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

+ **CRL.A. 261/2019**

RAMZANI @ JAVED

..... Appellant

Through: Mr. Adit S. Pujari, Advocate
(DHCLSC) with Ms. Tusharika
Mattoo and Mr. Chaitanya
Sundriyal, Advocates.

versus

STATE

..... Respondent

Through: Ms. Aashaa Tiwari, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

03.03.2021

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The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

CRL.M.(BAIL) 207/2021

The present application under section 389 of the Code of Criminal Procedure, 1973 (Cr.P.C.) read with section 482 Cr.P.C. has been instituted on behalf of Ramzani *alias* Javed, the applicant/appellant herein, seeking interim suspension of sentence and release on interim bail on the ground that he wants to attend the *chaalisvan* of his father, consequent upon the father's unfortunate demise on 30.01.2021.



Upon verification, a status report dated 02.03.2021 authored by Inspector Vivek Tyagi, SHO Police Station Mayur Vihar has been filed.

A perusal of the status report reflects the fact that the father of the applicant/appellant, late Sh. Akhtar Hussain, has expired on 30.01.2021; and his *chaaliswan* i.e. the ritual to be performed on the 40th day after his death is to be held on 10.03.2021 at their residence at House No.392, Kotla Village, Mayur Vihar Phase-1, New Delhi.

In view of the foregoing and in the interests of justice, the present application is allowed; and the sentence awarded to the applicant/appellant Ramzani *alias* Javed is suspended; and the applicant/appellant is directed to be enlarged on interim bail for a period of seven (07) days from the date of his release, subject to the following conditions:

- a) The applicant/appellant shall furnish a personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only) with 01 surety in the like amount from a family member, to the satisfaction of the Jail Superintendent;
- b) The applicant/appellant shall not leave the jurisdiction of the National Capital Territory of Delhi, without prior permission of this Court;
- c) The applicant/appellant shall furnish his mobile telephone number which shall be kept in working condition, to the concerned SHO and shall not change the same without prior intimation to the SHO; and
- d) The applicant/appellant shall surrender before the Jail Authorities after the expiry of the period of interim suspension of sentence and release on bail, without demur.

The application is disposed of accordingly.



A copy of this order be sent to the Jail Superintendent, for compliance, through electronic mail.

A copy of the order be also provided to learned counsel appearing on behalf of the parties electronically.

The order be uploaded on the website of this court *forthwith*.

SIDDHARTH MRIDUL, J

ANUP JAIRAM BHAMBHANI, J

MARCH 03, 2021/dn

[Click here to check corrigendum, if any](#)