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* IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.(BAIL) 7891/2020

IN

+ CRL.A. 1264/2019

MOHD. SUMER

..... Appellant

Through: Mr. Sharad Malhotra, Advocate

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr. Rahul Mehra, Senior Standing
Counsel for the State with
Ms. Aashaa Tiwari, APP for the
State

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **11.12.2020**

1. The hearing has been conducted through video conference.

CRL.A. 1264/2019 & CRL.M.(BAIL) 7891/2020

2. Mr. Rahul Mehra, learned Standing Counsel for the Delhi Police submits that he has taken up the matter with the DGP (Prisons).

3. This Court is of the view that it would be appropriate and in the interest of justice that a summary inquiry be conducted by a Metropolitan Magistrate into the complaint of the appellant.

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4. The Principal District and Sessions Judge (Headquarters) shall nominate a Metropolitan Magistrate to conduct a summary inquiry into the complaint made by the appellant. The necessary inquiry be completed within a period of four weeks from the date of the nomination of the Judicial Officer by the Principal District and Sessions Judge (Headquarters).
5. The Registry shall send the copy of this order along with the digitalized copy of the entire record of this appeal including the various orders passed by this Court from time to time to the Principal District and Sessions Judge (Headquarters) within one week whereupon the learned Principal District and Sessions Judge (Headquarters) shall nominate a Metropolitan Magistrate to conduct an inquiry within four weeks thereafter.
6. Both the parties are permitted to assist concerned Metropolitan Magistrate in conducting the inquiry. The necessary intimation in this regard be given by the concerned Metropolitan Magistrate to learned counsel for both the parties.
7. The report of the Metropolitan Magistrate be filed before this Court in a sealed cover within two weeks of the conclusion of the inquiry. The e-filing of the report shall be by way of pass code locked folder.
8. The appellant as well as jail authorities shall co-operate with the investigation.
9. Mr. Rahul Mehra, learned Standing Counsel shall render full assistance in the inquiry.
10. List for considering the report of Metropolitan Magistrate on 26th February, 2021.

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11. The order be uploaded on the website of this Court forthwith.

J.R. MIDHA, J.

ANUP JAIRAM BHAMBHANI, J.

DECEMBER 11, 2020
ds

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