

CNR No. : DLNT01-006875-2021
SC No. : 436/2021
STATE Vs. SUSHIL KUMAR ETC
FIR No. : 218 /2021
PS : Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC
U/s 25(1)(B)/27(1)Arms Act

05.12.2023

File taken up today on an application U/s. 439 Cr. P. C. for custody bail/parole moved on behalf of applicant/accused **Gulab.**

Present: Sh. Pankaj Bhatia, Ld. Substitute Addl. PP for the State.
Sh. Sumit Shokeen, Ld. counsel for applicant/accused.

Reply to the above said application has been filed by IO.
Same is taken on record.

Ld. counsel for applicant/accused submitted that real nephew (Bhanji) of the applicant/accused namely Nikita is getting married on 09.12.2023 at Celebration Garden, Bakheta Road, Humaiyapur, Rohtak, Haryana. It is further submitted that presence of applicant/accused is required during the wedding ceremony as the applicant being the real Mama of the bride namely Nikita has to perform the ceremony of BHAAT and other rituals in the marriage being the Mama of the bride. It is further submitted that marriage card is also annexed with the above said application. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State opposed the above said application and submitted that allegations against the applicant/accused are serious in nature. It is further submitted that as per jail manual, the custody parole can be granted for day time only. It is prayed that the above said application may kindly be dismissed.

Continued to page no. 2

CNR No. : DLNT01-006875-2021
SC No. : 436/2021
STATE Vs. SUSHIL KUMAR ETC
FIR No. : 218 /2021
PS : Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC
U/s 25(1)(B)/27(1)Arms Act

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 to the marriage of Bhanji of applicant/accused, the present application is allowed. Let, applicant/accused **Gulab** be permitted to custody parole for **four hours for 09.12.2023 from 03:00 P.M. to 7:00 P.M at Celebration Garden, Bakheta Road, Humaiyupur, Rohtak, Haryana (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 09.12.2023 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 wedding 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.

CNR No. : DLNT01-006875-2021
SC No. : 436/2021
STATE Vs. SUSHIL KUMAR ETC
FIR No. : 218 /2021
PS : Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC
U/s 25(1)(B)/27(1)Arms Act

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 09.12.2023 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
05.12.2023