

**MINUTES OF THE 9<sup>th</sup> MEETING OF THE HIGH POWERED COMMITTEE FOR THE RELEASE OF PRISONERS ON BAIL/ PAROLE CHAIRED BY HIS LORDSHIP HON'BLE EXECUTIVE CHAIRMAN, MASLSA HELD ON 22<sup>nd</sup> JANUARY, 2021 AT 2.30 PM THROUGH JITSI MEET**

In pursuance of the direction of the Hon'ble Supreme Court, the High Powered Committee constituted to oversee the release of prisoners on bail/ parole as a measure to avoid congestion/ overcrowding in jails in the wake of the COVID-19 pandemic have held eight meetings till date. i.e. on 31.03.2020, 09.04.2020, 24.04.2020, 07.07.2020, 15.09.2020, 06.10.2020, 04.12.2020 & 5.01.2021 respectively.

As resolved in the last meeting held on 05.01.2021 and as requested by the Home Department, the 9<sup>th</sup> Meeting of the High Powered Committee is being convened on 22<sup>nd</sup> January, 2021 at 2.30 PM through video conferencing with His Lordship Hon'ble Mr. Justice Kh. Nobin Singh, Executive Chairman, Manipur State Legal Services Authority in the chair to discuss the following agendas:

1. Matter regarding 177 UTPs who were recommended for release on interim bail by the HPC in its second & third meetings held on 09.04.2020 & 24.04.2020 respectively.
2. Misc. matters

The following are present in the meeting:

1. Shri P. DOUNGEL, Director General of Police (Prisons), Manipur
2. Smt. Golmei Gaiphulshillu, Member Secretary, MASLSA.
3. Shri H. GyanPrakash, Special Secretary (Home), Govt. of Manipur
4. Dr. Th. Charanjeet Singh, Deputy Secretary (Home), Govt. of Manipur.
5. Shri Sorokhaibam Sadananda, Deputy Member Secretary, MASLSA.

The High Powered Committee in its last Meeting held on 5.01.2021 resolved to extend the interim bail period of the 177 UTPs who were recommended for release by the HPC in its second and third meeting for a period upto **30<sup>th</sup> January, 2021** except for those whose bail has been made absolute or who has been released on PR bond at the first instance. However, the details regarding the exact number of UTPs released consequent

upon recommendation of HPC, the number of cases in which interim bail has been made absolute, the number of cases released on PR bond & number of cases in which interim bail has not been made absolute etc. could not be ascertained due to lack of data. As such, HPC resolved to call records from the Jail Department as well as the concerned courts regarding the details of UTPs released upon the recommendation of HPC.

Accordingly, reports have been submitted to MASLSA from the Jail authority as well as the courts. The Jail authority furnished a list of **170 UTPs** who were released on interim bail as per recommendation of HPC. Said list is inclusive of 13 UTPs who were released as per the recommendation of HPC meeting dated **04.12.2020** for which the interim bail period of 3 months will expire on 1<sup>st</sup> week of March, 2021.

The Committee discussed in detail the list of 170 UTPs furnished by the Jail Authority. The reports submitted from the courts have also been examined by the Committee. Upon checking the records, it is found that some of the UTPs recommended by HPC were released on regular bail/ expiry of statutory period. From the reports furnished by the courts, the number of cases where interim bail has been made absolute, cases in which interim bail has not been made absolute & the cases released on PR bond at the first instance have also been find out.

The detailed figures are given below:

<b>Total UTPs recommended till date:</b>	<b>207</b>
<b>Total UTPs released till date:</b>	<b>167</b>
<b>Recommended by HPC but released on regular bail/ expiry of statutory period:</b>	<b>4</b>
<b>Release order given by the court but not released from the jail:</b>	<b>3</b>

**Break-up of the 167 UTPs released:**

<b>Number of cases where bail made absolute:</b>	<b>40</b>
<b>Number of cases where bail not made absolute:</b>	<b>45 + 14* = 59</b>
<b>Number of UTPs released on PR bond:</b>	<b>69</b>
<b>Total</b>	<b>167</b>

\* Those released on interim bail as per recommendation of HPC Meeting dated 04.12.2020.

