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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1052/2020

KHUSHI MOHD

..... Petitioner

Through : Mr.Mir Akhtar Hussain, Ms.Mir
Sonia Hussain, and Mr.Rakesh
Kumar Pant, Advocates.

versus

STATE NCT OF DELHI AND ANR

..... Respondents

Through : Mr.Avinder Singh, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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14.07.2020

1. The hearing has been conducted through Video Conferencing.

CrI.M.A.No.9163/2020

2. Exemption allowed, subject to the condition that petitioner will file the duly sworn/attested affidavit and the requisite Court fee within 72 hours from the date of resumption of the regular functioning of this Court.

3. The application stands disposed of.

CrI.M.A.No.9162/2020

4. Exemption allowed, subject to all just exceptions.

5. The application stands disposed of.

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6. The petitioner has filed this petition with the following prayers:-

- a) Implement and give effect of Notification No.F18/191/2015/HG/1379-1392 dated 18.03.2020 and thereby release the petitioner on interim bail / parole for a period of 8 weeks to the petitioner;
- b) Implement and give effect of order dated 23.03.2020 passed by this Hon'ble Court in W.P.(C)

No.2945/2020 in Re: Shobha Gupta and Others vs Union of India & Others to the petitioner and thereby release the petitioner on interim bail / parole for a period of 8 weeks in FIR No.265/2018 under Section 420/467/468/471/120-B IPC and Section 66/66C/66D of the IT Act, 2000, PS Crime Branch”

7. The prayer made by the petitioner is twofold; *a)* parole; and *b)* interim bail.
8. It is submitted by learned ASC the parole cannot be granted to petitioner since he is not convicted of any offence uptill now. Further, he says even the interim bail cannot be granted because his case does not fall in the categories, so mentioned, in the minutes of meeting 07.04.2020 of the High Powered Committee, Delhi High Court.
9. The learned counsel for the petitioner however says his interim bail was not considered by the jail authorities as his custody warrant mention Section 467 IPC whereas in fact the petitioner was discharged for the offences under Section 467 IPC and under Section 66, 66(C), 66(D) of the IT Act. The copy of the order dated 04.12.2019 is also annexed with this petition. It is submitted by the learned counsel for the petitioner his representation dated 10.04.2020 has not been decided as yet.
10. The learned ASC in this regard submits the State shall endeavour to decide the representation within 10 days and in case it has already been decided, the orders thereof shall be communicated to the petitioner.
11. In the circumstances, the representation dated 10.04.2020, if not decided uptill now, be decided within 10 days from the date of receipt

of this order and be communicated to the petitioner immediately thereafter.

12. In view of above, the petition stands disposed of.

13. Copy of this order be communicated electronically to the Jail Superintendent for information and compliance.

YOGESH KHANNA, J.

JULY 14, 2020

DU/M

Signature Not Verified

Digitally Signed By KAPIL
SHARMA

Signing Date: 14/07/2020 14:40