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

+ **BAIL APPLN. 4699/2024**

SALMAN @ MULLA

.....Petitioner

Through: Mr. Prashant Singhal and Mr. Barkha
Grover, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Utkarsh, APP for State

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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20.12.2024

CRL.M.A. 38449/2024 (exemption)

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

BAIL APPLN. 4699/2024

3. The present petition has been filed under Section 483 BNSS, 2023 seeking interim bail for a period of 30 days in connection with FIR No. 79/2019 under Sections 302/34 IPC read with Sections 25/27 Arms Act registered at PS Krishna Nagar, Delhi on the ground that marriage of the petitioner's brother namely, Amaan is fixed on 24.12.2024.
4. Issue notice. The learned APP appearing on behalf of the State accepts notice.
5. On instructions from the IO, who is present in Court, the learned APP submits that factum of marriage of the petitioner's brother has already been verified. He, however, submits that the offence committed by the present



petitioner is serious in nature, therefore, he urges the Court that the present application may be dismissed. He further submits that the petitioner is involved in other cases as well.

6. On the other hand the learned counsel appearing on behalf of the petitioner submits that the petitioner was granted interim bail on an earlier occasion as well by this Court *vide* order dated 23.02.2024 passed in BAIL APPLN. 638/2024 and the said bail was never misused. He however fairly states that there was one day delay in surrendering as the petitioner had reported to the Jail Superintendant on the last day but after 09.00 P.M. and he was not admitted in the Jail for that reason, hence, there was a delay of one day.

7. I have heard the learned counsel for the petitioner, as well as, learned APP for the State.

8. The factum of marriage of the petitioner's brother has already been verified by the IO concerned. Insofar as the submission of the learned APP that the petitioner is involved in other cases, suffice it to say that the said position existed even when the earlier interim bail was granted to the petitioner by this Court *vide* order dated 23.02.2024.

9. As regards the fact that the petitioner surrendered a day later in the jail when he was earlier granted interim bail on medical grounds, the reason for the said delay has sufficiently been explained by the learned counsel for the petitioner.

10. Having regard to the aforesaid circumstances, this Court is of the view that the petitioner has made out a case for grant of interim bail for a period of 10 days from the date of his release, upon furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the



Trial Court/CJM/Duty JMFC and further subject to the following conditions:-

- i. The petitioner shall share his mobile numbers with the Investigating Officer (IO) which shall be kept on at all times.
 - ii. In case of change of residential address, he shall inform the Trial Court as well as the IO.
 - iii. The petitioner shall not travel outside Delhi during this period.
 - iv. The petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses.
 - v. In case he is found indulging in any other incident or incident of offence of tampering with evidence or approaching the witnesses, the same will become ground for cancellation of interim bail.
11. The petitioner shall surrender immediately after the expiry of 10 days from the date of release.
 12. Copy of this order be sent to the Jail Superintendent for information and necessary compliance.
 13. Copy of this order shall also be given to the counsel for the applicant *daсти* under the signatures of learned Court Master.
 14. The application is disposed of in the aforesaid terms.

VIKAS MAHAJAN, J

DECEMBER 20, 2024/N.S. ASWAL