



\$~65

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

+ **BAIL APPLN. 210/2024**

AKSHAY

..... Petitioner

Through: Mr. Brijesh Yadav, Mr. Ankur Yadav,
Ms. Nikita Mr. Piyush Khari and Ms. Anchal
Khanna, Advocates.

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr. Mukesh Kumar, APP for the
State with Insp. Muneesh Kr., PS: Ambedkar
Nagar.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

%

19.01.2024

CRL.M.A. 1623/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.A. 1624/2024 (exemption from filing status report, by Petitioner)

3. This is an application filed on behalf of the Petitioner seeking exemption from filing status report filed before the Trial Court.
4. Status report filed before the Trial Court is on record.
5. In view of above, application stands disposed of.

BAIL APPLN. 210/2024

6. This application has been filed on behalf of the Applicant Akshay S/o Late Sh. Surender Kumar for grant of interim bail for a period of one month in case FIR No. 159/2023 dated 12.04.2023 under Sections 302/34 IPC and Section 27 of the Arms Act, 1959 registered at PS: Ambedkar Nagar for the



purpose of appearing in the examination of B.A. (Programme) from School of Open Learning, University of Delhi, scheduled from 16.12.2023 to 10.02.2024. Charge Sheet has been filed wherein Sections 201/120B IPC and Section 25 of the Arms Act, 1959 have been added.

7. Issue notice.

8. Learned APP accepts notice on behalf of the State and opposes the application on ground that the offences alleged to be committed by the Applicant are serious and grave and the eye witness and the CCTV footage support the case of the prosecution.

9. Learned counsel for the Applicant, at this stage, submits that in case the Court is not inclined to release the Applicant on interim bail, in view of the opposition by the State, Applicant be permitted to appear for the examination under custody parole. It is submitted that admission/hall ticket has been issued to the Applicant, entitling him to appear in the examination and although Applicant was unable to appear for three papers as interim bail was not granted by the learned Trial Court, he would still be in a position to appear for the remaining four papers for which the examination is scheduled on 20.01.2024, 27.01.2024, 03.02.2024 and 10.02.2024, as per the date-sheet. It is pointed out that even if the Applicant clears four papers, he will be eligible to be promoted to the next year.

10. Heard.

11. Looking at the facts and circumstances, Applicant is permitted to appear in the aforementioned examination for remaining four papers on 20.01.2024, 27.01.2024, 03.02.2024 and 10.02.2024, as per the date-sheet, filed along with the application. For the said purpose, Applicant shall be taken by Police escort under custody parole to the examination centre i.e.



Rajdhani College, University of Delhi, Raja Garden, Ring Road, New Delhi-110015, on each of the four dates. It is also directed that the persons escorting the Applicant will be dressed in plain clothes and will ensure that the Applicant reaches the examination centre well in time to be able to appear in the exams. On request of learned counsel for the Applicant, direction is also issued to the Jail Superintendent to provide the necessary books/stationery etc. which are required by the Applicant for preparing for the examination, after the details are provided by the Applicant, in accordance with the procedure laid down in the Jail Manual. Expenses for the books/stationery etc. shall be borne by the Applicant.

12. Application stands disposed of in the aforesaid terms.

13. Copy of the order shall be sent to the Jail Superintendent, Jail No. 5, Tihar Jail, Delhi forthwith for information and necessary compliance.

JYOTI SINGH, J

JANUARY 19, 2024/shivam