Out of the 170 UTPs released, 40 cases have been made absolute by the court and 69 UTPs have been released on PR bond at the first instance. As such, the Committee will consider further extension of interim bail period of those 45 + 14 UTPs whose interim bail has not been made absolute till date. The list of cases for which interim bail has been made absolute and those released on PR bonds are annexed as **Annexure A/1** and **Annexure A/2**. Further, some cases recommended by HPC were found to be released on regular bail/ expiry of statutory period and in some cases, released order has been issued by the Court but not released from Court as no family member turned up to received them. The list of such cases is annexed as **Annexure – A/3**.

The Committee also discussed in length of the probability of jumping bail by those who are released on interim bail, and about securing their appearance and expediting the investigation of their cases.

The DGP (Prisons), Manipur placed before the Committee that at present, there is no COVID + ve prisoner in the Jail and in case of any Covid +ve cases in the prison; request is being made to the Director, Health Services to accommodate them in the COVID care facility at JNIMS or RIMS.

*After detailed deliberations and upon consideration of all aspects, the members of the Committee unanimously resolved the following-*

- (1) It is resolved that interim bail period of those **45 UTPs (released in the month of April, 2020)**, whose bail has not been made absolute till date is extended upto **30<sup>th</sup> April, 2021**. The details of 45 UTPs are enclosed as **Annexure-A/4**. Courts may pass such appropriate order as deemed fit.
- (2) It is also resolved that regarding the 14 UTPs who were released as per recommendation of this committee dated 4.12.2020 and whose periods are to expire on 4<sup>th</sup> March, 2021, the concerned courts may extend their period of interim bail till **30<sup>th</sup> April, 2021** to bring uniformity with the other released prisoners on interim bail earlier. The list of 14 UTPs is enclosed as **Annexure A/5**.

- (3) It is also resolved that, liberty is granted to the concerned courts to make the interim bail absolute, depending upon the nature of the case and on such terms and conditions as the concerned court may think fit.
- (4) It is resolved that, steps should be taken by the concerned courts in appropriate cases to secure appearance of those accused released on interim bail and whose bails have not been made absolute, if they are not appearing before the courts. The concerned courts are also directed to explain to the accused that they are being released on interim bail only and their appearance is required before the court.

The Police/ Prosecution Department is further requested to ensure the appearance of the accused and explain them while serving summons to ensure their appearance before the court. Home Department is further requested to brief the Police Department regarding this matter.

- (5) It is also resolved that Jail Authority as well as the courts shall continue to give strict instructions to the concerned staff to ensure regular, proper and prompt update of the data in the prisoner database management portal.


A copy of this Resolution be sent to:

1. The Chief Secretary, Government of Manipur, for information and necessary action;
2. The State Home Department for approaching the concerned courts/ magistrates and all other necessary action;
3. The Director General of Police for information and providing logistics and other assistance as may be prescribed;
4. All the District Judges for compliance and for necessary action;
5. To all the Chairpersons/ Secretaries, DLSAs for information;
6. Concerned courts/ magistrates and the Director of Prosecution, Govt. of Manipur for information/ compliance and providing necessary assistance;


7. Superintendent of Central Jail, Imphal and Central Jail, Sajiwa for information and necessary action;

Next meeting of the Committee will be held tentatively on third week of April, 2021 or in case if any urgency arises in between, the State Home Department and the jail authorities can move for convening the meeting of the HPC.


The meeting thus concluded with the permission from the chair.



**(P. Doungel)**  
**DGP (Prisons)**



**(H. GyanPrakash)**  
**Special Secretary (Home)**  
**(Representing the Chief Secretary)**



**(Justice Kh. Nobin Singh)**  
**Executive Chairman**  
**MASLSA**