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

+ **BAIL APPLN. 2258/2025 & CRL.M.A. 18084/2025**

**SAAD MIRZA @ FARDEEN**

.....Petitioner

Through: Mr. M.A. Inayati and Mr. Shoaib Khan, Advocate along with mother of petitioner

versus

**STATE OF NCT OF DELHI**

.....Respondent

Through: Ms. Richa Dhawan, Addl. P.P. for State

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**

% **27.06.2025**

**CRL.M.A. 18084/2025 (exemption)**

Exemption allowed, subject to all just exceptions.

**BAIL APPLN. 2258/2025**

1. Petitioner is facing trial for commission of offences under Sections 395/397/411/506/120B/34 IPC and under Section 25/27 Arms Act.
2. He seeks interim bail to attend marriage of his real elder brother.
3. Learned counsel for petitioner submits that petitioner was involved in two different matters and when application seeking interim bail was moved before one such Court, such Court, *vide* order dated 23.06.2025, granted interim bail for a period of seven days in order enable him to attend such marriage.
4. As far as case in hand i.e. FIR No. 102/2023 PS New Friends Colony is concerned, when the application seeking same relief was moved, it was

**BAIL APPLN. 2258/2025**

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turned down, primarily, observing that bail was being sought on fake ground as there was nothing to indicate booking of any *bharat ghar*, *halwai* or *photographer*.

5. This has compelled the petitioner to move application seeking grant of interim bail so that he can attend the marriage of his real elder brother.

6. It is submitted that petitioner is in custody in the aforesaid case since 21.07.2023 and, in the interregnum, he never prayed for any interim relief on any ground whatsoever. He also submits that his one co-accused has already been granted interim bail.

7. This Court has seen order dated 23.06.2025 whereby the petitioner, *albeit*, in another case was granted interim bail to attend marriage of his elder brother. The aforesaid order would clearly indicate that concerned investigating officer had also verified the facts related to solemnization of marriage.

8. Learned counsel for petitioner submits that since marriage is a simple one, learned Trial Court should not have disbelieved him merely because of the fact that no bookings had been made.

9. When this matter was taken up in the forenoon session, learned Addl. P.P. for State had appeared on advance notice and expressed her apprehension about the factum of such marriage. She submitted that earlier the marriage was to be solemnized on 26.06.2025 but now it has been postponed to 29.06.2025 and perhaps the entire idea is to somehow run away.

10. In order to reconfirm the aforesaid aspect, the investigating officer was requested to reconfirm about the aforesaid aspect related to postponement in the date of marriage and as per verbal information given now by the investigating officer of the case, the marriage has been re-scheduled for



29.06.2025 and such fact has also been verified from the bride-side as well.

11. This Court cannot disregard the fact that one Court has given due regard to the aforesaid aspect and has enlarged him on interim bail and, therefore, merely because the marriage is going to be solemnized in a plain and simple manner, the relief should not have been disallowed by the other Court.

12. Keeping in mind the overall facts of the case, the present application is allowed and the petitioner is admitted to interim bail for a period of seven days, to be reckoned from the date of his actual release from the jail, on his furnishing personal bond and surety bond in sum of Rs. 15,000/- each subject to the satisfaction of learned Duty JFMC/Link JFMC. However, petitioner would also remain bound by the conditions as imposed upon him *vide* order dated 23.06.2025 passed in Bail Matter No. 1107/2025.

13. A copy of this order be sent to Superintendent Jail, Tihar for information and compliance.

14. A copy of this order be given *dasti* to learned counsel for petitioner under the signatures of the Court Master.

**MANOJ JAIN, J  
(VACATION JUDGE)**

**JUNE 27, 2025/dr/shs**