



S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 856/2025

[Arising out of impugned final order dated 14-01-2025 in BA No. 4819/2024 passed by the High Court of Delhi at New Delhi]

MOHD TAHIR HUSSAIN

Petitioner(s)

VERSUS

STATE OF NCT OF DELHI

Respondent(s)

[TO GO BEFORE THREE HON'BLE JUDGES]

IA No. 15361/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 28-01-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :

Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Rajiv Mohan, Adv.
Ms. Tara Narula, Adv.
Ms. Sonal Sarda, Adv.
Ms. Shivangi Sharma, Adv.
Ms. Noyonika Deori, Adv.
Ms. A Mitra, Adv.
Mr. Rishabh Bhati, Adv.
Mr. Karan Dhalla, Adv.
Ms. Vismita Diwan, Adv.
Mr. Sujoy Chatterjee, AOR

For Respondent(s) : Mr. Suryaprakash V. Raju, ASG

Mr. Mukesh Kumar Maroria, AOR
Mr. Annam Venkatesh, Adv.
Mr. Zoheb Hussain, Adv.
Mr. Rajat Nair, Adv.
Mr. Hitarh Raja, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard Mr. Siddharth Aggarwal, learned

senior counsel appearing for the petitioner and Mr. S.V.Raju, learned ASG appearing for the respondent-State of NCT Delhi.

Mr. Siddharth Aggarwal at the outset submitted that he is confining his petition for limited relief that the petitioner be released on custody parole from tomorrow i.e. 29th January, 2025 till 3rd February, 2025. He further submits that the petitioner will bear all the expenses of the State and shall make advance deposit for two days at a time for this period of six days.

He further submits that the petitioner along with the deputed officers of Delhi Police will primarily stay at the address situated at Usman Ahamed, Block E-1/722 Gali-12 Nehru Vihar, Delhi -110094 and in the alternative he would make arrangement for stay for himself and for the deputed team officers, Delhi Police, at Crown Plaza Guest House, D-2 Main Wazirabad Road, Chand Bagh, Bhajanpura, Delhi -110094. He further submits that the petitioner may be allowed to visit his party office and also attend his meeting etc. within the constituency. He may also be required to sign necessary documents and meet his counsel and campaign managers. He further submits that the petitioner shall not visit his original residence situated at E-

7, Main Karawal Nagar Road, Khajuri Khas. The petitioner shall also not make any comments on his pending cases in his address/campaign or any Press Conference. Lastly that he will take care of all the expenses for boarding and lodging of the police officer deployed for his safety and security.

Mr. Raju, learned ASG has seriously objected for release on custody parole. However, upon instruction, has placed before us a chart indicating that the total expenses per day of the staff deployed with the petitioner for 24 hours along with expenses of the jail van and an escort vehicle would come to Rs. 4,14,858/- (Rupees Four Lakhs Fourteen Thousand Eight Hundred and Fifty Eight Only). He further submits that the jail van and the escort vehicle expenses which have been indicated as per kilometer would depend upon the actual kilometer for vehicle as used per day. He further submits that the petitioner may not be released for the entire period, as requested but may be allowed to leave the jail and return to jail every day as per the timings of entry and exit provided in the Jail Manual.

Considering the respective submissions and the peculiar facts and circumstances of this case, we issue the following directions :

- 1) The petitioner will abide by all the

undertakings already recorded above, as stated by learned senior counsel.

2) The petitioner will be released in police protection for the day(s) as per the timings prescribed in the Jail Manual from 29th January, 2025 till 3rd February, 2025 upon the deposit of expenses, being half of what is indicated in the chart, which is Rs. 2,07,429/- (Rupees Two Lakhs Seven Thousand Four Hundred and Twenty Nine) per day initially for two days. Thereafter, before expiry of two days the expenses for the next two days would be deposited and similarly for the last two days before expiry/or or before the fourth day, the amount has to be deposited.

3) Mr. Raju, learned ASG informs that the amount shall be accepted by the concerned authority i.e. DCP-3rd Battalion, Delhi Police.

4) The amount shall be accepted today itself without raising any objection of expiry of timings etc. However, the amount shall be tendered before 6.00 p.m. today.

The special leave petition stands disposed of accordingly.

However, it is made clear that the said order be not treated as a precedent and the pending bail

application before the High Court shall be considered on its own merits, uninfluenced by any observation made in the orders passed by this Court.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
COURT MASTER (NSH)