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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1509/2020 & CrI.M.A.7614/2020**
DHARAMVIR SINGH CHAUHAN Petitioner
Through : Mr.Abhay Gupta, Advocate.
versus
CENTRAL BUREAU OF
INVESTIGATION & ANR Respondents
Through : Mr.Nikhil Goel, SPP with Ms.Naveen
Goel, Advocate with Inspector
Deepak for CBI.
Mr.Chandan Malik, Advocate for R2

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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22.06.2020

1. The hearing has been conducted through Video Conferencing.
2. This petition is filed with the following prayers:-

"a. Pass an order setting aside the order dated 10.06.2020 passed by Ld. Amit Kumar (Special Judge) in RC-3(S)-2016/CBI/SCIII/ND.

b.. Pass any or such other order as this Hon'ble Court deems fit in the interest of justice."

3. The leaned trial Court vide impugned order dated 10.06.2020 has granted interim bail to respondent No.2 for 20 days with effect from 15.06.2020 to 04.07.2020 on furnishing the personal bond in the sum of Rs.30,000/- with two sureties of like amount.
4. The petitioner herein/complainant in above said case has challenged the said order passed by the learned Trial Court stating *inter alia* that in the past the respondent No.2 has tried to *influence* the star witness Gagan and in case he is released, he would again

make similar attempt and it's the only reason for which the trial of the case was got transferred to Delhi from Ghaziabad by moving a transfer petition before the Supreme Court.

5. I have perused the status report filed by the CBI which also make reference of two incidents dated 19.11.2017 and 12.12.2017 when the main witness Gagan was tried to be influenced on behalf of respondent No.2 herein.

6. It is also mentioned in the status report that Crime No.1824/2017 under Section 2/3 of the Gangsters Act was registered at police station Vijay Nagar, District Ghaziabad, UP against respondent No.2, hence, the apprehension of the petitioner cannot be brushed aside lightly.

7. In view of above, the impugned order dated 10.06.2020 passed by the learned Trial Court is modified to an extent the respondent No.2 is allowed to attend the marriage of his sister from 30.06.2020 at 10.00AM till 01.07.2020 at 10.00AM at the marriage venue *R-132, Advocate Colony, Partap Vihar, Ghaziabad, UP*. The respondent No.2 be escorted by the police escort of Dasna Jail, Ghaziabad, so that he can attend the marriage ceremony of his sister. Needless to say since there is marriage in the family, the police escort may accompany in plain clothes at the marriage place. On completion of period of custody parole, the respondent No.2 be brought back to Jail in custody. It is also made clear the respondent No.2 shall not try or attempt to contact any witness(es) in any manner.

8. The petition stands disposed of in above terms. The pending

application, if any, also stands disposed of. No order as to costs.

9. Copy of this order be sent electronically to the learned Trial Court and the Jail Superintendent, Dasna Jail, UP for information and compliance.

YOGESH KHANNA, J.

JUNE 22, 2020
M/DU