

Date: 20.12.2019

10:30 pm, at my residence

is taken up at request of applicant Ms. Keerti Awasthi.

Ms Keerti Awasthi, on behalf of 'Lawyers 4 Detainees' along with her advocate

Sh. Aditya S. Dujari & Sh Vikram Bansal, Ld Counselors.

The present application has been filed by the Applicant under Section 41D of the CrPC inter alia seeking directions to be issued to concerned police authorities to let their advocates meet the detained individuals.

It has been submitted that certain number of individuals, including minors, have been detained at P.S Daayaganj. It has been submitted that the applicants could not contact the Area Metropolitan Magistrate or

the Duty Magistrate, and that is the reason for moving the application before the CMM.

Be that as it may, I have heard the Ld Counselors, and I deem it fit to direct SHO, P.S Daayaganj to allow the detainees to meet their advocates in terms of Sec 41D of the CrPC.

Further, as has been submitted by

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Ld Counsels that some of the detainees have been kept in detention in an injured condition, and are in urgent need of medical aid, the same should be provided to them. Accordingly, the SHO concerned shall provide them necessary medical succour.

Lastly, it has been submitted that amongst the detainees, there are minors also. Ld Counsels could not say with exactitude the number of such minors, but it is suffice to say if there be any minor, or a child who is allegedly in conflict with law, he or she ought not to be detained in the first instance itself.

Detention of minor in a police station is a flagrant violation of law. The law is well settled in this regard. If there are minors, they would be, and shall be, in case the need arises, dealt with as per the provisions of the Juvenile Justice (Care & Protection of Children) Act, 2015 & Rules framed thereunder.

Copy of the order be sent to SHO concerned for necessary compliance. Copy be also sent to the DCP concerned for necessary action.

[Signature]

APUL VARMA 10.11.2019
CHIEF METROPOLITAN MAGISTRATE
CENTRAL DISTRICT
DELHI