

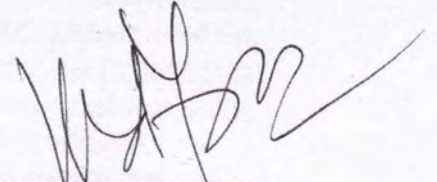
OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE:
ROHINI COURTS, DELHI

No. 16975-76 Genl.I/F. 3(A)/N-W & N/RC/2024 Delhi, dated 14/10/24

Sub: Implementation of directives of Hon'ble Supreme Court qua Under Trial Review Committee (UTRC)

Copy of order dated 23.08.2024 and Record of Proceedings dated 06.05.2016 passed by Hon'ble Supreme Court of India in Writ Petition(s) Civil No(s). 406/2013 titled " Re-Inhuman Conditions in 1382 Prisons " is being forwarded for information/ necessary action to :-

1. The Dealing Official, R & I Branch, Rohini Courts, Delhi for uploading the same on LAYERS.
2. The Dealing Official, Computer Branch, Rohini Courts, Delhi for uploading the same on WEBSITE.



(VINOD YADAV)

District Judge, Comm. Court-02 (N/W)
Officer In-charge, General Branch
North-West & North District
Rohini Courts Complex, Delhi

Encl: As above



DELHI STATE LEGAL SERVICES AUTHORITY

(constituted under the 'Legal Services Authorities Act, 1987', an Act of Parliament)
Under the Administrative Control of High Court of Delhi
Central Office, 3rd Floor, Rouse Avenue District Court Complex,
Pt. Deen Dayal Upadhyaya Marg, New Delhi-110002
Email : litigationwing-dlsa@delhi.gov.in website : www.dlsa.org



File No. : 056/DLSA/LAW/JudIDir/2015/ 10646

Dated : 08/10/24

To

The Ld. Principal District & Sessions Judge /
Chairperson,
District Legal Services Authority,
North District, Delhi.

Ref.: Order dated 23.08.2024 passed by Hon'ble Supreme Court of India in the matter of "WPC No. 406/2013 *Re-Inhuman Conditions in 1382 Prisons*"

Sub.: Implementation of directives of Hon'ble Supreme Court *qua* Under Trial Review Committee (UTRC)

Mr. Vinay Kumar Khanna,

This is in reference to order dated 23.08.2024 passed by Hon'ble Supreme Court of India in the matter of *WPC No. 406/2013 Re-Inhuman Conditions in 1382 Prisons*, wherein, *inter alia*, Hon'ble Court has passed certain directions for implementation of provisions of Section 479 of *Bharatiya Nagarik Suraksha Sanhita, 2023* (BNSS), which has replaced Section 436A of *Code of Criminal Procedure, 1973* (Cr.P.C) w.e.f. 01.07.2024. It needs to be noted that Section 479 BNSS provides for the '*Maximum period for which an undertrial prisoner can be detained*'. The first proviso thereto states that:

"Provided that where such person is a first-time offender (who has never been convicted of any offence in the past) he shall be released on bond by the Court, if he has undergone detention for the period extending up to one-third of the maximum period of imprisonment specified for such offence under that law."

Moreover, sub-section (3) of Section 479 of *Bharatiya Nagarik Suraksha Sanhita, 2023* also states that:

"The Superintendent of jail, where the accused person is detained, on completion of one-half or one-third of the period mentioned in sub-section (1), as the case may be, shall forthwith make an application in writing to the Court to proceed under sub-section (1) for the release of such person on bail."

Further, vide aforesaid order, Hon'ble Supreme Court has directed immediate implementation of Section 479 BNSS by calling upon Superintendents of Jails across the country, wherever accused persons are detained as undertrials, to move appropriate applications before the concerned Courts upon their completion of one-half/one-third, as the case may be, of the period mentioned in sub-section (1) of the said provision, for their release on bail. Hon'ble Supreme Court of India has further directed that the compliance of the provisions mentioned in the aforesaid order shall be made by the District & Sessions Judges in all States/UTs, who are in-charge of the UTRCs so that there is no laxity in

LW.

implementation of the said provision. The Hon'ble Supreme Court has also directed that for easing the overcrowding in jails, the aforesaid provision under the BNSS shall apply to all undertrials in pending cases irrespective of whether the case was registered against them before 01.07.2024, the date when the newly minted legislation has come into effect.

