

SC 256/2019
STATE Vs. HARSH @ DEEPAK @ JONI
FIR No. 485 /2018
PS Bawana
U/s. 307/120B/34 IPC

14.05.2024

File taken up today on an application U/s. 439(1) Cr. P. C for grant of custody bail moved on behalf of applicant/accused **Pardeep @ Pradeep @ Bhagat @ Monu.**

Present: Sh. Kumar Sanjay, Ld. Addl. PP for the State.
Sh. Takshay Gupta, Ld. counsel for applicant/accused.

Reply to the above said application has been received from SI Ravinder Singh. Same is taken on record. Copy of the same supplied to Ld. counsel for applicant/accused.

Ld. Counsel for applicant/accused submitted that grandmother of applicant/accused has expired on 07.05.2024 and tehrvi of grandmother of applicant/accused is to be performed on 15.05.2024 at village Kair, Delhi. It is further submitted that his presence is necessary for performing the rituals. It is prayed that custody parole for a period of 6 hours may kindly be granted to applicant/accused, so that he may attend tehrvi and other post funerals rites and rituals of his grandmother on 15.05.2024.

On the other hand, Ld. Additional PP for State strongly opposed the above said application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

In view of the circumstances and the submissions of Ld. counsel for the applicant as well as the verification report with respect

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to the tehrvi of grandmother of applicant/accused, the present application is allowed. Let, applicant/accused **Pardeep @ Pradeep @ Bhagat @ Monu** be permitted to custody parole for **three hours for 15.05.2024 from 10:00 A.M. to 1:00 P.M. at Village Kair, Delhi (excluding the time to be taken into and fro)**. The concerned Jail Superintendent is directed to take the applicant/accused to the aforesaid venue on 15.05.2024 and he may be re-lodged in he prison immediately, thereafter. As regards the submission of ld. counsel for the applicant/accused that the applicant/accused may be taken at the venue of the tehrvi without handcuffs and fetters and the escorting staff may be directed to be in plain civil clothes, is left at the discretion of concerned Jail Superintendent, who shall decide the same taking into consideration the fact that the present applicant/accused is in the category of high risk.

Let copy of this order be sent to concerned Jail Superintendent through special messenger as well as through E-mail, with direction to take the applicant/accused on 15.05.2024 between the aforesaid relevant time period and to lodge him back in the jail.

Compliance report in this regard be also sent to the Court. The above said application be tagged with the main file. **Copy of order be given Dasti to Ld. counsel for applicant/accused.**

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
14.05.2024