

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
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

29.02.2024

File taken up today on an application for seeking custody bail/parole moved on behalf of applicant/accused **Ankit Dabas**.

Present: Dr. Raj Rani, Ld. Addl. PP for the State.
Sh. Joginder Tuli, Ms. Hemlata, Sh. Shrikant Sharma,
Ishu Sharma, Ld. Counsel for complainant Sh. Ashok
Dhankar.
Sh. Sanjeev Kumar and Sh. Rohit Dahiya, Ld. Counsels
for applicant/accused Praveen Dabas.
IO/Inspector Mangesh Tyagi in person.

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

Ld. Counsel for applicant/accused submitted that minor son of applicant/accused is critically ill since 18th February, 2024 and he running through high temperature continuously and till 25.02.2024 the child was still under temperature. It is further submitted that wife of applicant/accused also fell ill and she was diagnosed of thypoid and she is also still under medicine. It is further submitted that medical documents of son of applicant/accused is also annexed with the application. It is prayed that the above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the above said application and submitted that allegations

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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 and also considering the medical documents of minor son of applicant/accused, the present application is allowed. Let, applicant/accused **Ankit Dabas be permitted to custody parole for three hours for 01.03.2024 from 11:00 A.M. to 1:00 P.M. at (excluding the time to be taken into and fro). The concerned Jail Superintendent is directed to take the applicant/accused to the residential house of applicant/accused situated at H. No. 207, Village Sultan Pur Dabas, Delhi 110 039 and he may be re-lodged in the prison immediately.** As regards the submission of Ld. counsel for the applicant/accused that the applicant/accused may be taken at H. No. 207, Village Sultan Pur Dabas, Delhi 110 039 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.

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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 01.03.2024 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
29.02.2024