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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 22nd May, 2026

Uploaded on: 27th May, 2026

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W.P.(CRL) 673/2024

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Puneet Mittal, Sr. Adv. (Amicus Curiae) with Mr. R.P. Singh, Adv.

versus

DIRECTOR GENERAL OF PRISONS, GOVT OF
NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC (Crl.) with Mr. Kshitiz Garg, Adv. (M: 9999936804).
Mr. Sushil Raja for UIDAI

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE AMIT MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present *Suo Motu* petition has been registered further to the directions passed by the Id. Single Judge *vide* order dated 19th February, 2024 for considering the issue of delay at the instance of the Jail Superintendent in accepting bail bonds.
3. The brief facts leading up to the said reference are that *vide* order dated 8th February, 2024, the Court had suspended the sentence of the Petitioner in ***Crl.Rev.P. 1362/2023***. The said Petitioner was directed to be released on bail subject to certain conditions, *inter alia*, furnishing of bail bond to the satisfaction of the Jail Superintendent.
4. Thereafter, an application came to be filed by the said Petitioner seeking modification of the conditions for bail to the extent that the Petitioner had been directed to furnish bail bonds to the satisfaction of the Jail



Superintendent, since the Petitioner had not been released even after a week since passing of the bail order.

5. The said application was considered on 19th February, 2024 and the Id. Single Judge took serious note of the delay in release of prisoners on bail at the instance of the Jail Superintendent. Accordingly, the Id. Single Judge had directed the matter be registered as *Suo Motu* petition. The relevant extract of the order dated 19th February, 2024 reads as under:

“5. The object of granting bails and suspending sentences is to release the accused/convict from imprisonment. In certain cases, interim bails are granted on medical grounds or some other exigencies, as expressed by the applicant. In such a scenario this Court fails to understand why the period of one to two weeks be taken by the Jail Superintendent for accepting the bail bonds.

[...]

9. Any order passed by this Court thereby directing the release of the prisoner from jail is sent directly to the concerned jail authorities through FASTER cell.

10. The Court while passing bail order at times directs that the Bails bond be directly furnished to the Jail Superintendent. The prisoner is not remitted to the Trial Court in order to facilitate the immediate release.

11. The delay at the instance of the Jail Superintendent in accepting Bail Bonds is not acceptable to the conscience of this Court. Let the matter be registered as Sou Motu petition and numbered.

12. Let notice of the present petition be issued to the Director General of Prisons and Standing Counsel (Criminal), Government of NCT of Delhi.



13. Ms. Nandita Rao, learned Additional Standing Counsel, who is present in Court, disputes the aforesaid position. She submits that the petitioner's case is possibly an aberration and delay normally does not occur on the part of the Jail Superintendent.

14. She is requested to accept notice in the present case and file an appropriate affidavit."

6. Thereafter, *vide* order dated 7th March, 2024, the matter had been referred to be listed before an appropriate Bench. Accordingly, the matter has been considered by this Court on several dates.

7. Further to the order dated 20th March, 2026, Mr. Amol Sinha, Id. ASC has placed before the Court a status report dated 9th April, 2026 containing the data relating to 117 under trials/convicts who were released on interim bail between 1st February, 2026 to 15th February, 2026.

8. A perusal of the above data would show that on an average one to two weeks from the date of bail order are required by Jail Superintendent for verifying details. Further, *prima facie*, it appears that the average time between release of convicts/under trials after bail orders are granted is approx. five to six days. In several cases, the person has been released after one day itself, whereas, in some cases, the delay is as much as thirty-three days or fifty-six days as well. It is stated that factors such as inter-state verification requirements, response time of the concerned police station and verification of financial instruments furnished by surety, contribute towards the time consumed for verification.

9. The above data is extremely useful for this Court to understand the manner in which bail orders are being processed and the period that has been



consumed in release of the convicts/under trials after bail orders are passed.

