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

+ **BAIL APPLN. 126/2025**

IMRAN@MURAD

.....Petitioner

Through: Mr. Sajid Ahmad, Mr. Firoz Iqbal
Khan, Mr. Mohd. Fazan and
Mr. Danish, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Hemant Mehla, APP for State
with Mr. Balwant Singh, SI, PS-
Bhalswa Dairy.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

18.02.2025

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1. Through the present application, the Petitioner seeks grant of an interim bail on humanitarian grounds, in terms of FIR No. 853/2024, under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023¹ registered at PS, Bhalswa Dairy.

2. When the Petitioner filed the present bail application, one of the grounds urged by him relating to the marriage of the Applicant's sister scheduled on 14th January, 2025 did not survive as apparently the marriage took place as on the date of listing. Nonetheless, the Petitioner seeks bail in terms of the second ground urged relating to severe illness of his father. On this issue, the prosecution filed a status report opposing the present bail application, wherein they have stated that although the Applicant's father

¹ "BNS"



was admitted in the hospital for treatment, he was subsequently discharged on 9th January, 2025. Therefore, the prosecution submits that the reason of his father's illness as cited by the Petitioner, is not valid ground for granting him bail. In addition to the above, the prosecution also points out the criminal antecedents of the Petitioner and emphasise that the Petitioner is a flight risk and should not be released on bail.

3. Heard. The present application is only seeking grant of interim bail for a short duration, in order to enable the Petitioner to meet his ailing father. As pointed out by the prosecution, at some point of time, the Petitioner's father may have been in hospital and subsequently discharged. Thus, the medical records indicate that the Petitioner's father has serious medical problems. Thus, in the opinion of the Court, the Petitioner ought to be granted an opportunity to meet his father. As per the nominal roll, the Petitioner has been in custody in the present case as an under trial since 02nd December, 2024. As regards the other criminal antecedents pointed out by the prosecution, it must be noted that as of now, the Petitioner has not been convicted in any of the cases and has also been granted bail by the concerned Trial Courts.

4. Considering the overall circumstances of the case, the Petitioner is directed to be released on bail for a period of 10 days on furnishing a personal bond for a sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the Trial Court/ Duty Metropolitan Magistrate, on the following conditions:

a. The Applicant shall not indulge in any criminal activity and shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case,



in any manner whatsoever;

b. The Applicant shall under no circumstance leave the country without prior permission of the Trial Court.

c. The Applicant shall appear before the Trial Court as and when directed;

d. The Applicant shall provide a permanent address to the Trial Court where he would be residing after his release and shall not change the address without informing the concerned IO/SHO.

e. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

5. In the event of there being any FIR/DD entry/complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

6. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and shall also not be taken as an expression of opinion on the merits of the case.

7. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

FEBRUARY 18, 2025

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