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

+ **BAIL APPL. 2015/2020 & CRL. M.A. No. 10342/2020**

MOHD. KAZIM

.....Petitioner/Applicant.
Through : Mr. Mohd. Taiyab Khan,
Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent
Through : Mr. Saleem Ahmed, SPP and
Ms. Neelam Sharma, APP for
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **31.07.2020**

The applicant, who is an undertrial in case FIR No. 143/2020 dated 23.03.2020 registered under sections 143/144/147/148/149/307/188 IPC and sections 25/27 of the Arms Act at PS : Welcome, Delhi, seeks interim bail on the ground that his eldest sister's marriage is scheduled on 07.08.2020 and he, being the younger brother, is required to be present for the marriage ceremonies.

2. Mr. Mohd. Taiyyab Khan, learned counsel appearing for the applicant states that this is the first marriage in the family and that the applicant's presence is necessary. A copy of the marriage card for the ceremony scheduled on 07.08.2020 is annexed to the application.

3. Issue notice.
4. Counsel as above accept notice for the State ; and submit that the factum of marriage has already been verified in the course of the interim bail proceedings before the learned Sessions Court, which court *vidé* order dated 21.07.2020 in Bail Application No. 929/2020 was pleased to grant to the applicant only custody parole for 06 hours on 07.08.2020 for attending his sister's marriage.
5. In the circumstances, this court is persuaded to grant to the applicant *interim bail* for a period of 07 (seven) days from the date of his release, subject to the following conditions :
 - a. The applicant shall furnish a personal bond in the sum of Rs.25,000/- with 01 surety of the like amount from a family member, to the satisfaction of the Jail Superintendent;
 - b. The applicant shall not leave the State of Delhi without permission of the court and shall *ordinarily* reside at the address mentioned in this application;
 - c. On the third day of his release on interim bail, the applicant shall present himself before the Investigating Officer/SHO PS: Welcome between 11 am and 11:30 am to mark his presence. However he will not be kept waiting for longer than an hour for this purpose;
 - d. The applicant shall furnish to the Investigating Officer/SHO a cell phone number on which the applicant may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;

- e. If the applicant has a passport, he shall also surrender the same to the Jail Superintendent;
 - f. The applicant shall not contact, nor visit, nor offer any inducement, threat or promise to the first informant/complainant or to any of the prosecution witnesses. The applicant shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending matter ;
 - g. Upon expiry of the period of interim bail, the applicant shall surrender before the concerned Jail Superintendent.
6. For clarity, order dated 21.07.2020 made in Bail Application No. 929/2020 made by the learned Sessions Court, whereby *custody parole* for 06 hours was granted to the applicant, shall stand modified to the above extent.
7. Nothing in this order shall be construed as an expression on the merits of the pending matter.
8. A copy of this order be sent to the concerned Jail Superintendent.
9. The bail application stands disposed of.
10. Other pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

JULY 31, 2020/j