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

+ **BAIL APPLN. 2766/2020**

MOIN KHAN

..... Petitioner

Through: Mr H.S. Saini, Advocate.

versus

THE STATE

..... Respondent

Through: Ms Meenakshi Chauhan, APP for
State with Insp. Ravi Kant, PS
Mahendra Park.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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21.09.2020

[Hearing held through video conferencing]

CRL. M.A. 12975/2020

1. Allowed, subject to all just exceptions.

BAIL APPLN. 2766/2020

2. The petitioner has filed the present petition, *inter alia*, praying that the petitioner be released on interim bail for a period of forty five days in FIR No.0365/2018 under Sections 302/34 of the IPC registered with PS Mahendra Park.

3. Mr Saini, learned counsel appearing for the petitioner submits that since the High Powered Committee constituted by this Court has in its meeting held on 18.05.2020 decided that all undertrials, who are being tried for an offence punishable under Section 302 of the IPC and have completed

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two years in custody would also be eligible to be considered for interim bail provided they are not involved in any other case. He submits that the petitioner is compliant with the said condition and therefore is entitled to be released on interim bail.

4. The decision of the High Powered Committee dated 18.05.2020 is meant to serve as guidelines for the courts considering applications for interim bail; the said decision does not make it mandatory that the persons, who are compliant with the criteria mentioned therein must be released on interim bail.

5. In the present case, apart from stating that the petitioner falls within the criteria as the petitioner has complied with the conditions as set out by the High Powered Committee in its decision dated 18.05.2020; the petitioner has not mentioned any other ground for seeking interim bail.

6. Considering the gravity of the offence and considering that the petitioner has not indicated any special circumstance for seeking interim bail, this Court does not consider it apposite to accede to the prayer made in the present petition.

7. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

SEPTEMBER 21, 2020
MK