

~~Amritabh Rawat~~  
IN THE COURT OF SH. AMITABH RAWAT, ADDITIONAL SESSIONS  
JUDGE-03 SHAHDARA DISTRICT, KARKARDOOMA COURT, DELHI

FIR No.59/20  
PS- Crime Branch (Investigated by Special Cell)  
U/S. 13/16/17/18 UAPA, 1967  
302/307/353/186/212/395/427/435/436/452/454/109/114/147/148/124A/153A/  
120B IPC, 3, 4 of PDPP Act, & 25/27 Arms Act  
State Vs. Umar Khalid

14.09.2020 ( At about 6.30 pm)

**ORDER**

Present: Sh.Amit Prasad, Ld. Special PP for the State (through Webex ).  
Sh. Trideep Pais & Ms. Sanya Kumar, Ld. Counsel for accused.  
Accused Umar Khalid has been produced after fresh arrest from  
Special Cell/NDR, Lodhi Colony, New Delhi through video conferencing with SI  
Manoj.

IO/Inspector Pramod Chauhan, on behalf of I.O/ACP Alok Kumar  
with case file and case diaries.

Through the present application, ten days police custody remand has  
been sought for accused namely Umar Khalid, who has been arrested on  
13.09.2020 in the present case.

It was stated in the application and submitted by the Ld. Special  
Prosecutor that the present case pertains to a multi-layered conspiracy and  
preplanned riots in Delhi. It was submitted that on 06.03.2020 specific  
information was received in the Crime Branch that the communal riot incidents  
during February 23-26, 2020 in Delhi were preplanned and the same were hatched  
by one Umar Khalid a student of Jawaharlal Nehru University (JNU) and his  
associates, all linked with different-different groups. As per preplanned  
conspiracy, the accused Umar Khalid gave provoking speeches at various places  
and appealed the Muslim minority community gathering to block roads and other  
public places during the visit of Mr. Donald Trump, Hon'ble President of USA on



24/25 February, 2020, so that a propaganda may be flashed at international platform that the Muslim minorities community in India are being tortured. In order to achieve these objectives, the firearms, petrol bombs, acid bottles, stones, sling shots and other dangerous articles were procured at various places including Maujpur Jafarabad, Chand Bagh, Gokalpuri and Shiv Vihar, Delhi On 23<sup>rd</sup> February, 2020, as per preplanned conspiracy the children and ladies were sent to block Jafarabad Metro Station to create tension and riots in the area. Consequent upon preplanned conspiracy, on 23/24 February, 2020, different-different groups started riots in various parts of North East and Shahdara Districts of Delhi and the same continued till 23 of February, 2020 causing death of over 50 people, hundreds of persons injured and huge loss of government, public and private properties. Over 750 cases related to above riot incidents have been lodged in different police stations of Shahdara and North-East districts of Delhi Subsequently, this case was registered and its investigation was transferred to Special Cell.

It was further stated that during investigation, a deep-rooted conspiracy among rioters, instigators and conspirators is revealed to cause above riots in the name of religion in the National Capital of India to defame the country at International Platform during the visit of Hon'ble President of United State of America along with International Electronic & Print Media. During investigation, different groups/organizations have been surfaced behind this deep-rooted conspiracy. During the investigation, twenty accused persons were arrested in this case. On the basis of the outcome of interrogation of arrested accused as well as outcome of investigation, the name of Umar Khalid mentioned above surfaced behind the recent Delhi riots.

Accused Umar Khalid who is a Ex-Student of JNU is also found actively



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of justice.

Ld. Counsel for the accused has opposed the application stating that he has already been interrogated twice in this case. He had further submitted that in case, remand is being given then he may be allowed legal interview with the accused. It was further submitted that safety and security of the accused may also be ensured. It was further submitted that certain items as mentioned in para 10 in his application like Tracks, t-shirt, etc. be also given to the accused. It was further submitted that vakalatnama may be allowed to be signed by the accused in police custody.

Heard.

I have gone through the case file and case diaries.

The investigation in the present case of conspiracy for Delhi riots which took place in Delhi is continuing. Considering the nature of the case and role of the accused Umar Khalid that has surfaced so far regarding the the conspiracy and involvement in Anti-CAA/NPR/NRC protest with the support of several radical groups/organizations resulting in riots and the fact that the custodial interrogation has been sought of the accused Umar Khalid for confronting the huge technical data as well as material that has come during the investigation, I deem it fit that, for having an effective and proper investigation to allow the present application for seeking police custody remand of the accused Umar Khalid for a period of ten days. Accordingly, the application is allowed and ten days police custody remand of the accused namely Umar Khalid is given to the IO. The I.O shall get the accused medically examined every 24 hours. Sh. Trideep Pais, Ms. Sanya Kumar and Ms. Rakshanda Deka, Ld. Counsels for accused are permitted to confer with the accused for a period not exceeding half an hour at the beginning of the police custody and thereafter, daily during police custody remand



at the venue to be communicated to the counsel. The concerned police officials shall ensure that they remain outside the audible range during the said period. Needless to state that the accused and his counsel shall follow the necessary distancing protocols in view of the outbreak of Covid-19.

After expiry of police custody remand, accused be produced before the court on 24.09.2020.

As far as prayer of accused regarding handing over the articles as mentioned in his application in para 10 i.e. 04 tracks, 04 t-shirts, 03 undergarments, 02 tooth brush, 02 tooth paste, 02 soaps, 02 handwash, 20 masks, 02 liter bottle hand sanitizer, 02 towels, 02 hand towels, 02 strips calcium tables, and 02 strips antacids, the same is allowed. Accordingly, articles, so mentioned in the application of accused, may be allowed to be given to the accused through I.O. Ld. Counsel for accused may also get the vakalatnama signed from the accused during police custody remand.

Since there is an apprehension raised by the Ld. Counsel for accused regarding safety of the accused, in case, he is taken out of the office, hence, the DCP is directed to make proper arrangements for ensuring his safety and security during the entire police custody remand.

At the request of the counsel for accused, the Inspector Pramod Chauhan, present in the court, has provided his mobile number bearing no. 7503002530 to the counsel for accused for coordinating regarding meeting during the police custody remand.

The articles enumerated in para no. 10 of the application moved by the counsel for accused, have been handed over to the Inspector Pramod Chauhan for use of accused during police custody remand.

Applications under consideration are accordingly disposed off.