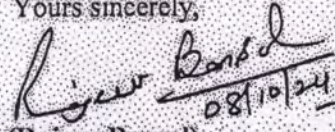
Hence, in compliance with the aforesaid directions passed by Hon'ble Apex Court, the copy of aforesaid order dated 23.08.2024 is being forwarded herewith with request to implement the aforesaid directions of the Hon'ble Supreme Court of India in its letter and spirit. Also, in view of directions of Hon'ble Supreme Court, the data of undertrials who may be covered by the beneficial provisions of Section 479 of BNSS may accordingly be sought from the concerned jails under the interactive supervision of the District Legal Services Authorities, and may be put for consideration of Under Trial Review Committee (UTRC) too, in the upcoming meeting of the UTRC to be held on 16.10.2024.

It is further clarified that undertrial prisoners aged between 19-21 years and in custody for the offences punishable with less than 7 years of imprisonment are covered by the more beneficial category i.e. Category No. 12 of the Under Trial Review Committee as laid down in order dated 06.05.2016 of Hon'ble Supreme Court in *Re-Inhuman Conditions in 1382 Prisons (supra)*, and therefore the provision of the first proviso to Section 479 of BNSS may be considered for application in cases not falling under Category No. 12.

With regards,

Encl.: As above.

Yours sincerely,


08/10/24.

(Rajeev Bansal)

Member Secretary, DSLSA

ITEM NO.2

COURT NO.9

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO. 406/2013

IN RE-INHUMAN CONDITIONS IN 1382 PRISONS

[MR. GAURAV AGRAWAL, SENIOR ADVOCATE, AMICUS CURIAE.]

Date : 23-08-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SANDEEP MEHTA

By Post

Mr. Gaurav Agrawal, Sr. Adv. (*Amicus Curiae*)

For Respondent(s)

Mrs. Aishwariya Bahti, A.S.G.
Mr. R Bala, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Suhasini Sen, Adv.
Mr. Ishaan Sharma, Adv.
Mrs. Shagun Thakur, Adv.
Mr. Kamendra Mishra, Adv.
Mrs. Neelakshi Bhadouria, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. R Bala, Sr. Adv.
Mrs. Suhashini Sen, Adv.
Mr. Ashok Panigrahi, Adv.
Mr. B K Satija, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Kartikay Agrawal, Adv.
Mr. Abhishek Kumar Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Raman Yadav, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mrs. Ameya Vikrama Thanvi, Adv.
Mr. Arvind Kumar Sharma, AOR

Signature Not Verified

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KAVITA PANDUA
Date: 2024.08.27
18:33:17 IST
Reason:

Mr. Mahfooz Ahsan Nazki, AOR

Mr. Shuvodeep Roy, AOR
Mr. Saurabh Tripathi, Adv.

Arunachal Pradesh Mr. Abhimanyu Tewari, AOR
Ms. Eliza Bar, Adv.

R-5 Ms. Pragati Neekhara, AOR

Gujarat Ms. Swati Ghildiyal, AOR
Ms. Deepanwita Priyanka, Adv.
Ms. Devyani Bhatt, Adv.
Ms. Neha Singh, Adv.

Goa Mr. Surjendu Sankar Das, AOR
Mr. Anand Murthi Rao, Adv.

Haryana Mr. B.K. Satija, A.A.G.
Mr. Samar Vijay Singh, AOR
Mr. Keshav Mittal, Adv.
Ms. Sabarni Som, Adv.
Mr. Fateh Singh, Adv.
Mr. T. N. Surendranath, Adv.
Mr. Atul Arvind, Adv.
Mr. Ritesh Kumar Gupta, Adv.
Mr. Prakhar Garg, Adv.

R-9 Mr. Parth Awasthi, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.

Himachal Pradesh Ms. Inderdeep Kaur Raina, Adv.
Mr. Kartikeya Rastogi, Adv.
Mr. Rishi Malhotra, AOR

Karnataka Mr. V. N. Raghupathy, AOR

Kerala Mr. C. K. Sasi, AOR
Ms. Meena-K Poullose, Adv.
Ms. Anupriya, Adv.

