

I.A. No. 43/2024
S.C. No. 307/2021
FIR No. 289/2020
Police Station: GTB Enclave
State vs. Gagan Bhargwa @ Gagan Pandit

Video Conferencing Link of the Court is functional.

13.02.2024

Order on Interim Bail Application.

Present: Shri Pradeep Kumar, Ld. Addl. PP for State.
Shri Manish Kumar Singh, Ld. Counsel for
accused/applicant.
Shri Rohit Yadav & Shri Deepak Sharma, Ld. Counsel
for complainant.

1. This is an application u/s 439 Cr.P.C seeking grant of Interim Bail to participate in the last rites ceremonies of mother of accused/applicant Gagan Bhargwa @ Gagan Pandit.
2. Reply filed. Taken on record. Copy supplied.
3. It is stated that accused/applicant be granted interim bail for 15 days to participate in last rites/rituals of his mother who passed away on 12.02.2024. It is further stated that accused/applicant is only son of his parents and his presence is necessary for the purpose of completion of the rituals.
4. The bail application has been opposed by Ld. Addl. PP for State and Ld. Counsel for complainant arguing that there are serious allegations against accused/applicant and if he is granted interim bail, he may influence or threaten the complainant and other witnesses. It is argued that accused/applicant may also indulge himself in commission of any other offence. Ld. Addl. PP for State also pointed out towards the previous involvement record of

accused/applicant.

5. Submissions heard. Record perused.

6. IO has confirmed the factum of death of mother of accused/applicant on 12.02.2024. It is also confirmed that last rites have already taken place on 12.02.2024 itself. It is stated by Ld. Counsel that two other rituals including '*tehrvi*' are scheduled for 21.02.2024 and 23.02.2024.

Taking note of the fact that accused/applicant is the only son of his parents and his presence is necessary to support his family in the present situation and purely on humanitarian grounds without going into the merits of this case, Court deems it appropriate to admit the accused/applicant on interim bail to participate in the last '*prayer meeting/tehrvi*' of his mother on 23.02.2024, subject to furnishing Bail Bond in the sum of Rs. 50,000/- with two sureties in the like amount to the satisfaction of this Court.

This Court while granting interim bail for one day, kept in mind that the matter is listed for remaining Prosecution Evidence on 22.02.2024 and some public witnesses have been called for their testimony on that day.

7. The concerned shall release accused/applicant in the evening of 22.02.2024 and accused/applicant shall surrender before concerned Jail Superintendent on 23.02.2024 at 06:00 pm.

8. Copy of this order be sent to concerned Jail Superintendent as necessary information.

9. Order *dasti*.

(ARVIND BANSAL)
Addl. Sessions Judge-05 (Shahdara)
Karkardooma Courts, Delhi/13.02.2024