

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 1547-1549/2018

SAMI ULLAH & ORS.

Appellant(s)

VERSUS

ZULFIKAR NASIR & ORS.

Respondent(s)

([ONLY I.A. NO. 168846/2022 IN CrI.A. No. 1636-1638 / 2018 IS LISTED UNDER THIS ITEM.])

WITH

CrI.A. No. 1636-1638/2018 (II-C)
(IA No. 168846/2022 - INTERIM BAIL)

Date : 20-01-2023 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Appellant(s) Mr. Sanpreet Singh Ajmani, Adv.
Ms. Yaksha Sharma, Adv.
Mr. Varun Mishra, Adv.
Ms. Seema Dhingra, Adv.
Ms. Manju Jetley, AOR
Mr. Ashutosh Jha, AOR

For Respondent(s) Ms. Anindita Pujari, AOR
Mr. Abhineet Arvind, Adv.
Ms. Radhika Mohapatra, Adv.
Ms. Maitreya Saha, Adv.

Mr. Anil K. Chopra, AOR

Mr. Sarvesh Singh Baghel, AOR

Mr. Viresh B. Saharya, AOR

Mr. Jayant K. Sud, ASG
Mr. Sanjay Kumar Tyagi, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Anukalp Jain, Adv.
Ms. Ruchi Kohli, Adv.
Mr. G.S. Makker, AOR

UPON hearing the counsel the Court made the following

O R D E R

IA No. 168846/2022

This application is filed by the applicant/appellant No.2, who is a senior citizen, seeking interim bail to enable him to attend the last rites of his son namely, Sachidanand Prajapati, who was 24 years of age and said to have passed away on 06.11.2022. Though this application was moved on 07.11.2022 but, has come up for consideration before the Court now.

Learned counsel for the applicant/appellant No.2 submits that certain last rites as regards his son are yet to be performed and for that purpose, the applicant/appellant No.2 may be granted interim bail for a short period.

Learned counsel for the respondent-State though has submitted that looking to the date of demise, the applicant/appellant No.2 may not be entitled to be released for the reason as stated but, taking totality of circumstances into account, we are inclined to grant interim bail to the applicant/appellant No.2 for a period of three weeks from the date of release.

Having regard to the circumstances, it is considered appropriate and hence directed as under:

(a) The applicant- Ram Dhyan s/o Shri Swami Nath shall be produced before the Court of Additional Sessions Judge, West-04, Tis Hazari Courts, Delhi within three days from today and the Court concerned shall release the applicant on interim bail for a period of three weeks on such conditions as the Court may deem appropriate to

impose.

(b) Upon expiry of the period of three weeks, the applicant/appellant No.2 shall surrender himself before the Court concerned.

(c) In case, the applicant/appellant No.2 fails to surrender within three weeks as stated above, the bail bonds shall stand forfeited and the authorities concerned shall be at liberty to take appropriate steps in accordance with law.

The application stands disposed of accordingly.

List all these matters along with connected matters for final hearing in the third week of March 2023.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(RANJANA SHAILEY)
COURT MASTER