

Mrs Leena Paulose vs State Of Delhi on 23 February, 2022

Author: Subramonium Prasad

Bench: Subramonium Prasad

\$~32

* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 655/2022
MRS LEENA PAULOSE

Through

...
Mr. Wills Mathews, A
(K/211/1989) and Mr.
Edison, Advocate (D/

versus

STATE OF DELHI

Through

...
Mr. Amit Chadha, APP
with ACP Virender Si
Special Cell

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD
ORDER

% 23.02.2022 HEARD THROUGH VIDEO CONFERENCING CRL.M.As. 3654-55/2022
(Exemption) Allowed, subject to all just exceptions.

1. Vide the instant petition the petitioner seeks custody parole in FIR No.208/2021 dated 07.08.2021, registered at Police Station Special Cell, New Delhi for offences under Sections 170/384/386/388/419/420/506/186/ 353/468/471/120-B IPC and Section 66-D of the IT Act and Section 3 of the MCOCA, on the ground that Baptism ceremony of Petitioner's nephew is scheduled on 27.02.2022 i.e. Sunday.

2. Material on record indicates that the Petitioner had approached this Court by filing BAIL APPLN. 500/2022. In that application it was stated that the Baptism ceremony was scheduled to be held on 12.02.2022 with a statement that there is a possibility that the ceremony could be postponed. The bail application was withdrawn by the learned counsel for the Petitioner on 16.02.2022 with liberty to approach the competent Court after the date of Baptism of Petitioner's nephew is fixed. Petitioner approached the Trial Court on 18.02.2022 by filing an application for one day custody parole for 20.02.2022 stating that her nephew's Baptism ceremony has been fixed for 20.02.2022. The said application was dismissed by the learned Additional Session Judge - 03, Patiala House Courts, New Delhi.

3. In the present petition it is stated that the Baptism ceremony of Petitioner's nephew is on 27.02.2022.

4. It appears that the Baptism ceremony of petitioner's nephew is being shifted with a view to obtain bail. Be that as it may. At this stage, it will be impossible for the Police to verify as to whether Baptism ceremony of the Petitioner is to be conducted on 27.02.2022 or not.

5. Confronted with this learned counsel for the Petitioner states that he will approach the competent Court by giving sufficient time to the competent Court to verify the correct date of Baptism ceremony, which according to him will now be held after 50 days of lent period wherein such ceremonies are not conducted. He, therefore, seeks permission to withdraw the instant petition with liberty to approach the competent Court by filing a fresh application for bail.

6. Liberty, as prayed for, is granted.

7. It is made clear that this Court has not made any observations on the merits of the case. As and when the petitioner approaches the Trial Court by filing a fresh application for bail, the Trial Court is requested to consider the same on its own merits without being influenced by the fact that the instant petition has been withdrawn.

8. With these observations, the petition is disposed of as withdrawn along with the pending application(s), if any.

SUBRAMONIUM PRASAD, J FEBRUARY 23, 2022 Rahul