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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.A. 395/2025

MOHD. PARVEZ

.....Appellant

Through: Mr. Deepanshu Goswami, Advocate.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondent

Through: Mr. Utkarsh, APP for the State.
SI Savita Solanki, P.S. Khyala

CORAM:

HON'BLE MS. JUSTICE CHANDRASEKHARAN SUDHA

ORDER

07.02.2026

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CRL.M.A 4071/2026

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

CRL.M.(BAIL) 262/2026

3. This application under Section 430 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (the BNSS) read with Section 389 and Section 482 of the Code of Criminal Procedure, 1973 (the Cr.P.C.) has been filed by the accused in Sessions Case



no. 415/2020, seeking interim suspension of sentence for a period of 30 days on the ground that his niece is getting married.

4. Paragraphs 4 and 5 of the application reads thus:-

“4. That it is respectfully submitted that although there is one more maternal uncle (Mamu) of Ms Saba Parveen, he is younger in age than the Applicant, and as per prevailing social customs and family traditions, the responsibility of giving “Bhaat” lies upon the elder Mamu of the family.

5. That the Applicant, being the elder maternal uncle, is traditionally and socially obligated to perform the Bhaat ceremony, and his presence is therefore indispensable and cannot be substituted by the younger Mamu. The said ceremony holds significant social and emotional importance for the bride and the entire family.”

(Emphasis Supplied)

5. The application is opposed by the learned Additional Public Prosecutor, who has handed over the status report filed by the SHO concerned. The said status report also contains the statement of the appellant’s sister, who is admittedly the mother of the girl whose marriage is to be solemnized on 10.02.2026, for which the present application has been filed. In her statement, she has stated that she has two elder brothers in addition to the appellant herein, as well as



one younger brother. In such circumstances, the averment in the aforesaid paragraphs of the application is clear concealment of material facts.

6. That being the position, no ground for suspension of sentence is made out.

7. Hence, the application shall stand dismissed.

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8. List for hearing on 12.10.2026.

CHANDRASEKHARAN SUDHA, J

FEBRUARY 7, 2026/mj