

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

12.10.2022

This is an application u/s 439 Cr.P.C. for grant of interim bail for a period of 5 days moved on behalf of applicant/accused Bijender @ Binder.

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.
Applicant/accused produced from JC (through VC).

Reply to the application has been filed.

It is submitted by the applicant/accused that he is a retired Indian Army Personnel. He has further submitted that the applicant/accused was brought up and take care off by his aunt Smt. Bhateri Devi after the death of his father and mother and there is mother-son relationship between them. He has further submitted that his aunt Smt. Bhateri Devi has left for her heavenly abode on on 08.10.2022 and cremation was performed on the same day. He has further submitted that applicant could not participate in the last walk of her life. He has further submitted that the Kriya/Tehrvi/Chamai of his aunt is scheduled to be held on 14.10.2022 at his house in Village Jasor Khedi, Distt. Jhajjar, Haryana. Hence, he has prayed for grant of interim bail for a period of five days for the rituals and arrangements of the Tehrvi.

On the other hand, Id. Addl.PP for the State has submitted that there are other members in the family of the applicant/accused who can manage the same and there is no necessity for granting interim bail and if the same is

granted, the same may be granted at the cost of the accused.

Heard.

Keeping in view the submission of the applicant/accused that he is brought up by his aunt Smt. Bhateri Devi from his childhood and there is mother-son relationship between them, in order to perform the rituals and arrangement of the Tehrvi of his aunt, **the applicant/accused is granted custody parole for 14.10.2022 from 11:00 a.m. to 4.00 p.m. (excluding the time to be taken in to and fro) for attending the Tehrvi of his aunt. He is also directed to deposit Rs.10,000/- with the concerned Jail Authority on or before 14.10.2022. Let copy of this order be sent to concerned Jail Superintendent, with direction to take the applicant/accused at the address Village Jasor Khedi, Distt. Jhajjar, Haryana between the aforesaid relevant time period and to lodge him back in the jail after attending the said function. It is further directed that accompanying police officials should be in plain clothes.** Compliance report in this regard be also sent to the Court. The application is disposed of accordingly.

Copy of the order be given dasti to Id. Counsel for the applicant/accused.

Bail application is disposed of accordingly and be tagged with the main file.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:12.10.2022(R)