10. It is submitted by Mr. Sinha, Id. ASC, under instructions from Mr. Lamba, DCP (Legal), Delhi Police, that earlier when the bail orders were passed directing furnishing of bond/surety to the satisfaction of the concerned Jail Superintendent, all the verification of the credentials of the surety had to be done physically by sending police personnel to the bank or to the Surety's address, etc. It is submitted that nowadays, however, insofar as banks are concerned, whenever any FD or surety amount is furnished by the Surety from any bank, upon email verification being sought from the bank, the responses are being received in a prompt manner. For the sake of completeness, the relevant position of the status report dated 9th April, 2026, which mentions the present verification process is extracted hereunder:

“6. It is submitted that the process/mechanism adopted for verification is as follows:

a. Verification of surety is the onus of the Police Department. Whenever a bail order with direction of “furnishing surety to the satisfaction of Jail Superintendent” is issued, instrument of surety amount (FD) and identity certification of the proposed surety are obtained.

b. Immediately thereafter, wireless message and letter for address verification of the surety addressed to the concerned police station as well as the office of the concerned Deputy Commissioner are forwarded in addition to a letter for verification of the instrument of surety amount forwarded to the Branch Manager of the concerned Bank.

c. If the concerned Bank Branch is located in Delhi, an official is deputed to visit the Branch and have the



instrument of surety verified. All the mentioned letters and messages are forwarded through electronic mode as well as physical mode.

7. It is further submitted that the verification process involves coordination between multiple authorities including the Jail Authorities, local police stations, the office of the Deputy Commissioner of Police and the concerned banks.

8. The verification is undertaken through a combination of electronic communication, including official emails and wireless messages, as well as physical correspondence. Any delay, where it occurs, is largely attributable to the time taken by the concerned external agencies in responding to such verification requests.”

11. Further, on 20th March, 2026, the Court had put forth a specific query to Mr. Sushil Raja, Id. Counsel for UIDAI, as to whether upon receiving an email from DCP (Legal), Delhi Police, UIDAI can confirm the genuinity of the Aadhar card of either the accused, convict or surety. The Court had requested Mr. Raja, Id. Counsel and the CEO, UIDAI to assist the Court in this regard on the next date.

12. Today, on behalf of the UIDAI, Mr. Sanjeev Yadav, Director (Technical) has appeared virtually before the Court along with Mr. Himanshu Dabral, Manager (Legal). They appear with Mr. Raja, Id. Counsel. It is the submission of UIDAI that insofar as the UIDAI is concerned, an approval has been given by UIDAI to the Ministry of Home Affairs for verifying the Aadhar cards of prisoners and the relatives who come to have *mulakats* (visits). It is stated that this position has been implemented in all the jails across the country to enable verification of persons easier and quicker. In



addition, it is submitted that the Punjab & Haryana High Court in **CRM-M No. 49429/2023** titled **Sharanjit Singh@Suraj vs. State of Punjab** and connected matters has passed an order dated 10th May, 2024 wherein it is directed that after setting up the necessary technical infrastructure and making appropriate application under Rule 4 of the Aadhaar Authentication for Good Governance (Social Welfare, Innovation, Knowledge) Rules, 2020, the services for verification of surety shall be set up in all Court premises within Punjab and Haryana.

13. In view of the above, the Court's query is as to how the directions passed in the judgment dated 10th May, 2024 passed by the Id. Single Judge of the Punjab and Haryana High Court is being implemented. In this regard, Mr. Sanjeev Yadav, seeks some time to respond to the Court's query.

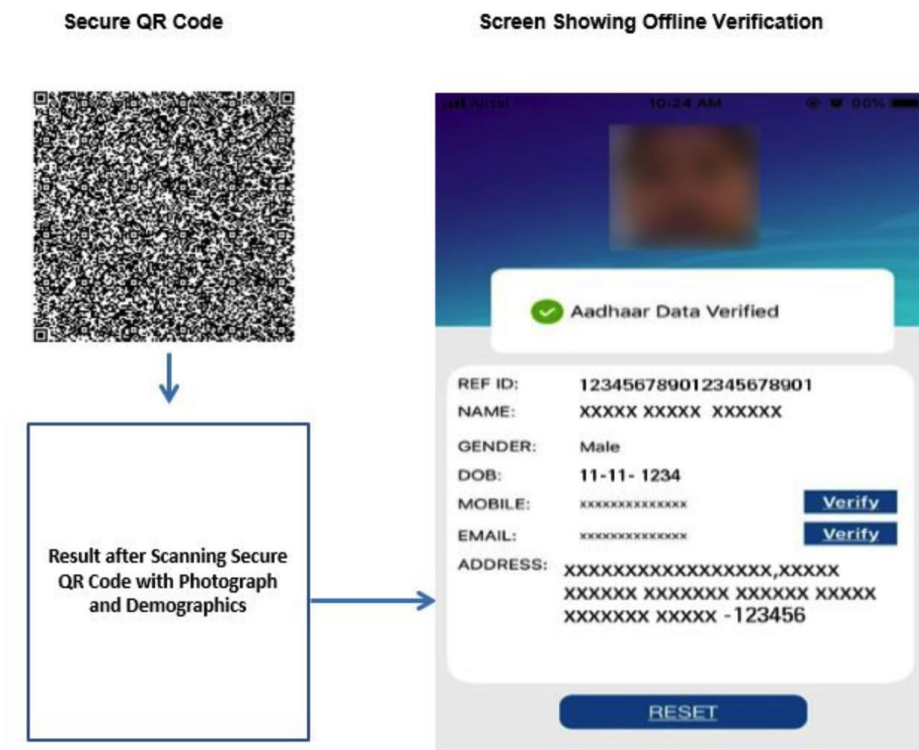
14. A perusal of the judgement in **Sharanjit (supra)**, would show that similar directions have also been passed by the Karnataka High Court in **W.P. No. 6723/2023** titled **UIDAI vs. Narayana B. & Ors.** vide order dated 3rd October, 2023.