R-14 Ms. Mrinal Gopal Elker, AOR
Mr. Bittu Kumar Singh, Adv.
Ms. Chhavi Verma, Adv.

Maharashtra Mr. Bharat Bagla, Adv.
Mr. Siddharth Dharmadhikari, Adv.

	Mr. Aaditya Aniruddha Pande, AOR Mr. Sourav Singh, Adv. Mr. Aditya Krishna, Adv. Ms. Preet S. Phanse, Adv. Mr. Adarsh Dubey, Adv.
Manipur	Mr. Pukhrambam Ramesh Kumar, AOR Mr. Karun Sharma, Adv. Ms. Anupama Ngangom, Adv. Ms. Rajkumari Divyasana, Adv. Mr. R. Rajaselvan, Adv.
Meghalaya	Mr. Amit Kumar, Adv. General, Sr. Adv. Mr. Avijit Mani Tripathi, AOR Mr. T.K. Nayak, Adv. Ms. Rekha Bakshi, Adv. Ms. Marbiang Khongwir, Adv. Mr. Upendra Mishra, Adv.* Mr. P.S. Negi, Adv.*
R-18	Mr. Siddhesh Shirish Kotwal, AOR
Nagaland	Ms. K. Enatoli Sema, AOR Ms. Limayinla Jamir, Adv. Mr. Amit Kumar Singh, Adv. Ms. Chubalemia Chang, Adv. Mr. Prang Newmai, Adv.
Odisha	Ms. Anindita Pujari, AOR
Punjab	Mr. Mohd Irshad, A.A.G. Mr. Karan Sharma, AOR
Rajasthan	Mr. Sandeep Kumar Jha, AOR
Sikkim	Mr. Raghvendra Kumar, AOR Mr. Anand Kumar Dubey, Adv. Mr. Simanta Kumar, Adv. Mr. Devvrat Singh, Adv. Mr. Maneesh Pathak, Adv. Mr. Jainendra Kumar, Adv.
Tamil Nadu	Mr. Amit Anand Tiwari, Sr. A.A.G. Mr. Sabarish Subramanian, AOR Ms. Devyani Gupta, Adv. Mr. Vishnu Unnikrishnan, Adv. Mr. Naman Dwivedi, Adv. Mr. C Kranthi Kumar, Adv. Ms. Tanvi Anand, Adv. Ms. Saushria Havelia, Adv.

	Mr. Danish Saifi, Adv.
R-26	Mr. Siddharth Sangal, AOR
U.P.	Ms. Garima Prashad, Sr. A.A.G. Mr. Pradeep Misra, AOR Mr. Daleep Dhyani, Adv. Mr. Suraj Singh, Adv. Mr. Manoj Kumar Sharma, Adv.
West Bengal	Mr. Srisatya Mohanty, Adv. Ms. Astha Sharma, AOR Mr. Shreyas Awasthi, Adv. Ms. Muskan Surana, Adv.
INT	Ms. Pallavi Langar, AOR
INT	Ms. Namita Choudhary, AOR Mr. Ashutosh Kumar Sharma, Adv. Mr. Sandeep Kumar Jha, AOR
Bihar	Mr. Samir Ali Khan, AOR Mr. Pranjal Sharma, Adv. Mr. Kashif Irshad Khan, Adv. Mr. Abhimanyu Jhamba, Adv.
IMPL	Ms. Rashmi Nandakumar, AOR Ms. Yashmita Pandey, Adv.
IMPL	Mr. Rajendra Sahu, AOR Ms. Hema Sahu, Adv. Mr. Rishabh Sahu, Adv. Mr. C L Sahu, Adv. Dr. Vikas Pahal, Adv.
IMPL	Mr. Gurmeet Singh Makker, AOR
Mizoram	Mr. Anando Mukherjee, AOR Mr. Shwetank Singh, Adv. Ms. Akshata Chhabra, Adv.
INT	Mr. Chandra Prakash, AOR
Jharkhand	Mr. Tapesk Kumar Singh, Sr. Adv, A.A.G. Mr. Shantanu Sagar, AOR Mr. Prabhat Ranjan Raj, Adv. Mr. Anil Kumar, Adv. Mr. Gunjesh Ranjan, Adv. Mr. Manoneet Dwivedi, Adv.

