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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 471/2018 & CRL.M.A. 33372/2018

JITENDER KUMAR MANJHI Petitioner

Through: Ms. Ruchika Raina, daughter of
petitioner in person.

versus

RADHA RAMAN SRIVASTAVA Respondent

Through: Ms. Mrinalini Sen, Legal Aid Counsel
with Mr. Tanmay Yadav, Advocate.

(11)

+ CRL.REV.P. 473/2018

JITENDER KUMAR MANJHI Petitioner

Through: Ms. Ruchika Raina, daughter of
petitioner in person.

versus

RADHA RAMAN SRIVASTAVA Respondent

Through: Ms. Mrinalini Sen, Legal Aid Counsel
with Mr. Tanmay Yadav, Advocate.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **18.08.2022**

CRL.M.A. 5937/2020 (exemption) in CRL.REV.P. 473/2018

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.REV.P. 471/2018 & CRL.REV.P. 473/2018

3. Daughter of the Petitioner who appears in person seeks a short



adjournment as the main counsel is not available today.

4. While opposing the above prayer for adjournment, learned counsel for the respondent draws attention towards order dated 27th April 2020 whereby the sentence awarded to the petitioner was suspended in both cases. In view of the COVID-19 pandemic situation, and in view of the Resolution dated 7th April 2020 of the 'High Powered Committee' and the consequence order dated 9th April 2020 passed by the Division Bench of this Court in WP (Crl) No. 779 of 2020 (*Court of Its Motion v. State*), the applicant was released the requirement of furnishing a surety bond was dispensed with. Learned counsel stated that the petitioner has not deposited the compensation amount of Rs. 24 lacs and Rs. 16 lacs and even he has not surrendered till date.

5. Daughter of the petitioner however stated that out of the total combined sentence of 3 years (including default sentences), her father (the petitioner herein) has undergone approximately two years and four months. She stated that the respondent did not oppose the prayer of the petitioner for the release of amount of Rs. 96,000 which was deposited before the trial Court that has been released to the respondent.

6. After hearing the parties and perusing the records, it is seen that on the last date of hearing no one was present on behalf of the Petitioner. Today also an adjournment has been sought on behalf of the Petitioner. It is clear that the petitioner has not complied with the directions of paying compensation of Rs. 24 lacs and Rs. 16 lacs respectively and he has not surrendered before the jail authorities.

7. It is not clear as to why the Superintendent of Jail has not informed this Court that the accused has not surrendered though he was released only, in view of the COVID-19 pandemic situation, by the orders of the High



Court. The Registry is directed to issue a letter to the concerned Jail Superintendent, Tihar Jail, Delhi to submit a report on the above aspect at least one week prior to the next date of hearing.

8. As the daughter of the petitioner is not assisted by a counsel, adverse orders are deferred.

9. List on 27.09.2022.

10. A copy of this order be delivered forthwith to the concerned Jail Superintendent, Delhi.

SWARANA KANTA SHARMA, J

AUGUST 18, 2022/kss