15. At this stage, Mr. Dabral has also pointed out to the Court that there are certain mobile phone applications which are available on the Google Playstore and App Store, wherein by scanning the QR code available on any Aadhar Card, the credentials of the concerned person can be verified immediately. He has assured the Court that these applications are run by the UIDAI. Mr. Dabral has also illustratively shown to the Court how the same can be done with the help of one such application.

16. The UIDAI website also provides more information on this aspect



under the heading of Secure QR Code Readers¹. The verification process through the use of such applications has been shown on the said website as under:



17. It is quite clear that apart from the mobile number and the email address which is redacted, the remaining demographic details, *i.e.*, photographs, name, date of birth, gender and address of the person, are easily visible through the application itself.

18. Under these circumstances, while the Court would be considering the directions that are to be passed in this matter after having the benefit of UIDAI's response to its queries, in the *interregnum*, it would be expedient to pass certain interim directions. Accordingly, *henceforth*, in order to expedite the verification of sureties and completion of formalities in respect of bail

¹ Accessible at: <https://uidai.gov.in/en/ecosystem/authentication-devices-documents/qr-code-reader.html>



orders, all Jail Superintendents across Delhi shall undertake the following steps:

- i. The verification of the sureties and related credentials may be done by scanning of the Secure QR Code on their Aadhar Card through following applications:
 - (a) Aadhaar QR scanner app
 - (b) mAadhaar App
 - (c) Aadhaar App

For ease of reference, the application icons of each of the said applications as available on the Google Play Store is as under:



Aadhaar
4.2 ★



mAadhaar
4.1 ★



Aadhaar QR Scanner
3.8 ★

- After obtaining the said details from the above Apps and any further details provided by the under-trial or convict, if further verification is needed, the same would be undertaken in an expeditious manner.
- ii. For the purpose of verification of any FD or any other monetary instrument issued by the Bank, the Jail Superintendent shall continue to do it through email and the concerned banks/financial institutions shall respond to the same promptly.
 - iii. If necessary the Jail Superintendents are also free to communicate this order to the Banks whenever they are seeking



verification of any FD or monetary instrument for the purpose of verifying the surety.

19. Let the UIDAI file a short affidavit setting out the manner in which the approval has been given to the Ministry of Home Affairs is being implemented across all jails in the country. The affidavit shall also set out the manner in which the directions given by the Punjab and Haryana High Court, as also the Karnataka High Court, are being implemented in the respective trial Courts for authentication/ verification through Aadhar.

20. Today's order be communicated to the Director General (Prisons) through Mr. Amol Sinha, Id. ASC for necessary information and compliance. The D.G. (Prisons) shall communicate the same to all Jail Superintendents in Delhi.

21. Copy of this order be communicated by the Registry to the Reserve Bank of India through Mr. Ramesh Babu, Id. Counsel on his mobile number (9971671294) for further communication to all Banks of the directions passed today.

22. List for further hearing on 14th August, 2026.

PRATHIBA M. SINGH
JUDGE

AMIT MAHAJAN
JUDGE

MAY 22, 2026
ab/msh