

SC No. 77/2025, IA No. 04/2025, IA No. 05/2025
STATE VS. Nishu & Dhruv @ Golu
FIR No.554/2024
PS: Jagatpuri
U/s 103(1)/3(5) BNS

04.10.2025

This is a common order on applications seeking interim bail moved on behalf of applicants/accused persons namely Nishu & Dhruv @ Golu.

Present: Sh. S.K. Dubey, Ld. Addl. PP for the State.

Sh. Shubham Pandey, Sh. Akash Chaudhary and Sh.

Suryakant, Ld. Counsels for applicant/accused Nishu.

Ms. Divya Sharma, Ld. Counsel for applicant/accused

Dhruv @ Golu.

Deputed IO/SI Pushpendra in person.

1. Ld. Counsels for applicants/accused have submitted that applicants/accused persons are in JC since 20.10.2024; that father of the applicant/accused Nishu, who is uncle of the applicant/accused Dhruv @ Golu had died on 27.09.2025; that tehrvi of the father of the applicant/accused Nishu is scheduled on 05.10.2025 at his native village at Pindsara, Bharaul, Post Bharaul, District Firozabad, Uttar Pradesh-283203, therefore, interim bail may be granted to the applicants/accused to attend the said ritual.

2. Ld. Counsels for applicants/accused persons have further submitted that the applicants/accused persons are ready to abide by any terms and conditions, if imposed upon them and are also ready to furnish reliable surety to the entire satisfaction of the Hon'ble Court, therefore, they may be admitted on interim bail. Ld. Counsels for applicants/accused persons have requested that if not interim bail,

then, at least, custody parole to attend the aforesaid ritual be granted to the applicants/accused persons.

3. Ld. Addl. PP for the State has opposed the present application while submitting that allegations against the applicants/accused persons are grave in nature; that the trial of the matter is at the nascent stage and there are chances that applicant/accused may try to influence the witnesses or may tamper with the evidence, therefore, interim bail may not be granted to them. However, he has no objection, if custody parole is granted to the applicants/accused persons to attend the aforesaid ritual/tehrvi.

4. IO has filed a report wherein it is reported that address and date of ritual/tehrvi has been duly verified.

5. As per Delhi Police Rules, 2018, custody parole can be granted to accused/applicant. The relevant rule is as below:-

*"1203. "Custody Parole" may be granted to the convict by an order in writing, issued by the Superintendent Prison and **to the under trial prisoners by the trial court concerned**, for a period of **not more than six hours**, excluding the time taken to reach the destination and return to Prison, in the following eventualities:-*

- i. Death of a family member;*
- ii. Marriage of a family member;*
- iii. Serious illness of a family member or*
- iv. Any other emergency circumstances with the approval of DIG (Range) of prisons."*

6. Considering the aforesaid submissions of Ld. Counsels for applicants/accused persons, positive verification report filed by the IO and in order to enable to applicants/accused persons to attend the

ritual/tehrvi of their father/uncle, custody parole for a period of 06 hours i.e. from 12:00 PM to 06:00PM, is granted to the accused/applicants namely Nishu & Dhruv @ Golu on 05.10.2025 excluding the time of journey.

7. Concerned Jail Superintendent is directed to make necessary arrangements for taking the accused/applicants Nishu & Dhruv @ Golu to their native village at Village Pindsara, Bharaul, Post Bharaul, District Firozabad, Uttar Pradesh- 283203 and is also directed to ensure that after completion of maximum 06 hours, accused/ applicants are again lodged in the jail.

8. Copy of this order be given dasti to Ld. Counsels for accused/ applicants and be also sent to the concerned Jail Superintendent, forthwith, through all electronic modes. The application stands disposed of.

(SURABHI SHARMA VATS)
ASJ-04/Shahdara/KKD Courts,
Delhi/04.10.2025