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

+ **W.P.(CRL) 115/2005**

COURT ON ITS OWN MOTION REG: MAYA DEVI Petitioner

Through: Nemo.

Versus

UOI & ORS.

..... Respondents

**Through: Ms. Nandita Rao, ASC (Crl) for the
State with Mahendra Patel, P.S.:
Narela.**

CORAM:

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER
29.04.2024**

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1. Pursuant to news item published in the newspaper "The Delhi Age" dated 25.01.2005, Delhi addition, in respect of one Maya Devi, being 96 years old, reported to the oldest under-trial in Tihar Jail, frail and weak with falling vision and requiring assistance while walking, this Court had suo moto taken cognizance of the matter and vide order dated 25.01.2005 issued notice to the jail authorities to furnish the details and particulars in respect of the case in which she was in jail as under-trial. A direction was also issued to furnish the list of persons languishing in jail, who were about the age of 75 years.

2. This Court, vide order dated 02.02.2005, after going through the above report filed by the respondent- State, granted her bail subject to



furnishing a personal bond in the sum of Rs.3,000/- with one surety of the like amount. Besides this Court also perused the status report furnished by the respondent – State in respect of four other under-trials above the age of 75 years and passed further directions qua them, while granting bail to one more under trial, namely, Rama Kant.

3. We may also note that said Maya Devi, whom this Court had granted bail, later on died and copy of her death certificate was also submitted on record.

4. After 10.02.2005, this matter was again taken up on 14.07.2022 on the basis of office note. Thereafter, various status reports were sought from the concerned authorities.

5. On 30.05.2023, the learned Additional Standing Counsel (Crl.) appeared and rendered assistance to the court and apprised about the steps being taken by the concerned authorities. It was also informed that the cases were also being referred to “Seriously Sick Committee” and cases of convicts were also being considered by the “Sentence Review Board” (‘SRB’) in terms of relevant rules.

6. On 16.11.2013, learned Additional Standing Counsel (Crl.) informed this Court that in respect of those convicts who had completed more than 14 years of incarceration, the Minutes of Sentence Review Board were pending before the Hon'ble Lieutenant Governor for consideration.

7. As per latest status report regarding SRB meeting, it has been informed that out of 247 convicts who had sought their premature release, only 22 cases were approved for premature release and 223 such cases were rejected by SRB while in respect of two cases, the matter was deferred.



8. It is also informed that if any convict is aggrieved by the decision of SRB, such convict can always challenge the same before learned Single Judge and, therefore, nothing further survives in the present petition.

9. We have considered the various directions passed by this Court and also the status reports submitted by the respondents from time to time and find that no further direction is required to be passed in view of the steps already taken by the concerned authorities. Therefore, we hereby close the present proceedings which had been initiated *sue moto*.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

APRIL 29, 2024/uk