

SC no. 10/2024
STATE Vs. KISHAN @ PATWA AND ORS.
FIR No. 395/2023
PS KARAWAL NAGAR
UNDER SECTIONS:302/307/34 IPC & 25/27 ARMS ACT

05.04.2025

Present: Sh. F. M. Ansari, Id. Addl. P. P for the State.
Ms. Pallavi and Sh Arjun Kumar Ghai, Id counsels
for accused/applicant Kishan @ Patwa.
Inspector Mohd. Rizwan and SI Sanjay Kumar are in
person.
Sh. Neeraj Thakur, Id. counsel for the complainant.

Heard on bail application filed by accused Kishan @
Patwa under Section 483 BNSS (439 Cr.P.C) for grant of interim
bail for fifteen days.

It is stated in the bail application that sister of
applicant namely Ms. Pooja is going to be married on
16.04.2025, which is clear from the invitation card filed on
record. It is stated that the applicant is the real brother and his
presence is necessary at the time of marriage of his sister. It is
also stated that younger brothers of the applicant/accused are too
young i.e. aged about 18 years and 14 years.

Reply and additional reply has been filed by SI
Sanjay Kumar. It is reported that it is the first bail application of
the applicant/accused. The fact of marriage of sister of
applicant/accused has been verified in the report. It is also
reported in additional reply that the applicant/accused is also

involved in three other cases under Sections 392/397 read with Section 34 IPC, under Sections 25/27 of Arms Act in case FIR no.317/2022 and FIR No.319/2022 of PS Karawal Nagar and under Sections 397/34 IPC in case FIR No.117/2022 of PS Karawal Nagar.

Bail is strongly opposed by Id. Addl. Public Prosecutor. In this case, applicant/accused Kishan @ Patwa is facing trial along with other two accused persons for the charge under Section 302 read with Section 34 IPC and under Section 307 read with Section 34 IPC. Case is at the stage of trial. Prosecution has cited as many as 38 witnesses in the main charge-sheet and three witnesses in supplementary charge-sheet. So far 12 witnesses have been examined. Many of the material witnesses have still not been examined. It is stated by Id. Addl. P.P that keeping in view the criminal background of the applicant/accused, he is likely to tamper with the evidence.

Keeping in view the nature of allegations, gravity of the offence and the stage of trial, in my opinion, it is not the appropriate stage for grant of interim bail for fifteen days. However, the occasion of the marriage of sister is an important event of life for anyone. As requested by Id. counsel for the applicant/accused, keeping in view the entire facts and circumstances of the case, applicant/accused Kishan @ Patwa is granted interim custody bail only for a period of four hours on 16.04.2025 between 7:00 PM to 11:00 PM to attend the marriage of his sister Ms.Pooja at the venue of the marriage i.e. Dhanwati Garden, Main 33 Foota Road near Ramlila Maidan, Shiv Vihar,

Karawal Nagar, Delhi-110094.

Jail Superintendent concerned will make necessary arrangements to take applicant/accused Kishan @ Patwa at the venue of the marriage accordingly in the custody of police and this interim custody bail order will be subject to furnishing of personal bond of Rs.25,000/- with one surety of like amount.

Copy of the bail order be sent to Jail Superintendent concerned for information and necessary compliance as and when the personal bond and surety bond are accepted by the Court.

Copy of the order be given *dasti*.

(SANJEEV JAIN)
Principal District & Sessions Judge,
North-East District, KKD/Delhi/05.04.2025