond in the sum of Rs.20,000/- with one sureties of like amount to the satisfaction of this Court subject to the conditions that;
- (a) applicant and surety shall furnish their mobile numbers/contact numbers to the IO/SHO concerned.*
- (b) applicant shall not contact the prosecution witnesses nor threaten them in any manner or influence them.*
- (c) applicant shall surrender himself on the expiry of the period of 90 days to the Jail Superintendent concerned.*
- (d) applicant shall telephonically call the IO concerned every third day at 11.00 am to mark his attendance. On each such occasion, the applicant shall drop a Google pin from his mobile phone to the IO concerned so as to inform the IO about the current location of the applicant.*
- (e) In the event of violation of any of the above conditions, the above Order shall stand automatically cancelled.*

6. Interim application of accused Asif stands disposed off.
- A Copy of Order be sent to Jail Superintendent concerned for compliance.

A copy of Order be given dasti to the parties including the IO/ be sent to them through Whatsapp/email/telephonically.

(Ms. Ravinder Bedi)
ASJ-02/E-Court/ Shahdara
KKD/Delhi/07.07.2021