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

+ **BAIL APPLN. 4817/2024**

SHEIKH AWALIYA

.....Petitioner

Through: Mr. Harsh Hardy & Ms. Dimple
Talwar, Advocates.

versus

THE STATE, GOVT. OF N.C.T. OF DELHI

.....Respondent

Through: Ms. Kiran Bairwa, APP for State.
S.I. Shivam Bisht, PS Khajuri Khas,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **27.12.2024**

CRL.M.A. 39236/2024 (Exemption)

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

BAIL APPLN. 4817/2024

3. The present Bail Petition under Section 439 of the Code of Civil Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on behalf of the Petitioner seeking interim bail for a period of four weeks in FIR No. 129/2021 registered under Sections 376/354 of the Indian Penal Code, 1860 at Police Station Khajuri Khas, Delhi.
4. It is submitted that the marriage of the daughter, namely, Ms. Suhana Parvin is going to take place on 29.12.2024 at Banejamuna, Madhusudanpur, Kinkarbat, Hoogly, West Bengal.
5. Issue notice.



6. Ms. Kiran Bairwa, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State.

7. The Status Report has been filed on behalf of the State, wherein the factum of marriage of the daughter of the Petitioner has been verified and the statements of Village Sarpanch, neighbours to this effect have also been recorded, the copies thereof along with the copy of the Invitation Card have also been annexed with the Status Report.

8. Learned Additional Public Prosecutor for the State has no objection if the present Petition is allowed. However, she contends that the interim bail may be granted for seven days only instead of four weeks.

9. **Submissions heard and the record perused.**

10. Considering that the marriage of the daughter of the Petitioner is scheduled for 29.12.2024 at Banejamuna, Madhusudanpur, Kinkarbati, Hoogly, West Bengal as well as the submissions made in the Status Report, the present Petition is allowed. The Petitioner is granted interim bail in FIR No. 129/2021 registered under Sections 376/354 of the Indian Penal Code, 1860 at Police Station Khajuri Khas, Delhi, for a period of 7 days from the date of his release upon his furnishing a personal bond in the sum of Rs. 15,000/- and one surety of the like amount, to be produced before the concerned Jail Superintendent for acceptance of the bail bond to the satisfaction of the concerned Jail Superintendent, and further subject to the following conditions:-

- a) The Petitioner shall provide his mobile number and also the mobile number of his wife/surety to the IO concerned, both of which shall be kept in working condition at all times and he shall not change the mobile numbers without prior intimation to the Investigating



Officer concerned;

- b) The Petitioner shall inform the IO and the Jail Superintendent the address where he shall be available in West Bengal.
 - c) The Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.
 - d) The Petitioner shall not stay near the complainant and shall not threaten the complainant and the other witnesses in any manner.
11. Upon expiry of period of seven days, as stated above, The Petitioner shall surrender himself before the concerned Jail Superintendent.
12. The copy of the Status Report handed over today in the Court by the learned Additional Public Prosecutor be taken on record.
13. The Petition stands disposed of.

**NEENA BANSAL KRISHNA
(VACATION JUDGE)**

DECEMBER 27, 2024
S.Sharma