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

+ W.P.(C) 3080/2020

COURT ON ITS OWN MOTION

..... Petitioner

Through: Court on its own motion

versus

GOVT OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Kanwal Jeet Arora, Member Secretary, DSLSA Mr. Rahul Mehra, Standing Counsel (Criminal) with Mr.Chaitanya Gosain, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

18.01.2021

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The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

1. This Court vide its previous order dated 02.12.2020 had extended the interim bails granted to 3499 Under Trial Prisoners (UTPs) for a period of 45 days, which will come to an end by efflux of time from 02.12.2020 onwards.

2. It is observed that for the effective implementation of the directions issued by the Hon'ble Supreme Court of India in *Suo Moto* Petition (Civil) No.1/2020- in Re; Contagion of COVID-19 Virus in Prisons vide its orders dated 23.03.2020 and 13.04.2020, a High Powered Committee (HPC) was constituted by the High Court of Delhi to decongest the jails to prevent the spread of COVID-19 (Novel Corona Virus) and as per the recommendations of the HPC dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020, 31.07.2020 30.08.2020, 24.10.2020 and 28.11.2020 and on the basis of the orders in W.P.(C) 2945/2020, titled as '*Shobha Gupta & Ors. vs.*

Union of India & Ors', 3499 UTPs were released on interim bail for a period of 45 days from the date of their respective release.

3. The HPC constituted by the High Court of Delhi, in its meeting dated 14.01.2021 further noted that, the said period of 45 days in respect of 3499 UTPs is going to expire with effect from 20.01.2021 onwards. As per the Minutes of Meeting dated 14.01.2020, the HPC was of the opinion that, the interim bails so granted to 3499 UTPs by the respective Chief Metropolitan Magistrates/Metropolitan Magistrates needs to be extended for a further period of 30 days. It was also noted by the HPC that, in the present scenario, it may not be possible to move individual applications before the concerned Chief Metropolitan Magistrates/Metropolitan Magistrates by the Legal Aid Counsel, so the matter was placed before this Court for considering the extension of interim bails of 3499 UTPs on the judicial side.

4. Mr. Sandeep Goel, Director General (Prisons), reiterated the same request for extension of interim bails granted to 3499 UTPs, in view of the prevailing pandemic situation.

5. Mr. Rahul Mehral, learned Standing Counsel (Criminal) appearing on behalf of Government of NCT of Delhi has no objection to the extension of interim bails granted to 3499 UTPs by another period of 30 days from the date of respective expiry of their interim bail period.

6. Accordingly, it is ordered that the interim bails granted to 3499 UTPs, in view of the recommendations of HPC dated 28.03.2020, 07.04.2020, 18.04.2020, 05.05.2020, 18.05.2020, 20.06.2020, 31.07.2020, 30.08.2020, 24.10.2020 and 28.11.2020 and on the basis of the orders in **Shobha Gupta & Ors. (supra)**, are hereby extended for a further period of 30 days from the date of respective expiry of their interim bail period, on the same terms and conditions.

7. The Director General (Prisons) shall ensure that, this order is conveyed to all the 3499 UTPs by telephone, as well as, through all other available modes. Mr. Kanwal Jeet Arora, learned Member Secretary, DSLSA shall coordinate with the Director General (Prisons) in this regard.

8. List on 18.02.2021.

9. A copy of this order be provided to the Director General (Prisons), Mr. Rahul Mehra, Standing Counsel (Criminal) and Mr. Kanwal Jeet Arora, learned Member Secretary, DSLSA electronically for compliance and be also uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

JANUARY 18, 2021/dn