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

+ **BAIL APPLN. 617/2024**

SAMEER @ PURVA

..... Petitioner

Through: Mr. Raj Kumar, Adv.

versus

STATE

..... Respondent

Through: Mr. Ritesh Kumar Bahri, APP for
State with Insp. Pramod Kumar and
SI Vivek Kumar Police Station Mayur
Vihar

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
20.02.2024

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CRL.M.A. 5430/2024 (exemption)

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

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3. The present petition has been filed under Section 439 Cr.P.C. read with Section 482 CrPC seeking interim bail in connection with FIR No. 89/2022 under Sections 302/201/34 IPC registered at Police Station Mayur Vihar, Delhi on the ground that the marriage of the real brother and sister of the petitioner is to be solemnized on 28.02.2024 and 29.02.2024. He submits that the marriage customs will be starting from 26.02.2024 and the petitioner is the youngest sibling of all.



4. The learned counsel for the petitioner invites the attention of the Court to the status report dated 13.02.2024 filed by the prosecution before the Court of learned Additional Sessions Judge, to contend that the factum of marriage has been verified.

5. Issue notice. Learned APP for the State accepts notice.

6. Referring to the status report dated 13.02.2024 filed by the prosecution before the learned Trial Court, the learned APP contends that the petitioner may abscond the process of law and he may threaten the witnesses.

7. On a query posed by the Court that as to whether any threats have been actually extended by the petitioner to the witnesses, the learned APP on instructions from the Investigating Officer who is present in Court, fairly states that no such complaints have been received from any of the witnesses.

8. In view of the above, the petition is allowed and the petitioner is enlarged on interim bail for a period of 05 days starting from 25.02.2024 subject to his furnishing a Personal Bond in the sum of Rs. 20,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- c) Petitioner shall not indulge in any criminal activity and shall not contact or extend any threat to the complainant / witnesses.



9. The petition stands disposed of.
10. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
11. After the expiry of period of interim bail of five days, the petitioner shall surrender before the Jail Superintendent on 01.03.2024.
12. Order *dasti* under signatures of the Court Master.
13. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 20, 2024

N.S. ASWAL