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

+ **BAIL APPLN. 2090/2020**

MOHD. VASIM @ MOHD. FAZIL

..... Petitioner

Represented by: Mr.Ashutosh Bhardwaj, Advocate
with Mr.Pulkit Tyagi, Advocate

versus

STATE (GNCT OF DELHI)

..... Respondent

Represented by: Ms.Meenakshi Chauhan, APP for
State.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.08.2020

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The hearing has been conducted through Video Conferencing.

1. By this petition, the petitioner seeks interim bail for a period of 15 days on the ground of marriage of his brother fixed on 11th August, 2020 and on account of the fact that the Dawat-e-Walima ceremony is fixed on 13th August, 2020.

2. The petitioner is facing trial in case FIR No. 279/2017 under Sections 302/394/120B/34 IPC & 27 of the Arms Act registered at P.S. Seelampur. This FIR was registered on the statement of Meena, wife of deceased Mahender Chand Ramola who is an eye witness to the incident. According to Meena, when she reached the office of her husband at 10 pm on 2nd May, 2016, she saw that three persons were dragging her husband out of his shop

by beating him and one person was standing on the Scooty who was saying to his associates to kill Mahender immediately. Thereafter, all those three persons who were having arms started firing at her husband and killed him. One of the assailants also took away the licensed pistol of her husband and when she raised alarm, all the four of them ran away on the Scooty and motorcycle. There were as many as 4 fire arm entry wounds found on the body of the deceased on post mortem. Further, the presence of the present petitioner is also verified by CCTV footage installed at House No. 309, Double Storey, Welcome in the vicinity of the place of occurrence.

3. As per the status report, besides the above-noted FIR, the petitioner is involved in three other cases being FIR No. 90/2013 under Sections 392/379/120B IPC registered at P.S. Hauz Khas, FIR No. 623/2015 under Sections 336/324/506/34 IPC and 27 Arms Act registered at P.S. Welcome and FIR No. 741/2007 under Sections 186/323/353/223/225/506/34 IPC registered at P.S. Welcome.

4. The factum of the marriage of the petitioner's brother on 11th August, 2020 and the Dawat-e-Walima ceremony to be performed on 13th August, 2020 has been verified.

5. Considering the involvements of the petitioner, this Court is not inclined to grant interim bail to the petitioner, however, considering the fact that the marriage of the younger brother of the petitioner has been verified and the Dawat-e-Walima is fixed on 13th August, 2020 at 1 pm, this Court deems it fit to permit the petitioner to be taken in custody for two hours to attend the Dawat-e-Walima at Eidgah Road, Bhoore Shah Ka Mazaar, Janta Mazdoor Colony, Delhi-110053 on 13th August, 2020 from 1 pm till 3 pm and will be brought back to the custody. If the petitioner so desires, the

Superintendant (Jail) will take necessary arrangements so that the petitioner is taken in custody to the place of Dawat-e-Walima.

6. Petition is disposed of.
7. Copy of the order be uploaded on the website of this Court.

MUKTA GUPTA, J.

AUGUST 10, 2020
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