IMPL

Mr. Salvador Santosh Rebello, AOR
 Mr. Raghav Sharma, Adv.
 Ms. Kritika, Adv.
 Mr. Prateek Tanmay, Adv.
 Ms. Pooja Gill, Adv.

Mr. Gaurav Agrawal, AOR

Mr. Sameer Abhyankar, AOR
 Mr. Aakash Thakur, Adv.
 Mr. Rahul Kumar, Adv.
 Mr. Kushagra Aman, Adv.
 Ms. Ayushi Bansal, Adv.

Mrs. Aishwarya Bhati, A.S.G.
 Mr. Amrish Kumar, AOR
 Mrs. Suhasini Sen, Adv.
 Mr. Kamendra Mishra, Adv.
 Mr. Ishaan Sharma, Adv.
 Mr. Sarthak Karol, Adv.
 Mr. Ameyvikrama Thanvi, Adv.

Mr. Guntur Pramod Kumar, AOR
 Ms. Prerna Singh, Adv.
 Mr. Dhruv Yadav, Adv.
 Mr. Keshav Singh, Adv.

Chhattisgarh

Mr. Abhishek Pandey, Adv.
 Mr. Prashant Kumar Umrao, AOR

Mrs. Aishwariya Bahti, A.S.G.
 Mr. R Bala, Sr. Adv.
 Mr. Mukesh Kumar Maroria, AOR
 Mrs. Suhasini Sen, Adv.
 Mr. Ishaan Sharma, Adv.
 Mrs. Shagun Thakur, Adv.
 Mr. Kamendra Mishra, Adv.
 Mrs. Neelakshi Bhadouria, Adv.

UT OF A&N

Mr. K. M. Nataraj, A.S.G.(NP)
 Mrs. Indira Bhakar, Adv.
 Mrs. Mrinal Elkar Mazumdar, Adv.
 Mr. Rajesh Singh Chauhan, Adv.
 Mr. Piyush Beriwal, Adv.
 Mr. Harish Pandey, Adv.
 Mr. Shashwat Parihar, Adv.
 Mr. Kanu Agrawal, Adv.
 Mr. Varun Chugh, Adv.
 Mr. Bhuvan Kapoor, Adv.

Mr. Krishna Kant Dubey, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Mr. Vineet Singh, Adv.*

INT

Mr. Ajay Verma, Adv.
Mr. Vaishnav Kirti Singh, Adv.
Mr. Krishna Sharma, Adv.
Mr. Durgesh Ramchandra Gupta, AOR

Mr. Prashant Singh, AOR

Ms. Devina Sehgal, AOR
Mr. Dhananjay Yadav, Adv.

**UPON hearing the counsel, the Court made the following
O R D E R**

1. This order is in continuation of the order passed on 13th August, 2024. On the last date of hearing, Mr. Gaurav Agrawal, learned *Amicus Curiae* had submitted that the Bharatiya Nagarik Suraksha Sanhita, 2023¹, which has replaced the Code of Criminal Procedure, 1973 w.e.f. 01st July, 2024, contains a provision under Section 479 relating to the 'Maximum period for which an undertrial prisoner can be detained'. The attention of this Court was drawn to the first proviso to Section 479 to urge that a first-time offender (who has never been convicted for any offence in the past) is required to be released on bond by the Court, if he has undergone detention for the period extending up to one-third of the maximum period of imprisonment specified for such an offence under a particular law.
2. Having regard to the fact that the substituted provision under the BNSS is more beneficial *vis-a-vis* Section 436A of the Code of Criminal

Procedure, 1973, wherein the period undergone by the first time offender was prescribed as up to half of the maximum period of imprisonment specified for such an offence, this Court had called upon the learned Additional Solicitor General to obtain instructions from the Department and submit a clarification regarding application of the said provision to all undertrials across the country.

3. Today, Ms. Aishwarya Bhati, learned Additional Solicitor General, submits that pursuant to the aforesaid order, instructions have been obtained from the Department to the effect that the aforesaid provision under the BNSS shall apply to all undertrials in pending cases irrespective of whether the case was registered against them before 01st July, 2024, the date when the newly minted legislation has come into effect.

