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

+ **BAIL APPLN. 1693/2024**

RAKESH @ JATTI

..... Petitioner

Through: Mr. Avi Kalra, Mr. Prateek Lakra and
Mr. Devesh Chauhan, Advocates.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr. Yudhvir Singh Chauhan, APP for
State.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.05.2024

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CRL.M.A.14661/2024 (Exemption)

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

BAIL APPLN. 1693/2024

3. This application has been filed under Section 439 Cr.P.C. read with Section 482 Cr.P.C. by the applicant, Rakesh @ Jatti S/o Sh. Ram Kumar, in case FIR No. 2/2020, under Sections 307/323/34 IPC and Sections 25/27 of Arms Act, 1959, registered at PS: Raj Park, for grant of interim bail for a period of 20 days on the ground of death of his wife. Charge Sheet has been filed in which Sections 302/147/148/149 IPC were added.
4. It is stated in the application that the wife of applicant has expired on 07.05.2024 on account of certain medical ailments and the applicant is required to perform certain rituals and ceremonies as a husband. It is stated



by the learned counsel for the applicant that the bail application was initially filed before the learned Trial Court but the same was rejected on 09.05.2024. Learned counsel for the applicant further states, on instructions, that the *Terahvi* ceremony of the applicant's wife is to be performed on 20.05.2024.

5. The factum of death of applicant's wife has been verified by the State, which is evident from reading of the Trial Court order dated 09.05.2024.

6. Issue notice.

7. Learned APP accepts notice on behalf of the State and submits that the factum of death of applicant's wife is not disputed.

8. Heard learned counsel for the applicant and learned APP for the State.

9. Since the factum of death of applicant's wife is not denied and the *Terahvi* ceremony and other rituals are to be performed on 20.05.2024 or earlier, the application is allowed. Accordingly, applicant herein shall be released on interim bail from 15.05.2024 to 21.05.2024 (06 days), subject to his furnishing a personal bond in the sum of Rs. 30,000/- with one surety of like amount to the satisfaction of the Trial Court and further subject to following conditions:

- (i) Applicant shall not leave the country without permission of the Trial Court;
- (ii) He shall provide his permanent residential address to the concerned IO and shall intimate the IO as well as Court by filing an affidavit regarding any change in the residential address;
- (iii) He shall provide his mobile number to the IO concerned and shall keep the same operational and active at all times and any change in the mobile number will only be after prior intimation



to the IO;

- (iv) He shall not indulge in any criminal activity or communicate with or come in contact with any other person associated with the present case; and
- (v) He shall surrender before the concerned Jail Superintendent immediately on expiry of period of 06 days from the date of his release.

10. Nothing stated in this order will be a reflection of an opinion on merits of the case.

11. Application stands disposed of.

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

JYOTI SINGH, J

MAY 10, 2024/DU