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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.A. 381/2025 & CRL.M.A. 9309/2025
MOHD. SALEEM KHANAppellant
Through: Mr.Vaibhav Dubey, Ms.Pooja
Deepak, Advs.

versus

STATE OF NCT OF DELHIRespondent
Through: Mr.Amit Prasad, Ms.Ruchika
Prasad, Mr.Ayodhya Prasad,
Mr.Saravjeet Singh, Mr.Harshil
Jain, Mr.Vishal Choubey, Advs.
for the State.
Insp. Sandeep, SIT, Special
Cell.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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28.03.2025

1. The present appeal has been filed challenging the Order dated 25.03.2025 passed by the learned Additional Sessions Judge-03, Shahdara, Karkardooma Courts, Delhi in I.A. No.241/2025 in SC No.163/2020 titled *Md. Saleem Khan v. State*, dismissing the application filed by the appellant herein under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking grant of interim bail.
2. The appellant contends that he be released on interim bail for arranging the funds to be deposited for the academic fee of his daughter, who is pursuing her B.A. LL.B. Course from the



School of Law (HILSR), Jamia Hamdard, Delhi. He submits that he has a closing stock of garments worth Rs.16.55 lacs, which he needs to dispose of in order to arrange the funds for depositing the academic fee of the course being pursued by his daughter.

3. Issue notice.
4. Notice is accepted by Mr.Amit Prasad, the learned counsel on behalf of the respondent.
5. He submits that on the same plea, the appellant has been granted interim bail on previous occasions as well. He submits that on verification, it was found that the business of the appellant is now being run by his son and, therefore, there is no justification for releasing the appellant on interim bail as the stock that is lying with the appellant can be sold off by his son.
6. We have considered the submissions made by the learned counsels for the parties and perused the record.
7. The appellant has been in custody since 25.06.2020 in the case in question, and otherwise, in custody in another case since 11.03.2020.
8. The respondent has filed a verification report before the learned Trial Court affirming the submission of the appellant that his daughter is pursuing B.A LL.B. Course at Jamia Hamdard albeit, at the same time, contending that the business of the appellant is now being looked after by his son and that the appellant's son can dispose of the stock, if any, and generate funds for depositing the fee for the course being pursued by the appellant's daughter.
9. We also find that on earlier occasions, the appellant had been



granted interim bail on 18.11.2023, for a period of two weeks; on 05.06.2024, again for a period of two weeks; on 02.07.2024, for a period of ten days; and on 03.12.2024, again for a period of ten days. The appellant had duly surrendered on the expiry of the period of his bail each time.

10. Keeping in view the above facts and on humanitarian ground, we direct the release of the appellant on interim bail for a period of ten days from the date of his release, on furnishing a personal bond of Rs.20,000/- with one surety in the like amount to the satisfaction of the learned Trial Court/Duty Magistrate/CMM, and subject to the following conditions:-

- i. The appellant shall not leave the NCT of Delhi;
- ii. The appellant is directed to give all his mobile numbers to the Investigating Officer and keep it operational at all times;
- iii. The appellant shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other person acquainted with the facts of case. The appellant shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial;
- iv. He will daily video call the Investigating Officer, between 04:00 PM to 06:00 PM, during the period of interim bail;
- v. The appellant shall surrender before the Jail



Superintendent concerned after expiry of the period of interim bail of ten days.

11. We further bind the appellant to his statement to dispose of all the remaining stock of goods so that the same plea may not be used again in future as a ground for interim bail.
12. The appeal, along with pending application, is disposed of in the above terms.
13. Copy of this order be also sent to the Jail Superintendent for compliance.
14. *Dasti.*

NAVIN CHAWLA, J

SHALINDER KAUR, J

MARCH 28, 2025
RN/SJ