4. In that view of the matter, it is deemed appropriate to direct immediate implementation of Section 479 of the BNSS by calling upon Superintendents of Jails across the country wherever accused persons are detained as undertrials, to process their applications to the concerned Courts upon their completion of one-half/one-third, as the case may be, of the period mentioned in sub-section (1) of the said provision, for their release on bail. This step will go a long way in easing overcrowding in jails which is the primary focus of this Court in the present petition.

5. The aforesaid steps shall be taken as expeditiously as possible, preferably within two months from today. Reports shall be submitted by the

Superintendent Jails to their respective Heads of the Department within the same time line for a comprehensive affidavit to be filed by each State Government/Union Territory through their respective Chief Secretaries. The affidavits shall furnish the details of the number of undertrials who would be entitled to extension of the benefit of Section 479 of the BNSS, the number of applications moved before the concerned Courts for their release and the number of undertrials actually released by the date of filing of the affidavits.

6. Compliance of the aforesaid provisions shall be made by the concerned District & Session Judges in all States/UTs who are in-Charge of the Under Trial Review Committees so that there is no laxity in implementation of the aforesaid beneficial provision.

7. List on the date already fixed, i.e. 22nd October, 2024, at the top of the Board.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s). 406/2013

RE-INHUMAN CONDITIONS IN 1382 PRISONS

(With appln. For exemption from filing O.T. and intervention and seeking waiver of cost imposed vide order dated 04.04.2016 and recalling the Court's Order dated 04.04.2016).

Date : 06/05/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE N.V. RAMANA

Mr. Gaurav Agarwal, Adv. (Amicus Curiae)

For Petitioner(s) By Post, Adv.

For Respondent(s) Mr. N.K. Kaul, ASG
Ms. Bina Tamta, Adv.
Mr. R.M. Bajaj, Adv.
Mr. Rajiv Singh, Adv.
Ms. Sushma Suri, Adv.
Mrs. Anil Katiyar, Adv.

Mr. Rajesh Kumar Goel, Director, NALSA

For Karnataka Mr. V.N. Raghupathy, Adv.
Mr. Parikshit P. Angadi, Adv.

For West Bengal Mr. Soumik Ghosal, Adv.
Mr. Parijat Sinha, Adv.

For Chattisgarh Ms. Shashi Juneja, Adv.
Ms. Apoorv Kurup, Adv.
Ms. Sakshi Kakkar, Adv.
Mr. C.D. Singh, Adv.
Ms. Sanmya, Adv.
Mr. Rohit Rathi, Adv.

Signature Not Verified
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Mehar Singh
Date: 2016.05.06
16:13:17 IST
Reason:

State of Mr. B.K. Satija, AAG
Madhya Pradesh Mr. Sanjay Kr. Visen, Adv.

For Jharkhand Mr. Tapes Kumar Singh, Adv.
Mr. Mohd. Waquas, Adv.

For Arunachal Pradesh	Mr. Anil Shrivastav Mr. Rituraj Biswas, Adv.
For U.T. Chandigarh	Mr. Nikhil Goel, Adv. Mr. Ashutosh Ghose, Adv. Mr. Chandra Prakash, Adv.
For Maharashtra	Mr. Amol Chitale, Adv. Mr. Nishant Ramakant Rao Katneswakar, Adv.
For A.P.	Mr. Guntur Prabhakar, Adv. Ms. Prerna Singh, Adv.
For U.P.	Ms. Pragati Neekhara, Adv. Mr. Utkarsh Sharma, Adv.
For Puducherry	Mr. V.G. Pragasam, Adv. Mr. Prabu Ramasubramanian, Adv.
For Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. Mr. Yusuf Khan, Adv. M/s Arputham, Aruna & Co.
For Mizoram	Mr. K.N. Madhusoodhanan, Adv. Mr. T.G.N. Nair, Adv.
For Tamil Nadu	Mr. B. Balaji, Adv. Mr. Muthuvel Palani, Adv.
For Nagaland	Mrs. K. Enatoli Sema, Adv. Mr. Edward Belho, Adv. Mr. Amit Kumar Singh, Adv.
For UT of Andaman & Nicobar Admn.	Mr. Balasubramanian, Adv. Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, Adv.
For Manipur	Mr. Sapam Biswajit Meitei, Adv. Mr. Ashok Kr. Misra, Adv. Mr. Naresh Kr. Gaur, Adv. Mr. B. Khushbansi, Adv. Mr. Ashok Kr. Singh, Adv.
For Rajasthan	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Prateek Yadav, Adv. Ms. Anu Dixit Kaushik, Adv.

