



\$~2

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

+ **BAIL APPLN. 1413/2024**

SACHIN @ BHANJA

..... Petitioner

Through: Mr. Virender Mual and Mr. Deepak
Kumar, Advocates.

versus

STATE (N.C.T. OF DELHI)

..... Respondent

Through: Mr. Hemant Mehla, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

03.05.2024

%

1. The present application under Section 439 read with Section 482 of CrPC seeks the following prayers:

“a) Allow the present petition and grant custody parole for a period of 8 hours excluding the time to reach to the destination, to the petitioner for performing marriage at Arya Samaj Mandir Trust;

Pass any other or further order(s) as this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the present petitioner and in the interest of justice and equity and under humanitarian grounds.”

2. Learned counsel appearing on behalf of the applicant submits that the present application is being filed on account of the fact that the applicant has to solemnize his marriage with Ms. Gitika Rana D/o Kundan Rana R/o House No. 471 Mangolpuri, New Delhi. It is further submitted that the marriage is scheduled for 27.05.2024 and will be solemnized at Arya Samaj Mandir Trust (Regd.), B-14, Arjun Park, Nangli Dairy Road, New Delhi-110043, and these details have been provided beforehand to the



Investigation Officer for verification.

3. Learned APP for the State, on instructions of the Investigating Officer, submits that the present applicant is a key member of Lawrence Bishnoi gang and is involved in multiple cases including Maharashtra Control of Organised Crime Act, 1999 (MCOCA) etc. He further submits that the statement of the bride has also been recorded and the venue of the marriage has also been verified. Status Report dated 02.05.2024 authored by Inspector Shivraj Rawat, Special Cell, NDR, Lodhi Colony, New Delhi, is handed up in Court, today and same is taken on record, the factum of marriage has been duly verified.

4. In the facts and circumstances of the case, this Court is of the considered opinion that the petitioner can be granted custody parole to solemnize his marriage which is scheduled for 27.05.2024.

5. The factum of the marriage is verified from the status report. Keeping in mind the contention raised that the applicant is a high risk under trial prisoner, this Court considers it apposite to put appropriate conditions and release the applicant, on humanitarian grounds, on custody bail for a period of six hours, on the following directions:

- i) Considering the applicant is a high risk under trial prisoner the concerned jail superintendent is directed to make the necessary security arrangements;
- ii) The applicant will be released from jail in custody on 27.05.2024, subject to putting in place proper security arrangements and prior verification of the venue by the jail superintendent, for a period of six hours including the travel time between the jail and the



venue of marriage, that is - Arya Samaj Mandir Trust (Regd.), B-14, Arjun Park, Nangli Dairy Road, New Delhi-110043;

iii) The applicant shall be brought back to the jail directly after the marriage ceremony from the Arya Samaj Mandir.

iv) In case, the Jail Superintendent is of the opinion that the aforesaid venue is not suitable or secure, then an alternative venue may be suggested to the applicant under intimation to this Court.

6. With the aforesaid directions, the present application is partly allowed and disposed of.

7. Pending application(s), if any, also stand disposed of.

8. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.

9. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MAY 3, 2024/K