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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1664/2020 & CRL.M.A. Nos. 11277-79/2020

KAMALOVA AISULUU & ORS. Petitioners
Through: Ms. Ashima Mandla & Ms.Mandakini
Singh, Advs.
versus

STATE (NCT OF DELHI) & ORS. Respondents
Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Ajay Digpaul, CGSC for UOI.

+ CRL.M.C. 1665/2020 & CRL.M.A. Nos. 11281-83/2020

HAYADI SIRAJUDDIN & ORS. Petitioners
Through: Ms. Ashima Mandla & Ms.Mandakini
Singh, Advs.
versus

STATE (NCT OF DELHI) & ORS. Respondents
Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Ajay Digpaul, CGSC for UOI.

+ CRL.M.C. 1666/2020 & CRL.M.A. Nos. 11284-86/2020

MAHMUDDIN AMBO ALLENG & ORS. Petitioners
Through: Ms. Ashima Mandla & Ms.Mandakini
Singh, Advs.
versus

STATE (NCT OF DELHI) & ORS. Respondents
Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Ajay Digpaul, CGSC for UOI.

+ CRL.M.C. 1667/2020 & CRL.M.A. Nos. 11287-89/2020

KHIVA ANVAR & ORS. Petitioners
Through: Ms. Ashima Mandla & Ms.Mandakini
Singh, Advs.
versus

STATE (NCT OF DELHI) & ORS. Respondents
Through: Mr. Tarang Srivastava, APP for the
State.
Mr. Satya Ranjan Swain, Central
Govt. Senior Panel Counsel for UOI.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI
ORDER
% 20.08.2020

CRL.M.C. Nos. 1664/2020, 1665/2020, 1666/2020 & 1667/2020

The petitioners in all these four matters seek similar reliefs. The petitions are accordingly being taken-up together.

2. The 4 petitioners in CRL.M.C. No. 1664/2020 are Kyrgyz nationals who are accused in case FIR No. 133/2020 dated 01.04.2020 registered under sections 188/269/270/271/34 IPC read with section 3 of Epidemic Diseases Act, 1897 at PS : Shastri Park.
3. The 12 petitioners in CRL.M.C. 1665/2020 are Indonesian nationals who are accused in case FIR No. 96/2020 dated 31.03.2020 registered under sections 188/269/270 IPC read with section 3 of Epidemic Diseases Act, 1897 read with section 51(b) of the Disaster Management Act at PS : Wazirabad.
4. The 7 petitioners in CRL. M.C. 1666/2020 are Indonesian nationals who are accused in case FIR No. 170/2020 dated 01.04.2020

registered under sections 188/269/270/271 IPC read with section 3 of Epidemic Diseases Act at PS : Welcome.

5. The 4 petitioners in CRL.M.C. 1667/2020 are Kyrgyz nationals who are accused in case FIR No. 90/2020 dated 02.04.2020 registered under sections 188/269/270/120B IPC at PS : Chandni Mahal.
6. In each of the above cases, the petitioners seek quashing of the subject FIRs as also closing of the Look-out Circulars (LoCs) issued against them arising from the subject FIRs.
7. Ms. Ashima Mandla, learned counsel appearing for the petitioners submits that in each of these cases, the offences alleged in the subject FIRs are either the same as those alleged in FIR No. 63/2020 dated 01.04.2020 in which these petitioners were also accused; or, in certain cases, no offence whatsoever is made-out. Counsel submits that proceedings against the petitioners in FIR No. 63/2020 have already been closed after all petitioners entered plea-bargains.
8. In the cases arising from the subject FIRs however, multiple charge-sheets have been filed against the petitioners; in some of which cognizance has been taken and some of the petitioners have been summonsed; whereas others matters are pending at different stages. Without delving into other grievances, Ms. Mandla submits that the most immediate grievance is that charge-sheets have been filed in different jurisdictional courts.
9. Counsel submits that in W.P.(C) No. 600/2020 titled ***Maulana Ala Hadrami & Ors. vs. Union of India & Anr.*** that was before the Supreme Court, the petitioners in which cases were in the same position as the present petitioners, the Supreme Court was pleased to

transfer the charge-sheets pending in different trial courts in the NCT of Delhi to one and the same court which was seized of the case arising from FIR No. 63/2020 dated 01.04.2020, namely to the learned Chief Metropolitan Magistrate (CMM), South-East, Saket Court Complex, New Delhi, so that all cases could be disposed of expeditiously.

10. Ms. Mandla further points-out that following the directions issued by the Supreme Court in the aforesaid case, by order dated 11.08.2020 this court has also transferred a batch of petitions bearing CRL.M.C. Nos. 1623/2020, 1624/2020, 1633/2020, 1636/2020, 1637/2020, 1638/2020, 1639/2020 and 1640/2020 to the court of learned Chief Metropolitan Magistrate (CMM), South-East, Saket, in line with what the Supreme Court had done in the aforesaid matter.
11. Ms. Mandla accordingly submits that the present matters may also be dealt with similarly and be transferred to the same court, subject to which the petitioners would withdraw these petitions.
12. Mr. Rahul Mehra, learned Senior Standing Counsel (Criminal) appears for the State (NCT of Delhi) on advance copy ; and submits that the State has no objection to the same direction being made in all these cases as in the batch of petitions referred to above.
13. Mr. Ajay Digpaul, learned CGSC enters appearance on behalf of the Union of India in CRL.M.C. Nos. 1664/2020, 1665/2020 & 1666/2020 on advance copy.
14. Mr. Satya Ranjan Swain, learned Senior Panel Counsel appears for the Union of India in CRL.M.C.No.1667/2020 on advance copy.

15. Learned CGSC and Senior Panel Counsel state that the LoCs against the petitioners were opened by the Bureau of Immigration, Ministry of Home Affairs at the request and instance of the Investigating Agency; and that once criminal cases are closed in accordance with law and a request for closing the LoCs is received, the Union of India will have no objection to closing all LoCs and permitting the petitioners to exit the country.
16. The aforesaid statement made is taken on record.
17. Accordingly, the present petitions are dismissed as withdrawn with a direction that *all* charge-sheets in *all* FIRs from which the present cases arise be transferred to the court of the learned CMM, South-East, Saket Court Complex, New Delhi, to be decided expeditiously, in accordance with law.
18. It is further directed that the records of all matters be transferred from the respective jurisdictional Magistrates to the court of the learned CMM, South-East, Saket within 5 (five) days of this order.
19. All petitions stand disposed of with the above directions.
20. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

AUGUST 20, 2020

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