Mr. Anip Sachthey, Adv.

M/s Corporate Law Group

Ms. G. Indira, Adv.

Ms. Rachana Srivastava, Adv.

Mr. B. Balaji, Adv.

UPON hearing the counsel the Court made the following
O R D E R

In I.A. Nos.3, 4 and 5 of 2016

We have learned counsel for the applicants.

The costs imposed by our order dated 04.04.2016 are waived.

However, learned counsel very graciously say that an amount of Rs.25,000/- will be given to the Supreme Court Legal Services Committee for utilization for juvenile justice issues.

Four weeks' time is granted for depositing the amount with Supreme Court Legal Services Committee. The amount shall be utilized for juvenile justice issues.

Four weeks' time is finally granted to the States which have not yet deposited the costs.

Writ Petition (Civil) No.406 of 2013

We have heard learned counsel for the parties and learned amicus curiae.

It is submitted by learned Amicus Curiae that the Manual for Juveniles may take some more time for preparation. He estimates about three months time for completing the exercise.

With regard to over-crowding in prisons, learned Amicus submits that the extent of over-crowding in each jail needs to be identified rather than looking at the figures

relating to the entire State. He submits that in the first instance the States be directed to identify those jails in which over-crowding is to the extent of 150% or more.

Learned Additional Solicitor General supports this submission that prisons in which there is over-crowding to the extent of 150% and above should be identified by the States.

Accordingly, we direct that the States particularly the Inspector General of Prisons should urgently identify those jails in the respective State where over-crowding is to the extent of 150% and above and provide the information to the learned Additional Solicitor General as well as to the learned Amicus Curiae. In addition, the States and the Inspector General of Prisons should prepare a Plan of Action either to reduce over-crowding or to augment the infrastructure so that there is more space available in the prisons. The cut-off date for calculating the over-crowding will be 30th April, 2016.

Learned Amicus Curiae has also suggested that the under-trial Review Committee, in addition to the work that it is already doing as earlier directed shall also consider the additional suggestions given by the learned Amicus Curiae which are as follows:

The committee will examine the cases of undertrials who

- a) Become eligible to be released on bail under Section 167(2)(a)(i)&(ii) of the Code read with Section 36A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (where persons accused of section 19 or section 24 or section 27A or for offences involving commercial quantity) and where investigation is not completed in 60/90/180 days;
- b) Are imprisoned for offences which carry a maximum punishment of 2 years;
- c) Are detained under Chapter VIII of the Criminal Procedure Code i.e. under Sections 107, 108, 109 and 151 of Cr.P.C.;

- d) Become sick or infirm and require specialized medical treatment (S.437 of the Code);
- e) Women offenders (S.437 of the Code);
- f) Are first time male offenders between the ages 19 and 21 who are in under trial custody for offences punishable with less than 7 years of imprisonment and have suffered atleast 1/4th of the maximum sentence possible;
- g) Are of unsound mind and must be dealt under Chapter XXV of the Code;
- h) Are eligible for release under Section 437(6) of the Code, wherein in a case triable by a Magistrate, the trial of a person accused of any non-bailable offence has not been concluded within a period of sixty days from the first date fixed for taking evidence in the case;

The Member Secretary of NALSA is present in Court and he will ensure that this communication is sent to the Member Secretary of the States Legal Services Authority. Learned counsel for the States and Union Territories should communicate this order to the States and Union Territories and Inspectors General of Police(Prisons).

With regard to unnatural deaths in prisons, list the matter for hearing on 3rd August, 2016 as Item No.1.

(Madhu Bala)
Court Master

(Jaswinder Kaur)
Court Master