

Hearing through Video Conferencing by Cisco Webex Meeting App

Afzal Ahmed @ Chote Vs State

In re:-

**FIR No. 37/2019
PS Dayalpur
U/s 302/120 B/34 IPC**

10.12.2020

Present: Sh. Manish Kumar Singh, Ld. Counsel for applicant.
Sh. Yadvender Singh, Ld. Sub Addl. PP for the State.

Reply to the application received through mail.

Submissions on the bail application heard.

The applicant is in custody in the present matter since 02.02.2019 and is praying for release on interim bail for a period of 15 days with the submissions that nephew of the applicant is going to get married on 12.12.2020 and reception/walima is to be scheduled for 13.12.2020. It is submitted that nephew is very close to the applicant since his childhood and applicant has taken care of him as a father and his presence during the ceremonies is very necessary as this moment is not going to come again in his life. It is submitted that applicant has been admitted on interim bail on earlier occasions also and he has not misused the said concession granted to him by the Court.

On the other hand, bail is opposed with the submissions that the fact of marriage has been verified and during inquiry, it is revealed that applicant is having four brothers and he has more than 10 nephews and there are more than 13 male members apart from the groom to take care of the marriage ceremony. The applicant is applying for interim bail on one

pretext or other and his regular bail application is pending before Hon'ble High Court of Delhi for 08.01.2021. It is submitted that under the circumstances, it does not seem to be a valid ground to admit the applicant on bail when he has sufficient members in the family to look after the marriage ceremony of his nephew.

Considering the facts and circumstances of the case where there are other family members available to look after the marriage ceremony and I am of view that no case is made out to admit the applicant on bail on the grounds pleaded in the application for interim bail, hence application is dismissed.

Copy of the order be sent to the parties.

(SUNIL CHAUDHARY)
Special Judge (NDPS)/ASJ
North East/ Delhi 10.12.2020