

IA 61/23 (Mohd. Wasim @ Bablu)

CNR No. DLNE01-002401-2020

SC No. 119/20

State v. Mohd. Saleem Khan etc.

FIR No. 60/20

PS Dayalpur

U/s.186/353/332/333/323/109/144/147/148/149/153A/174A/188/
336/427/307/308/397/412/302/201/120B/34 IPC r/w.3 & 4 PDPP
Act & 25/27/54/59 Arms Act

13.07.2023 (At 10:15 AM)

Present: **Sh. Naresh Kumar Gaur**, Adv. appearing for **Sh. Madhukar Pandey**, ld. Special PP for State along with ASI Sanjay Tyagi, from Crime Branch.
Sh. M.A. Qureshi, ld. counsel for applicant/accused Mohd. Wasim @ Bablu.

This is 6th application u/s. 439 Cr.P.C. moved on behalf of applicant/accused Mohd. Wasim @ Bablu, for grant of interim bail.

1. Ld. counsel submits that marriage of sister of the applicant is scheduled for 23.07.2023 and in order to attend that marriage and other ceremonies, applicant be granted interim bail for 30 days.
2. Reply has been filed by ASI Sanjay Tyagi, according to which from local inquiry factum of marriage of the sister of applicant on 23.07.2023 was confirmed. Though, no document related to the marriage in the form of wedding card, cooking of any catering, marriage hall etc. were provided. It is further reported that there are two other brothers of the applicant, who can take care of the arrangement of this marriage.
3. Ld. Special PP further submits that applicant was declared proclaimed offender as he had been absconding and after lot of efforts, he could be arrested on 28.09.2022. Therefore, he should not be granted interim bail.

4. Heard and perused. The last bail application of the applicant was rejected on 06.06.2023. Applicant has been denied bail on the merits of the case till date. Interim bail is granted in exceptional circumstances only. Attending marriage and other ceremonies of the sister is not that kind of exceptional circumstance, due to which the court should overlook its decision taken so far declining bail to the applicant on merit. Therefore, I am not inclined to grant interim bail on the ground taken by applicant, because it is only his wish to attend the ceremonies. The arrangement of the marriage can be done by other family members.
5. However, applicant is given option to attend the marriage ceremony in custody parole subject to payment of requisite expenses for the same. Applicant shall furnish details of venue of this marriage before Jail Superintendent concerned and on deposit of the requisite fee/expenses for custody parole, he should be taken to such venue of marriage on 23.07.2023 for a period of four hours. The accompanying officials with the applicant should be in civil uniform in view of the given description of the function. Application is decided accordingly. Copy of this order be sent to Jail Superintendent for intimation and another copy be given dasti to ld. counsel.

(PULASTYA PRAMACHALA)
ASJ-03(NE)/KKD Courts/Delhi
13.07.2023