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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2078/2020**

KARAN KHANNA Petitioner
Through: Mr. Rajat Wadhwa and
Mr. Himanshu Nailwal, Advocates.

Versus

STATE NCT OF DELHI Respondent
Through: Ms. Radhika Kolluru, APP for State.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

% **ORDER**
06.08.2020

CRL. M.A. Nos. 10547-48/2020

1. Exemptions are allowed, subject to the condition that the petitioner will file the duly sworn/attested affidavits, certified copies of the annexures and the requisite court fee within 72 hours from the date of resumption of the regular functioning of this Court.
2. Applications are disposed of.

BAIL APPLN. 2078/2020

1. The present application has been filed under Section 439 Cr.P.C. seeking extension of interim bail granted to the petitioner vide order dated 05.05.2020 in FIR No. 205/2019 under Section 20 of the NDPS Act

registered at P.S. Crime Branch on the ground that the petitioner's mother has to undergo surgery.

2. Learned counsel for the petitioner submits that the aforesaid order vide which the petitioner was granted interim bail was extended subsequently vide orders dated 01.06.2020 and 16.06.2020. It is submitted that thereafter the interim bail orders were not extended. Learned counsel has relied on the orders dated 15.05.2020, 15.06.2020 and 13.07.2020 passed by the Full Bench in Court On Its Own Motion v. State & Ors. bearing **W.P.(C) 3037/2020** and prays that the petitioner's bail may be extended till 31.08.2020.

3. The order dated 13.07.2020 reads as follows:

“7. In this regard, we make it clear that all the directions issued from time to time in this case are based on the ongoing pandemic situation in Delhi. So far as the criminal matters are concerned, these directions have been issued keeping in view the fact that the jail authorities have limited space to keep the inmates and in case of spread of Covid-19 pandemic in the jail, it would not be in a position to maintain physical distancing amongst jail inmates. Looking to this aspect and the possible threat of spreading of viral infection by those persons who are on interim bail/bail/parole granted by this Court or the Courts subordinate to this Court, to other inmates of the jail on their return to the jail, the decision of extension of interim bail/bail/parole has been taken from time to time. It is clarified that this order of extension of bail/interim bail/parole shall be applicable to all undertrials/convicts, who are on bail/interim bail or parole as on

date irrespective of the fact that they were released on bail/interim bail or parole before or after 16th March, 2020.”

4. Notice.

5. Ms. Radhika Kolluru, learned APP accepts notice and submits that vide order dated 01.07.2020, the petitioner withdrew his application as he intended to surrender. However, the petitioner instead of surrendering has moved another application which came to be dismissed on 15.07.2020. She submits that the petitioner’s conduct does not inspire confidence as he has not surrendered till date.

6. As borne out from the records, the petitioner’s bail expired on 01.07.2020 on which date he withdrew his bail application before the concerned court. Indeed, the petitioner has not surrendered and remained outside despite of there being any order from 01.07.2020 onwards. However, keeping in view orders passed by the Full Bench of keeping the jails decongested, the petitioner’s bail is extended till 31.08.2020 on the same terms and conditions.

7. The application is disposed of in the above terms.

8. Copy of the order be sent to the Jail Superintendent electronically for information and necessary compliance.

MANOJ KUMAR OHRI, J

AUGUST 06, 2020

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