

IA. 6/23 in SC 58595/2016
STATE Vs. PARVEEN ETC.
FIR No. 810 /2015
P.S. Alipur
U/s 302/201/34 IPC

06.06.2023

This is an application under Section 439 Cr.P.C. for grant of regular moved on behalf of applicant/accused Parveen on the medical ground of applicant.

Present:- Mr. Harvinder Kumar Nar, Ld. Additional PP for the State.

Mr. Inderpreet Singh, Ld. Counsel for applicant/accused alongwith applicant/accused in person on interim bail is present in court.

1. Briefly facts of the case are that on 08.09.2015 an information was received through PCR call at 7:15 am stating that a missing report was lodged regarding brother of the caller and the dead body of his brother was found in forest area behind government school Mukhmailpur, Delhi. On receipt of call police rushed to the spot where the body of a deceased was found in highly decomposed state and there was blood over the face of the dead body and the face of the body was throttled with heavy stone which was lying near the body. The deceased was identified as Jasbir s/o Ram Niwas, Delhi aged about 24 years by his brother/complainant Sh. Harsvardhan. Crime team was called at the spot which inspected the scene of crime and took photographs of the place of incident.

2. It is submitted by Ld. Counsel for applicant/accused that the applicant/accused is an innocent person and he has been falsely implicated in the present case. It is further submitted that investigation is almost complete. It is prayed that a lenient view be taken.

3. Ld. Additional PP for the State vehemently opposed the bail application submitting that the allegations levelled against the applicant/accused are very serious in nature. Prayer is made out for dismissal of the bail application.

4. Heard. Record perused.

5. The applicant/accused is stated to be paralytic and has difficulty in speech and movement. As such investigation is complete and chargesheet has already been filed. Trial has already concluded and matter is at the stage of final arguments. The applicant/accused was enlarged on interim bail as per guidelines of HPC. There is nothing to suggest that applicant/accused flouted any terms and condition which were laid therein. The other co-accused persons were also enlarged on bail earlier.

6. Seeing the facts and circumstances of the case and in view of the above discussion and the medical condition of the applicant/accused taking a lenient view, applicant/accused **Parveen is hereby enlarged on regular bail on furnishing of bail bond for a sum of Rs. 25,000/- with one surety of the like**

amount, who is permanent resident of Delhi/NCR, to the satisfaction of concerned Ld. MM/Link MM/Duty MM but subject to the following conditions:

- (a) The applicant/accused shall attend the co proceedings regularly.
- (b) That in case of change of his residential addresses, he shall intimate the Court about the same.
- (c) The accused shall not leave the country without prior permission of the Court.
- (d) The accused shall not indulge into similar offence in the event of release on bail.
- (e) The applicant/accused shall not try to contact or influence the witnesses, in any manner, directly or indirectly.

Accordingly, the application is disposed off.

7. ***It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.***

8. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi/06.06.2023