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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 212/2018

DHIRENDER PRAKASH SAXENA Petitioner

Through : Mr.S.S.Das, Advocate.

versus

DIRECTORATE OF REVENUE INTELLIGENCE..... Respondent

Through : Mr.Satish Aggarwala, Advocate.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **09.02.2018**

1. The petitioner seeks interim bail to participate in the marriage of his son fixed for 17.02.2018. It is opposed by the respondent; status report is on record.
2. I have heard the learned counsel for the parties and have examined the file. The petitioner is facing criminal proceedings under Sections 22/25/25A/26/29/30/38 of NDPS Act. He is in custody for the last more than two years.
3. Learned counsel for the respondent urged that the interim bail cannot be granted to the petitioner as there are no exceptional circumstances for it. Relying upon the judgment '*Athar Pervez vs. State*', 2016 LawSuit (Del) 1572, counsel urged that the interim bail cannot be granted to the petitioner to participate in marriage. There are serious allegations against the petitioner and Section 37 of the NDPS Act is a bar to grant bail.

4. During the course of arguments, it was enquired from the learned counsel for the respondent if the marriage of the petitioner's real son is to be performed on 17.02.2018. Counsel informed that the factum of marriage has since been confirmed. He was further asked if the petitioner's address has been verified; to which, he responded in positive.

5. The petitioner is in custody for the last about more than two years and has not availed any interim bail so far. In the interest of justice and to enable the petitioner to participate in the marriage of his real son fixed for 17.02.2018, he is granted interim bail for ten days from the date of his release, on his furnishing personal bond in the sum of ₹1 lac with one surety in the like amount to the satisfaction of the Trial Court. At the time of seeking interim bail, the petitioner shall deposit his passport and shall not leave India. After the expiry of the interim bail, the petitioner shall surrender before the Superintendent Jail.

6. The bail application stands disposed of.

S.P.GARG, J.

FEBRUARY 09, 2018 / tr